

**Appendix C –
Results of a Biology Field Survey of the
Ranch View Terrace Project Site, Encinitas**

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Mr. Udi Melamed
745 Cole Ranch Road
Encinitas, CA 92024

~~April 18, 2019~~
~~February 4, 2020~~
December 10, 2020
FINAL October 18, 2022

RE: Results of a Biology Field Survey of the Ranch View Terrace Project Site, Encinitas

Dear Mr. Melamed:

This report presents the results of a biological resources field study of the Ranch View Terrace project site. The survey area for this study consists of APN 265-331-49, which is an approximately 8.5-acre vacant property located just northwest of Rancho Santa Fe Road in the City of Encinitas (Figures 1 and 2). Also included as a part of the project is improvement areas to Ranch View Terrace, the project's existing access road out to Rancho Santa Fe Road. Development of this property could result in impacts to biological resources, hence the need to evaluate the project with respect to compliance with the California Environmental Quality Act (CEQA), the Endangered Species Act (ESA) and related local, state, and federal statutes and regulations.

The focus of the study is to: (1) identify the various onsite habitats that could be affected by site development; (2) evaluate the site for "occupancy" by any number of special status plants or animals that are known from the vicinity, including state and federally-listed Rare, Threatened and Endangered Species; (3) quantify project-related impacts to sensitive biological resources, if present, and; (4) provide general recommendations for mitigation, as necessary.

The project is located in the eastern-central part of the City, within the Encinitas " Softline Focused Planning Area" (FPA- Figure 3), as defined in the Multiple Habitat Conservation Program (MHCP) Subregional Plan, which was developed for certain north San Diego County cities in anticipation of Subarea Plan preparation and implementation. The City of Encinitas is not actively working on a Subarea Plan at this time, and one is not anticipated in the near future.

METHODS

I conducted field survey of the Ranch View Terrace project site on 21 October 2016 and again on 29 March and 13 April 2018 between the hours of approximately 09:30–12:30 each day. Brandon D. Myers, Associate Biologist, participated in the 2018 field surveys. Weather conditions were conducive to biological surveying, with mostly clear skies, temperatures in the high 60s, and light winds from the west and south. All accessible areas of the site were slowly walked, and all plants and animals encountered were inventoried in the field as encountered. Habitats were mapped with the aid of a recent aerial photograph of the property (Figure 4).

The entire property was examined along with adjoining areas. All habitats were rough-mapped in the field. Wildlife observations were made casually. Binoculars were used to aid in observations and all wildlife species observed were noted. Animal nomenclature used in this report is taken from American Ornithologist's Union (1983, as updated) for birds, Jones, et. al (1992) for mammals, and Stebbins (2004) for herpetofauna. Botanical nomenclature follows Hickman (1993) and others. Sensitive species status follows Skinner and Pavlik (1994), California Department of Fish and Wildlife (2017), and U.S. Fish and Wildlife Service (2015).

Due to the presence of suitable habitat (Diegan Coastal Sage Scrub), a protocol California Gnatcatcher (CAGN) presence/absence survey was performed on various dates between December 2018 and April 2019 pursuant to the current USFWS survey protocol.

RESULTS

Vegetation

The Ranch View Terrace project site currently supports five relatively discrete to broadly overlapping plant communities or habitat-types. These are Southern Maritime Chaparral, disturbed Diegan Coastal Sage Scrub, Non-native Vegetation, Eucalyptus Woodland, and Disturbed/Developed Habitat (Figures 5 and 6).

1. Southern Maritime Chaparral – 5.0 acres

The central and western portions of the property support Southern Maritime Chaparral, a rare native plant community that is essentially restricted to areas in close proximity to the coast. This habitat is indicated by Coast White Ceanothus (*Ceanothus verrucosus*), Chamise (*Adenostoma fasciculatum*), Del Mar Manzanita (*Arctostaphylos glandulosa* ssp. *crassifolia*), Mission Manzanita (*Xylococcus bicolor*), Spice Bush (*Cneoridium dumosum*), and other native soft-woody and hard-woody shrubs. The chaparral vegetation onsite is considered a sensitive and high-value biological resource.

2. disturbed Diegan Coastal Sage Scrub – 0.9 acre

Disturbed Diegan Coastal Sage Scrub covers a portion of the eastern portion of the property. This diverse, native vegetation-type is dominated by California Sagebrush (*Artemisia californica*), Flat-top Buckwheat (*Eriogonum fasciculatum*), Black Sage (*Salvia mellifera*), and other soft-woody shrubs. The disturbed Diegan Coastal Sage Scrub onsite has grown in areas of the site that were formerly disturbed by agriculture and the habitat contains non-native species, such as Hottentot Fig (*Carpobrotus edulis*) and others in areas. The biological resource value of this habitat is moderate due to its disturbed condition.

3. Non-native Vegetation – 1.0 acres

A variety of non-native trees and large shrubs are present along the site's boundaries. These create Nonnative Vegetation. This ornamental vegetation is likely a result of recruitment by non-natives from adjacent properties and perhaps old plantings. Non-native Vegetation onsite is indicated by Acacia (*Acacia* sp.), Jade Plant (*Crassula ovata*), and others. Non-native Vegetation is of no biological resource value.

4. Eucalyptus Woodland – 1.3 acres

A stand of mature trees growing on a low knoll near the site's eastern property edge qualifies as Eucalyptus Woodland. This mainly consists of large to small Murray Red Gum (*Eucalyptus camaldulensis*) trees and others, with little to no understory. Eucalyptus Woodland is of no biological resource value.

5. Disturbed/Developed Habitat – 0.3 acres

Disturbed/Developed habitat is in the form of a paved road and adjoining areas of bare dirt. This is almost entirely found on the southeast portion of the property within the access road footprint. Disturbed/ Developed habitat is of no biological resource value.

Flora and Fauna

Sixty-one species of vascular plants and eighteen vertebrate animal species were detected during the field surveys of the site. Most of the plants and animals observed in association with the property are typical of

the diversity normally found in this part of Encinitas in both natural and disturbed habitats. A complete list of the plants and animals observed onsite is presented in Table 1, attached.

Sensitive Resources

Sensitive Plant Communities/Habitats

Sensitive vegetation communities consist of; (1) those recognized as "sensitive" by the City of Encinitas and/or the Wildlife Agencies (California Department of Fish and Wildlife, and U.S. Fish and Wildlife Service); (2) those which are known to be rare within the region; (3) those which are known to support populations of sensitive animal or plant species; and/or (4) those which serve as locally or regionally important wildlife corridors.

The following onsite habitats are considered sensitive by the City of Encinitas and the Wildlife Agencies:

- Southern Maritime Chaparral
- Disturbed Diegan Coastal Sage Scrub

These sensitive habitats are degraded to a large extent by the edge effects of adjoining development. Nevertheless, they support sensitive species (see below) and are significantly depleted in the region.

Sensitive Species

Sensitive species are those plants and animals listed as Rare, Endangered, Threatened, or otherwise noteworthy by the California Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, the City of Encinitas, or other regulatory agencies. Sensitive plant species locations onsite are shown in Figures 5 and 6.

The following sensitive plant species were detected during the survey for this report:

- **Del Mar Manzanita** (*Arctostaphylos glandulosa* ssp. *crassifolia*) - ~18 specimens
- **Coast White Ceanothus** (*Ceanothus verrucosus*) - ~ 9 specimens
- **Torrey Pine** (*Pinus torreyana*) - ~ 4 specimens

The following sensitive animal species were detected during the survey:

- **Red-shouldered Hawk** (*Buteo lineatus*) - single specimen flying over site
- **San Diego Desert Woodrat** (*Neotoma lepida intermedia*) - stick nests observed in several places

Del Mar Manzanita, Coast White Ceanothus (also known as Coast White Lilac, Wart-stemmed Ceanothus, and other common names) and Torrey Pine are found in the western portion of the property. These rare plants are of varying degrees of sensitivity. Del Mar Manzanita is a federally-listed Endangered Species and a Narrow Endemic in the MHPA. Coast White Ceanothus and Torrey Pine are sensitive plant species, with special measures of protection for the Coast White Ceanothus. Additional sensitive plants could occur on this site although they were not readily detectable at the time of the field surveys due to the historic drought experienced in Southern California in 2017-18.

A single Red-shouldered Hawk was detected using areas of the property and stick nests characteristic of San Diego Desert Woodrat were observed in several places. It is also expected that a few wide-ranging sensitive animals, such as various native bats and fossorial reptiles could utilize this site in relatively low

numbers. However, given the size of the property, no significant populations of any additional sensitive animals would be expected, in any case.

As mentioned, a California Gnatcatcher (CAGN) presence/absence survey was performed between November 2019 and April 2019. No CAGN were found during the survey. A copy of the protocol survey report is attached (Attachment B).

IMPACTS

Development of the Ranch View Terrace property will result in certain unavoidable impacts due to grading, construction, landscaping, and other associated changes in land-use. Native vegetation and native species are present, and these resources will be affected by site development as proposed (Figure 6). This loss is considered "significant", as defined by CEQA. Mitigation will thus be required to offset impacts, reducing them to a level of "less than significant".

A synopsis of project-related impacts to habitats and sensitive species along with associated mitigation recommendations is presented in Tables 2 and 3. This analysis assumes that 100-foot fire clearing from development and 30-foot fire clearing from roads will be required for the project, and that any required fire clearing will be contained entirely within the footprint of development as shown on Figure 6.

MITIGATION

Mitigation is required to compensate for impacts associated with development of the Ranch View Terrace project site. In order to mitigate direct effects associated with site development, the following recommendations are provided (see Tables 2 and 3):

- Mitigation for impacts to up to 0.40 acres of Southern Maritime Chaparral and 0.32 acre of disturbed Diegan Coastal Sage Scrub requires the application of minimum mitigation ratios of 3:1 and 2:1, respectively, because impacts are taking place within the MHCP Soft line FPA. Higher mitigation ratios could be required by the City or the Wildlife Agencies because the City of Encinitas does not have an active Subarea Plan currently in process. Mitigation for habitat impacts could be achieved onsite by monitoring, protecting, and managing the onsite open space via approval and implementation of a Resource Management Plan to prevent edge effects with perpetual, professional land management, or by offsite habitat preservation, conserving no less than 1.20 acres of Southern Maritime Chaparral and 0.64 acre of Coastal Sage Scrub in a City-approved and Wildlife Agency-approved location.
- Preventing project-related impacts to sensitive species will require the dedication of a conservation or open space easement over all areas of the site that are considered "impact neutral" as shown in Figure 6. This easement should preclude any activities that would affect the habitat within, including brush clearing or thinning, planting, etc. The specific easement language should be prepared and adopted by the City of Encinitas with guidance from the Wildlife Agencies
- Mitigation for impacts to Eucalyptus Woodland, Non-native Vegetation, and Disturbed/Developed Habitat is not required.
- A variety of native songbirds and one sensitive avian species reside onsite. Some of these, including various ground-nesting species, could breed on the property. Therefore, site grading and/or the removal of vegetation within 300 feet of any potential migratory bird nesting location should not be permitted during the spring/summer bird breeding season, defined as from 15 February to 31 August of each year. This is required in order to ensure compliance with the Sections 3503, 3503.5, 3511, and 3513 of the California Fish and Game Code and the Migratory

Bird Treaty Act. Limiting activities to the non-breeding season will minimize chances for the incidental take of migratory songbirds or raptors. Should it be necessary to conduct grading or other habitat-disturbing activities during the bird breeding season, a preconstruction nesting survey of all areas within 300 feet of the proposed activity will be required. The results of the survey will be provided in a report to the City of Encinitas Director of Planning and the Wildlife Agencies for concurrence with the conclusions and recommendations.

Thanks for the opportunity to provide this analysis. Please contact me if you have questions.

Very truly yours,



Vincent N. Scheidt
Biological Consultant

Attachments:

- Bibliography
- Table 1. Flora and Fauna Detected
- Table 2. Impact and Mitigation Analysis: Habitats
- Table 3. Impact and Mitigation Analysis: Sensitive Plant Species

- Figure 1. Regional Location
- Figure 2. Vicinity Exhibit
- Figure 3. MHCP Focused Planning Area covering Encinitas
- Figure 4. Aerial Photo
- Figure 5. Biological Resources Exhibit
- Figure 6. Biological Resources on Site Plan

- Attachment A. Site Photos
- Attachment B. California Gnatcatcher Survey Report
- Attachment C. Mitigation Plan

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Table 1. Flora and Fauna Detected – Ranch View Terrace Project

<u>Scientific Name</u>	<u>Common Name</u>
<u>Plants</u>	
<i>Acacia</i> sp *	Acacia
<i>Adenostoma fasciculatum</i>	Chamise
<i>Arctostaphylos glandulosa</i> ssp. <i>crassifolia</i>	Del Mar Manzanita
<i>Artemisia californica</i>	California Sagebrush
<i>Artemisia dracunculus</i>	Dragon Sagewort
<i>Baccharis pilularis</i>	Coyote Brush
<i>Baccharis sarothroides</i>	Broom Baccharis
<i>Cardionema ramosissima</i>	Beach Sand Mat
<i>Carex triquetra</i>	Chaparral Sedge
<i>Ceanothus verrucosus</i>	Coast White Ceanothus
<i>Centaurea melitensis</i> *	Tocalote
<i>Cirsium vulgare</i> *	Bull Thistle
<i>Cneoridium dumosum</i>	Spice Bush
<i>Conyza canadensis</i> *	Common Horseweed
<i>Corethrogyne filaginifolia</i> var. <i>virgata</i>	Sand Aster
<i>Crassula ovata</i> *	Jade Plant
<i>Croton californicus</i>	California Croton
<i>Cuscuta californica</i>	California Dodder
<i>Cylindropuntia prolifera</i>	Coastal Cholla
<i>Cynodon dactylon</i> *	Bermuda Grass
<i>Chenopodium murale</i> *	Goosefoot
<i>Datura meteloides</i> *	Jimsonweed
<i>Datura wrightii</i>	Sacred Datura
<i>Dichelostemma capitatum</i>	Blue Dicks
<i>Diplacus aurantiacus</i>	San Diego Monkeyflower
<i>Dudleya edulis</i>	Edible Dudleya
<i>Dudleya lanceolata</i>	Lance-leaved Dudleya
<i>Eriogonum fasciculatum</i>	Flat-top Buckwheat
<i>Erodium cicutarium</i> *	Red-stem Stork's-bill
<i>Eucalyptus camaldulensis</i> *	Murray Red Gum
<i>Eucalyptus globulus</i> *	Blue Gum
<i>Eucalyptus</i> sp. *	Eucalyptus
<i>Hazardia squarrosa</i>	Hazardia
<i>Heteromeles arbutifolia</i>	Toyon
<i>Lactuca serriola</i> *	Wild Lettuce
<i>Lotus scoparius</i>	Deerweed
<i>Marah macrocarpus</i>	Man Root
<i>Mesembryanthemum edule</i> *	Hottentot Fig
<i>Nicotiana glauca</i> *	Tree Tobacco
<i>Opuntia</i> sp. *	Prickly Pear
<i>Oxalis pes-caprae</i> *	Sorrel
<i>Pinus</i> sp. *	Pine
<i>Pinus torreyana</i>	Torrey Pine
<i>Pseudognaphalium bioletti</i>	Bicolor Cudweed
<i>Pseudognaphalium californicum</i>	California Cudweed

Quercus acutidens x
Quercus sp.
Rhus integrifolia
Ricinus communis *
Salsola tragus *
Salvia mellifera
Sambucus mexicanus
Schinus terebinthifolius *
Sisymbrium irio *
Sonchus oleraceus *
Stephanomeria virgata
Stipa lepida
Stipa sp.
Urtica urens *
Xylococcus bicolor
Yucca schidigera

Scrub Oak
Hybrid Oak
Lemonadeberry
Castor Bean
Russian Thistle
Black Sage
Elderberry
Brazilian Peppertree
London Rocket
Sow Thistle
Stephanomeria
Foothill Stipa
Stipa
Dwarf Stinging Nettle
Mission Manzanita
Mojave Yucca

Birds

Aphelocoma coerulescens
Archilochus anna
Archilochus sp.
Buteo lineatus
Carpodacus mexicanus
Corvus brachyrhynchos
Mimus polyglottos
Pipilo crissalis
Pipilo maculatus
Polioptila caerulea
Psaltiriparus minimus
Setophaga coronata
Thryomanes bewickii
Zenaida macroura

Scrub Jay
Anna's Hummingbird
Hummingbird
Red-shouldered Hawk
Housefinch
Common Crow
Mockingbird
California Towhee
Spotted Towhee
Blue-gray Gnatcatcher
Bushtit
Yellow-rumped Warbler
Bewick's Wren
Mourning Dove

Mammals

Canis latrans
Neotoma lepida intermedia

Coyote
SD Desert Woodrat

Reptiles

Sceloporus occidentalis
Uta stansburiana

Western Fence Lizard
Side-blotched Lizard

Total = 61 plants, 18 animals detected

* = non-native or non-indigenous taxon **BOLD** = Sensitive Species

Table 2. Impact and Mitigation Analysis – Habitats: Ranch View Terrace Project

<u>Biological Resource</u>	<u>Pre development Acreage</u>	<u>Resource Impacted</u>	<u>Impact Neutral</u>	<u>Applicable Mitigation Ratio</u> ¹	<u>Required Mitigation</u> ²
Southern Maritime Chaparral	5.0 acres	0.40 acre	4.60 acre	3:1	1.20 acres
Disturbed Diegan Coastal Sage Scrub	0.9 acre	0.32 acre	0.58 acre	2:1	0.64 acres
Non-native Vegetation	1.0 acre	1.0 acre	none	none	none
Eucalyptus Woodland	1.3 acres	1.1 acres	0.2 acre	none	none
Disturbed/Developed Habitat	0.3 acre	0.2 acre	0.1 acre	none	none
Total	8.5 acres	3.02 acres	5.48 acre	--	1.74 acres

Table 3. Impact and Mitigation Analysis – Sensitive Plant Species: Ranch View Terrace Project

<u>Biological Resource</u>	<u>Pre development Numbers</u>	<u>Post-development Impact Numbers</u>	<u>Impact Neutral Numbers</u>	<u>Required Mitigation</u>
Del Mar Manzanita	18	0	18	MHCP Narrow Endemic Policy
Coast White Ceanothus	9	0	9	MHCP Special Considerations Policy
Torrey Pine	4	n/a	n/a	none

¹ Per the recommendations of the MHCP

² Mitigation shall take place either onsite or offsite in a local Conservation Bank offering suitable credits or in some other location approved by the City and the Wildlife Agencies

Figure 1. Regional Location - Ranch View Terrace Project Site, Encinitas

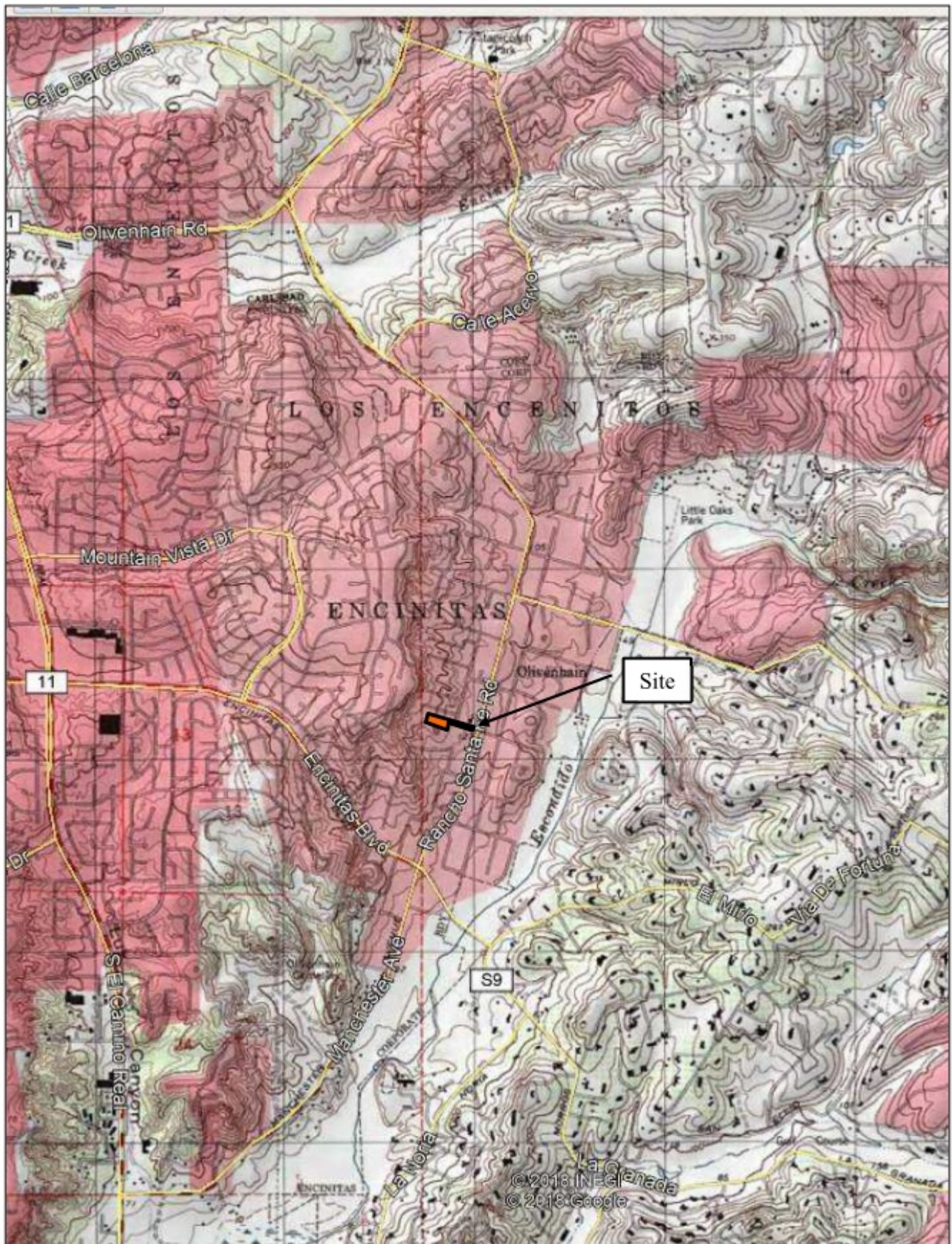


Figure 2. Vicinity - Ranch View Terrace Project Site, Encinitas

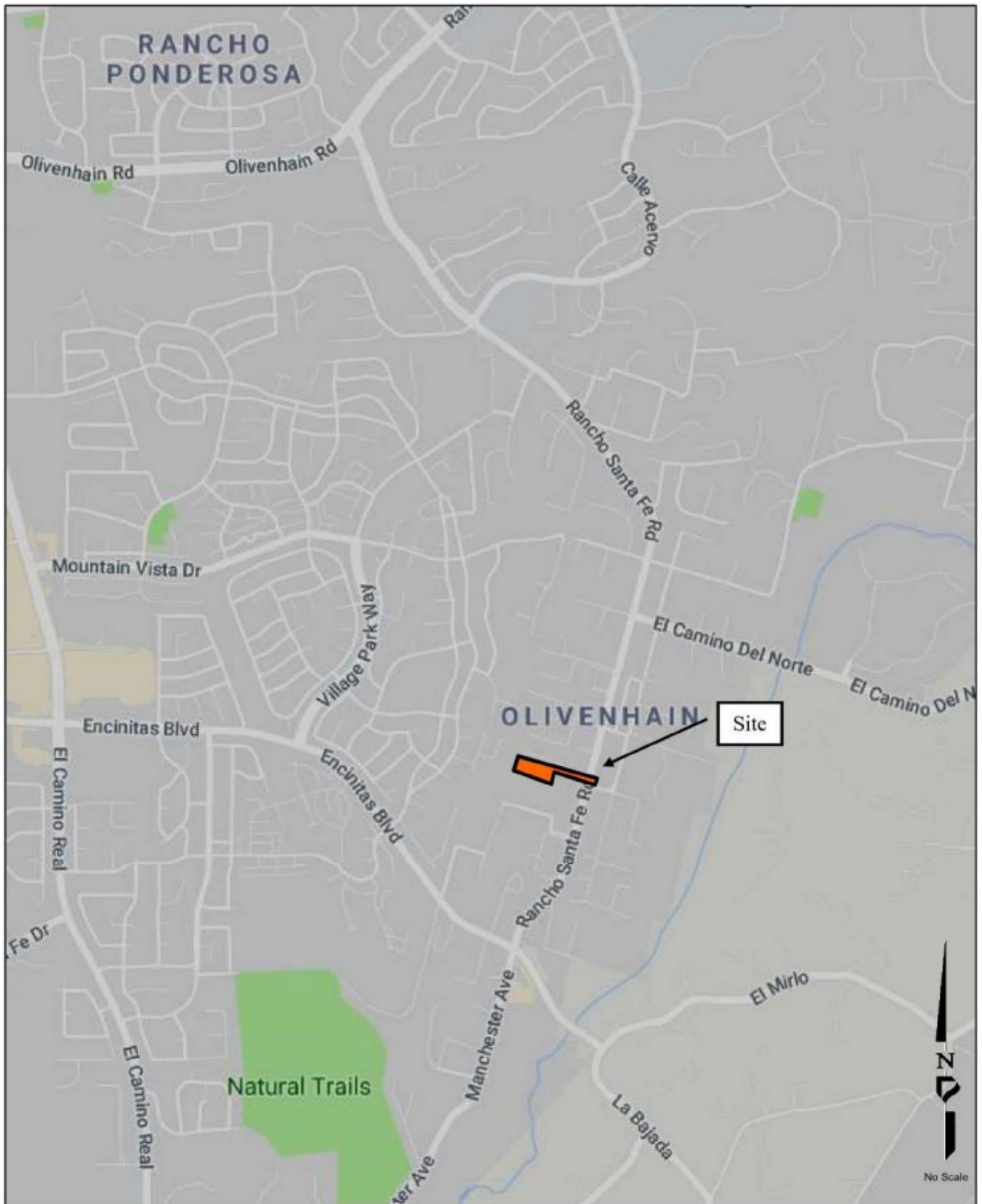


Figure 3. MHCP Focused Planning Area covering the City of Encinitas

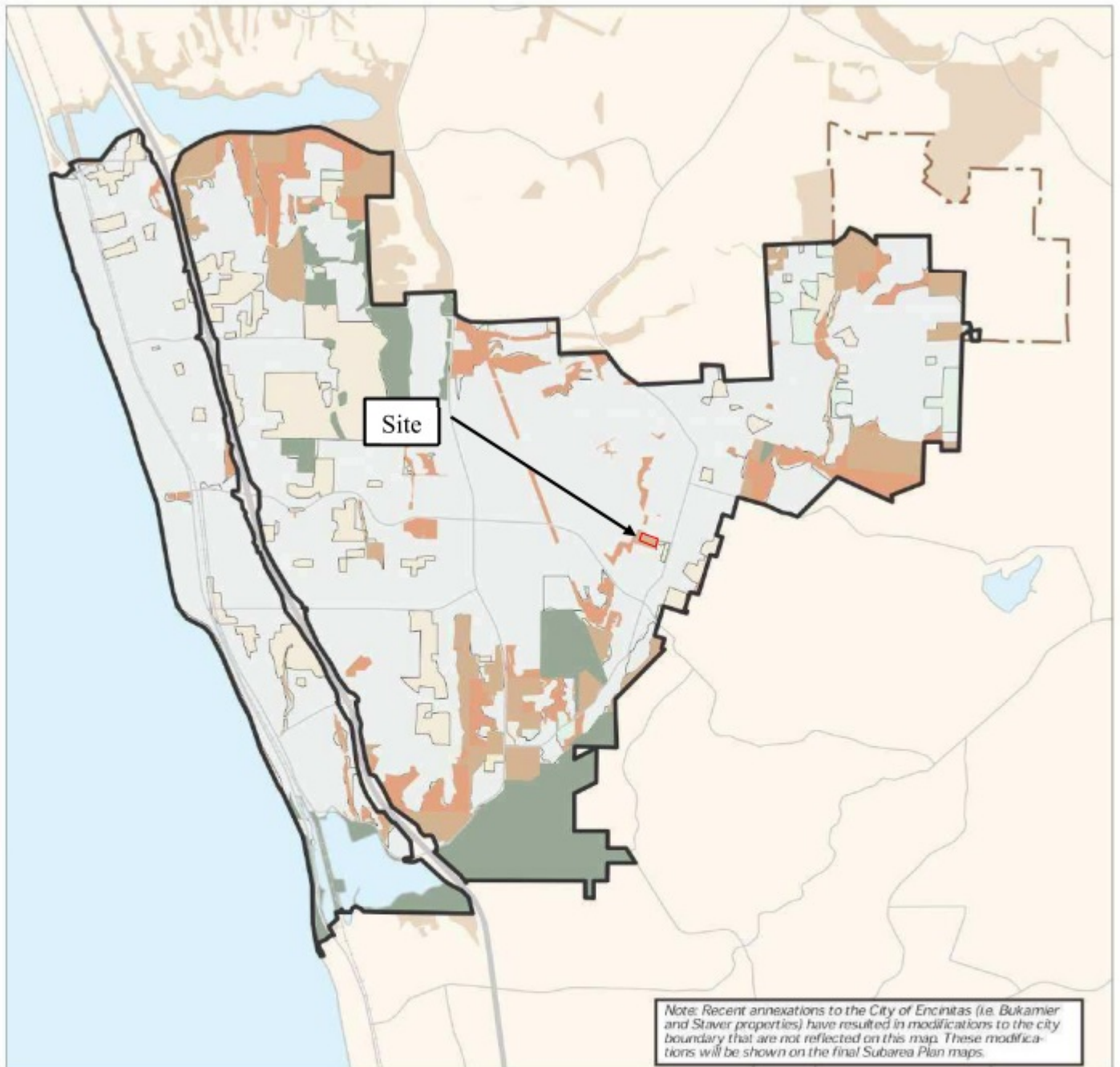
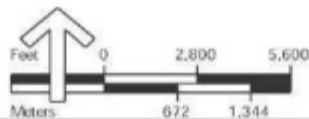


Figure 4-1
City of Encinitas Subarea Plan
Focused Planning Area

- | | | |
|------------------------------|---|---------------------------------------|
| Natural Habitats | Hardline Focused Planning Area | FPA Footprint of Adjacent MHCP Cities |
| Agricultural Land | Existing Homeowners' Association Open Space | Softline Focused Planning Area |
| Developed and Disturbed Land | | Sphere of Influence |

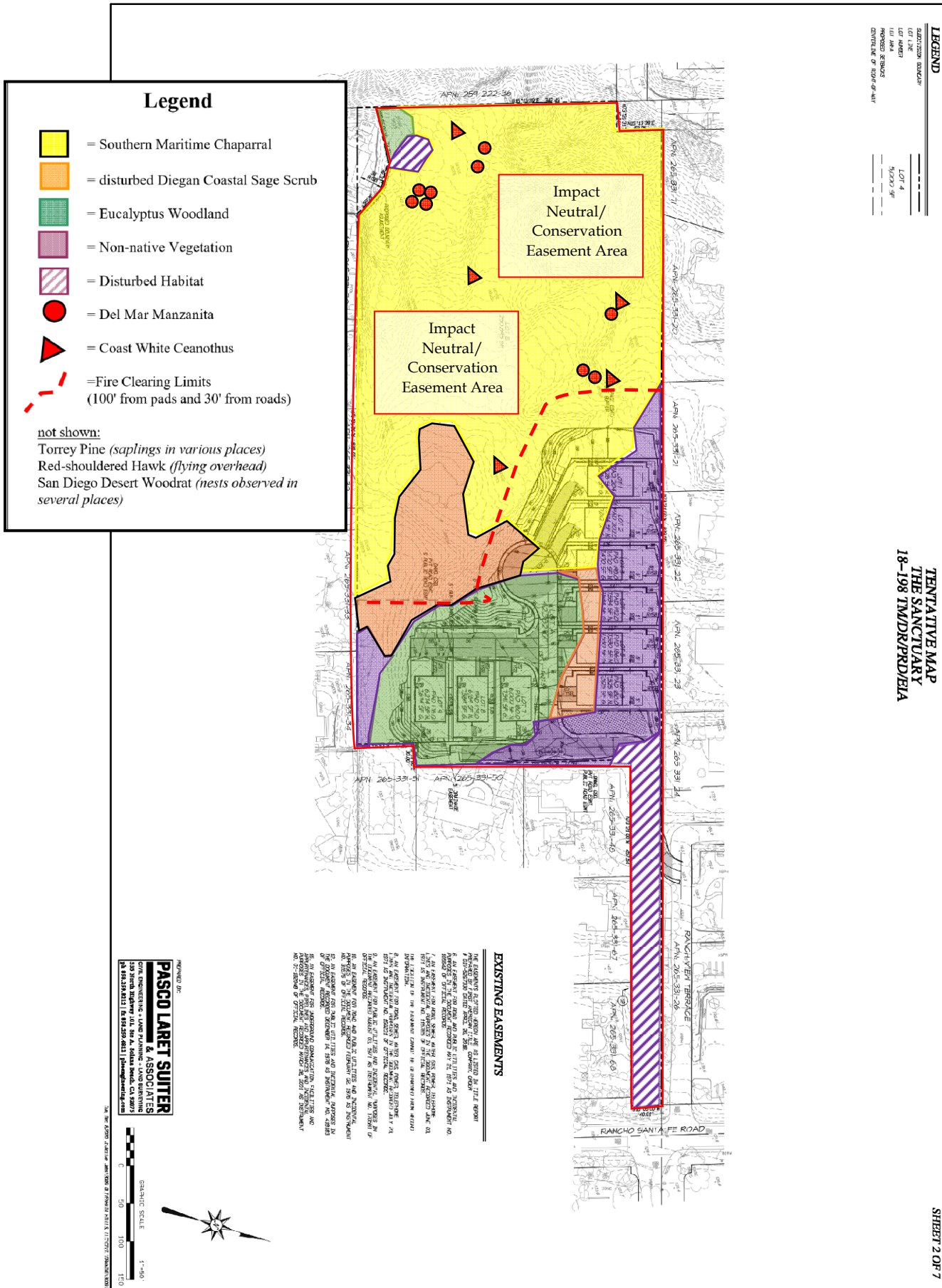


San Diego
ASSOCIATION OF
GOVERNMENTS
June 5, 2001



Source: City of Encinitas, 1999

Figure 6. Biological Resources on Site Plan - Ranch View Terrace Project, Encinitas



Attachment A

Site Photos



Photo 1. Looking northeast across the area containing Non-native Vegetation from the western edge of the habitat. This area is of little to no biological resource value.



Photo 2. Looking east across a small patch of disturbed Coastal Sage Scrub area on the east portion of the property.



Photo 3. Looking southwest up the slope supporting Eucalyptus Woodland vegetation.



Photo 4. Looking west across an area supporting disturbed Diegan Coastal Sage Scrub and Southern Maritime Chaparral in the background. This habitat is found at the base of the slope which supports the Eucalyptus habitat.



Photo 5. Photo looking west from the center of the property showing an overview of the Southern Maritime Chaparral Habitat.



Photo 6. A patch of Del Mar Manzanita near the northern edge of the property along an upper terrace.

Attachment B

California Gnatcatcher Survey Report

**REPORT OF A PROTOCOL FIELD SURVEY
FOR
CALIFORNIA GNATCATCHER
(*POLIOPTILA CALIFORNICA*)**

**Ranch View Terrace Project Site
Encinitas, California**

Prepared for

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April 2019

A handwritten signature in black ink, appearing to read 'Vincent N. Scheidt', is written over a horizontal line.

Vincent N. Scheidt, MA
Biological Consultant
TE788133

INTRODUCTION

This report presents the results of a protocol presence/absence field survey of the Ranch View Terrace project site for California Gnatcatcher (*Poliptila californica*), a federally-listed Threatened Species. The project site, which is located in the City of Encinitas (Figure 1), supports Southern Maritime Chaparral (SMC), disturbed Diegan Coastal Sage Scrub (CSS), Non-native Vegetation (NNV), Eucalyptus Woodland (EW), and Disturbed/Developed Habitat (DDH). Because the Ranch View Terrace project site supports CSS, the property was surveyed for the presence or absence of *P. californica*, which is a year-round resident species in this and similar habitat-types, although it does sometimes disperse into unsuitable habitat for a period during fledging in the fall.

Diegan Coastal Sage Scrub covers a small portion of the project site. This diverse, native vegetation-type is dominated by California Sagebrush (*Artemisia californica*), Flat-top Buckwheat (*Eriogonum fasciculatum*), Black Sage (*Salvia mellifera*), and other scrub species.

GOAL OF STUDY

The goal of this study was to survey the Ranch View Terrace project site to determine the presence or absence of California Gnatcatchers. Any other listed species detected during the surveys were to be documented. This directed study has been provided pursuant to the current U.S. Fish and Wildlife Service (FWS) survey protocol for this species.

METHODS

Fieldwork associated with this study consisted of a series of nine focused field surveys completed on the following dates and under the following conditions:

<u>Date</u>	<u>Hours</u>	<u>Survey Conditions</u>
27 December 2018	10:00 – 12:00	scattered clouds; slight wind; temps low 60°s
10 January 2019	08:15 – 9:30	overcast skies; no wind; temps high 50°s
24 January 2019	08:30 – 10:00	clear skies; no wind; temps low 60°s
07 February 2019	09:00 – 10:00	clear skies; no wind; temps high 50°s
21 February 2019	08:00 – 9:00	clear skies; light wind; temps low to mid 60°s
7 March 2019	09:00 – 10:00	overcast skies; light sw wind; temps low 60°s
22 March 2019	08:30 – 9:30	clear skies; no wind; temps low 60°s
04 April 2019	08:30 – 9:30	overcast skies; no wind; temps low 60°s
18 April 2019	08:00 – 9:45	Clear skies; no wind; temps mid 60°s

All field surveys were conducted by the author in possession of Federal 10(a)(1)(a) Recovery Permit #TE788133 and Associate Biologist Brandon Myers.

Field surveys were completed by slowly walking random transects through all areas of potential gnatcatcher habitat on the property. Specimens were visually searched for at all times, and playback calls of this species were broadcast using a hand-held device with call playback capability to assist with the detection of specimens. Weather conditions were generally conducive to California Gnatcatcher field surveying on each of the survey dates, although the wet winter dampened avian activity on certain days. Particular attention was paid to areas that had the highest probability of supporting this species, based on the experience of the surveyor. Binoculars were used to aid in observations, and all avifauna detected were noted (Table 1). Nomenclature used in this report is taken from standard field references, including the American Ornithological Union (AOU), and others.

RESULTS

CALIFORNIA GNATCATCHER HABITAT ASSESSMENT

California Gnatcatchers occur in coastal and interior areas of coastal sage and related scrub habitats typically dominated by California Sagebrush, Flat-top Buckwheat, Laurel Sumac, and other soft-woody shrubs. The project site supports CSS that is suitable habitat for California Gnatcatcher foraging, although it is impacted by edge effects from surrounding development. With respect to gnatcatcher occupancy, the quality of the onsite habitat is considered moderate to low, based mostly on the influence of edge effects, the disturbed nature of the CSS, and the small patch size of the habitat.

CALIFORNIA GNATCATCHER PRESENCE/ABSENCE

California Gnatcatcher was not detected on the Ranch View Terrace project site during the protocol field surveys.

CONCLUSIONS AND RECOMMENDATIONS

As stated above, the Ranch View Terrace project site does not support California Gnatcatcher and is considered "unoccupied" by this species at this time. Based on this survey, it is highly unlikely that gnatcatchers breeds in the vicinity of the subject property.

Table 1. Avifauna Detected – Ranch View Terrace Project Site, Encinitas

<u>Scientific Name</u>	<u>Common Name</u>
<i>Aphelocoma coerulescens</i>	Scrub Jay
<i>Archilochus anna</i>	Anna's Hummingbird
<i>Archilochus sp.</i>	Hummingbird
<i>Buteo lineatus</i>	Red-shouldered Hawk
<i>Carpodacus mexicanus</i>	Housefinch
<i>Corvus brachyrhynchos</i>	Common Crow
<i>Mimus polyglottos</i>	Mockingbird
<i>Pipilo crissalis</i>	California Towhee
<i>Pipilo maculatus</i>	Spotted Towhee
<i>Polioptila caerulea</i>	Blue-gray Gnatcatcher
<i>Psaltiriparus minimus</i>	Bushtit
<i>Setophaga coronata</i>	Yellow-rumped Warbler
<i>Thryomanes bewickii</i>	Bewick's Wren
<i>Zenaida macroura</i>	Mourning Dove

Figure 1. Regional Location – Ranch View Terrace Project Site
Portion of the U.S.G.S. “Encinitas” 7.5’ Quadrangle Map

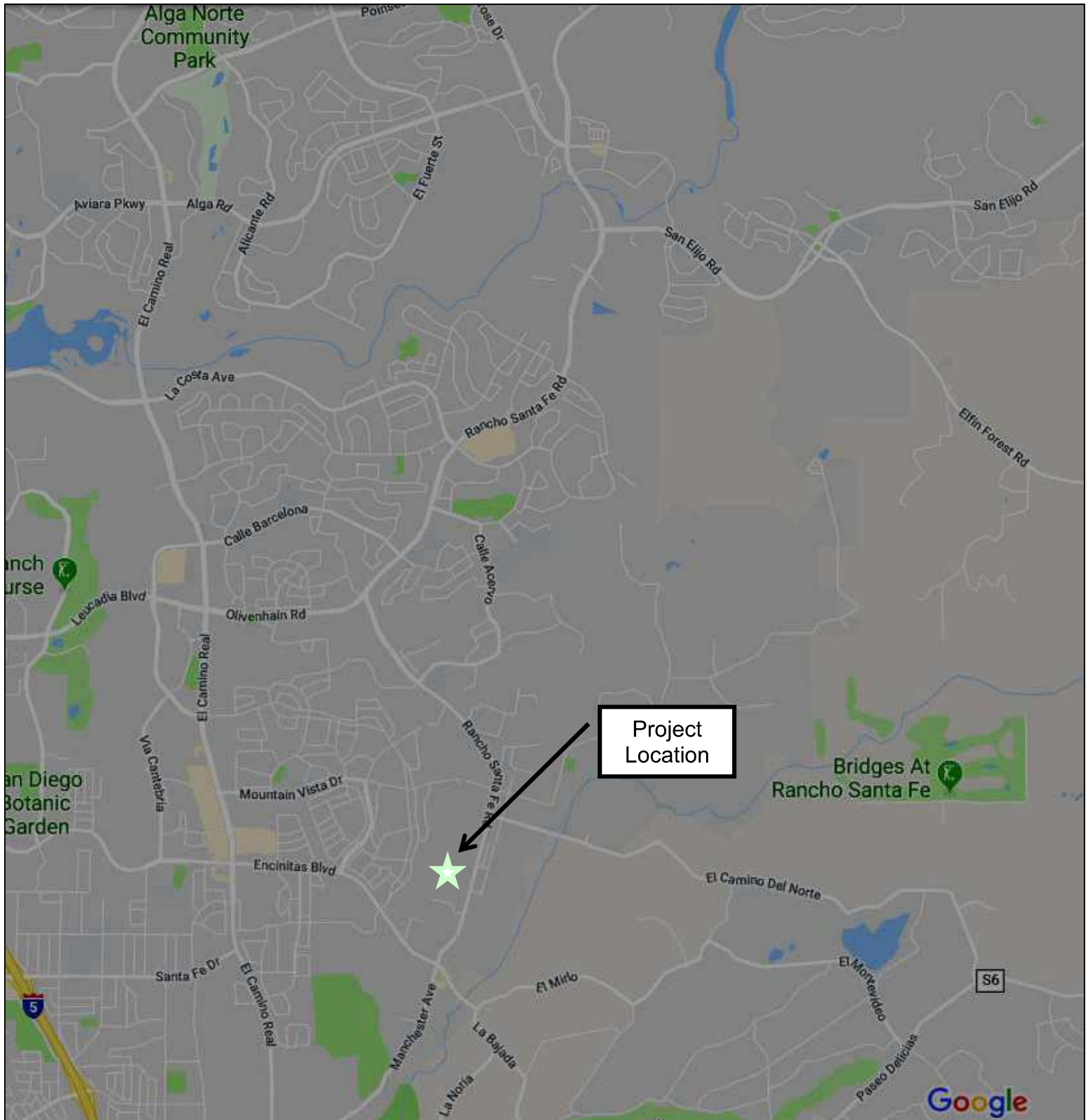
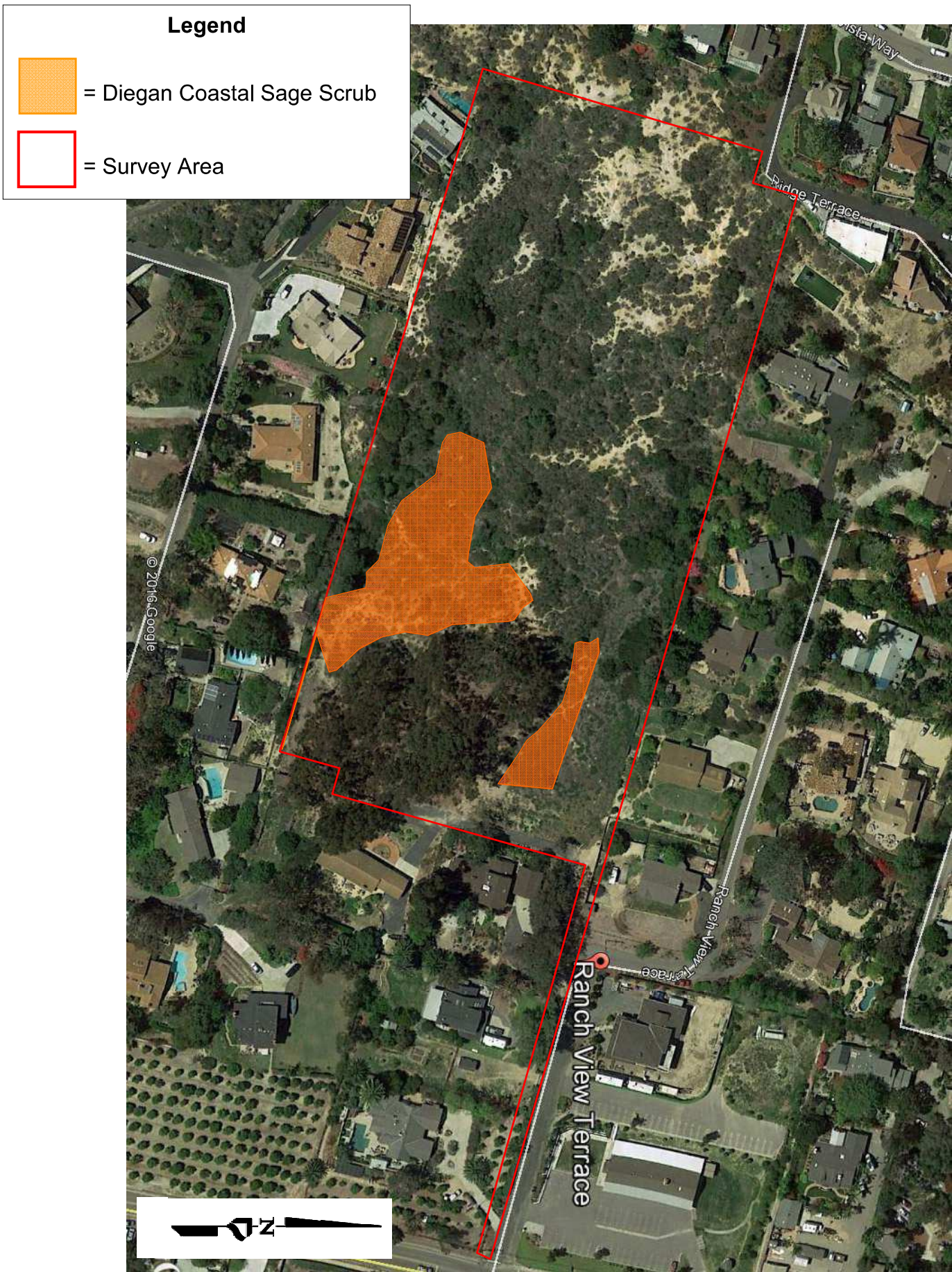


Figure 2. Aerial Photo Showing Onsite Coastal Sage Scrub - Ranch View Terrace Project Site, Encinitas



Attachment C

Mitigation Plan

to be provided

RESOURCE MANAGEMENT PLAN (CONCEPTUAL)

FOR THE

SANCTUARY AT OLIVENHAIN PRESERVE CITY OF ENCINITAS

PREPARED FOR

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GLOSSARY OF ACRONYMS

BMP	Best Management Practices
CCR	Conditions, Covenants and Restrictions
CDFW	California Department of Fish and Wildlife
CITY	City of Encinitas Planning Department
DPW	Department of Public Works
FMP	Framework Management Plan
MOU	Memorandum of Understanding
MSCP	Multiple Species Conservation Program
MUP	Major Use Permit
RMP	Resource Management Plan
USFWS	United States Fish and Wildlife Service

GLOSSARY OF STANDARD TERMS

Adaptive Management: A systematic process for continually improving management policies and practices by learning from the outcomes of operational programs.

Biological Open Space Easement: An easement dedicated to the City of San Diego for the purposes of the preservation of natural resources.

California Department of Fish and Wildlife (CDFW): a department of the California Resources Agency.

Conservation Easement: A legal agreement between a landowner and a land trust or government agency, such as the *CDFW*, that permanently limits uses of the land in order to protect its conservation values (California Government Code Section 27255).

Dedication: The turning over by an owner or developer of private land for public use, and the acceptance of land for such use by the governmental agency having jurisdiction over the public function for which it will be used. Dedications for roads, parks, school sites, or other public uses often are made conditions for approval of a development by a city or City.

Easement: Usually the right to use property owned by another for specific purposes or to gain access to another property. For example, utility companies often have easements on the private property of individuals to be able to install and maintain utility facilities.

Exotic Species: A species of plant or animal that is not indigenous, native, or naturalized to the area where it is found.

Habitat: The combination of environmental conditions of a specific place providing for the needs of a species or a population of such species.

Habitat Requirements: A specific set of physical and biological conditions that surround a single species, group of species, or community of species upon which the species or associations are dependent for their existence. In wildlife management the major components of habitat are considered to be food, water, cover and living space.

Listed Species: A taxon that is protected under the *FESA* or *CESA*. Listing categories include: Threatened, Endangered, Species of Special Concern, State Protected Species, Federally Proposed Threatened or Endangered, and Federally Petitioned Threatened or Endangered.

Monitoring: The timed collection of information to determine the effects of resource management and to identify changing resource conditions or needs.

Native (Indigenous) Species: A species of plant or animal that naturally occurs in an area and that was not introduced by humans.

Plant Community: Assemblage of plant populations in a defined area or physical habitat; an aggregation of plants similar in species composition and structure, occupying similar habitats over the landscape.

Resource Management Plan (RMP): An activity plan for wildlife resources for a specific geographical area of land. It identifies wildlife habitat and related objectives, establishes the sequence of actions for achieving objectives, and outlines procedures for evaluating accomplishments.

Sensitive Species: Plant or animal species listed as endangered, threatened, candidate, or sensitive by federal, state, or local governments.

Take: Under *FESA* and *CESA*: to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct relative to a Listed Species.

United States Fish and Wildlife Service (FWS/USFWS): An agency of the United States Department of the Interior.

Vegetative Community: Refers to the species or various combinations of species which dominate or appear to dominate an area of habitat (see *plant community*).

Wildlife Agencies: The *USFWS* and *CDFW*, collectively.

1.0 INTRODUCTION

The Sanctuary at Olivenhain project consists of the subdivision of the approximately 8.5-acre APN 265-331-49-00 property into 11 lots (9 residential lots, one open space lot, and one private street/drainage lot). It is anticipated that each of the development lots will be impacted in their entirety by project construction. In order to mitigate development impacts, the project includes the dedication of a Conservation Easement over the open space lot (hereafter “Preserve”), which includes the most biologically sensitive areas of the project site (Figure 4). The open space lot will be subject to perpetual monitoring/management to maintain and improve the overall function and quality of the habitat within.

1.1 Purpose of Resource Management Plan

The purpose of this RMP is to guide the management of onsite vegetation communities/habitats and resident plant and animal species, within the Preserve. This RMP serves as a descriptive inventory of vegetation communities/habitats, plant and animal species that occur within the Preserve. This RMP establishes the baseline conditions from which management activities will be determined and success will be measured. Additionally, this RMP provides an overview of the operation, maintenance, administrative, and personnel requirements necessary to implement management goals and serves as a budget planning aid.

1.2 Implementation

1.2.1 Responsible Parties and Designation of Resource Manager

Responsible Parties

The following entities will be involved in the fulfillment of this RMP:

- Mr. Udi Melamed (Sanctuary at Olivenhain LLC), the current Land Owner, shall be responsible for granting a Conservation Easement over the Preserve to the City. The Land Owner shall retain the services of a professional Biological Consultant (“Project Biologist”) to supervise implementation of construction tasks (fencing, site clean-up, related) prior to the Resource Manager assuming long-term management responsibilities.
- The City of Encinitas Planning Department has the ultimate responsibility for all aspects of the RMP. The city may transfer responsibility to a different department or agency, if deemed appropriate.
- The Land Owner shall designate a Resource Manager who shall be responsible for the implementation of the RMP and shall carry out the specified requirements of the RMP.
- The establishment of a funding source through the formation of a non-wasting endowment as determined by an Operations and Budget Summary to be reviewed and accepted by the City prior to site clearing or grading.

Fee title to the Preserve shall be held by the land owner under the Sanctuary at Olivenhain LLC. However, this fee title may be transferred to a Resource Manager, or other appropriate landowner (e.g., land trust, conservancy, or public agency). If the land is transferred in fee title to any other entity, the Conservation Easement must always include the City and/or another appropriate responsible agency as defined under Section 815 of the California Civil Code as a grantee or third-party beneficiary. Under any circumstance, Land Owner shall be responsible to implement all construction tasks (fencing, habitat restoration, etc.) prior to turning the perpetual management responsibilities over to the Resource Manager.

Designation of Resource Manager

The Sanctuary at Olivenhain LLC shall designate a Resource Manager that will be assume all responsibilities to manage the Preserve in perpetuity.

The Resource Manager shall have the following qualifications:

- The Resource Manager shall have at least one staff member who possesses a B.S., B.A., or higher degree in ecology, zoology, botany, or biology or an MOU with a qualified person with such a degree. This individual should have a minimum of five years of experience in field biology in greater San Diego area.
- Fiscal stability, including preparation of an operational budget (using an appropriate analysis technique) for the management of this RMP.
- Demonstrated experience with similar projects or in projects requiring similar skills in the area.
- The ability to carry out habitat monitoring or mitigation activities.

The Resource Manager's primary responsibility shall be to maintain the integrity of the conserved habitats in the Preserve. In order to fulfill that responsibility, the Resource Manager shall:

- Be familiar with this RMP and all supporting documentation.
- Be responsible for all matters noted in this RMP that are required of the Resource Manager.
- Maintain all documents transferred by the Land Owner and his contractors (as noted above) and be knowledgeable of the resources and

their locations addressed in these reports.

- Be responsive to any community concerns or problems regarding the Preserve.
- Document all field visits, notify the Preserve Biologist in a timely manner of any concerns or problems, and identify potential solutions.

Land Owner Responsibilities

The Sanctuary at Olivenhain LLC shall perform the following tasks in conjunction with approval of Sanctuary at Olivenhain and dedication of a Conservation Easement to the City:

- Pay all recording and related costs.
- Authorize the Project Biologist to oversee:
 - An initial clean-up of the Preserve, removing debris and all other items as deemed necessary.
 - The removal of noxious exotics and perennial weeds within the Preserve.
 - The installation of permanent fencing, signs, and a gate between the Preserve and the development area of the project site.
- The site clean-up, exotics removal, and fencing shall be done in such a manner so as to not adversely impact biological or cultural resources within the Preserve.
- Provide a permanent access easement for the Resource Manager to the Preserve, to the satisfaction of the Resource Manager.

- Supply the Resource Manager with copies of all relevant reports prepared for the project (e.g., biology reports, cultural reports, soils reports, landscape plans, revegetation plans, etc.)
- Survey and stake the entire perimeter of the Preserve and provide the digital data (way/perimeter points) to the Resource Manager for future reference.

The Sanctuary at Olivenhain LLC shall implement the following additional construction measures to protect the Preserve from development activities and any other activities associated with project build-out through residential occupancy:

- No dumping, discharge, staging of equipment, or stockpiling of materials shall be allowed in or within 20 feet of the limits of the Preserve.
- Prevention of the introduction of invasive exotics. Invasive plants shall not be planted anywhere in the development area nor within the Preserve. Any project landscape planting palette shall be reviewed by the City prior to the issuance of any permits for the project. Any invasives or potential invasives found on the landscape palette shall be deleted from the project plans.
- Should construction activities result in the accidental deposit of any material within the Preserve, it shall be removed and cleaned up to the satisfaction of the Project Biologist. Furthermore, any additional harm caused by construction activities to the Preserve shall be immediately corrected. This may involve weed eradication, habitat rehabilitation, and/or revegetation, if deemed necessary by the Project Biologist to restore the Preserve to its pre-construction condition. In the unlikely instance of significant or particularly egregious construction impacts, offsite mitigation shall be provided in addition to remediation within the Preserve.

- In the event that archaeological sites are located during construction within 100 feet of the Preserve, temporary fencing shall be installed to protect the archaeological sites. The temporary fence shall be installed under the supervision of a professional Archaeologist who would be retained prior to recommencement of grading, brushing, and/or clearing.

1.2.2 Financial Responsibility and Mechanism

The management costs of managing the Open Space will be calculated using a Property Analysis Record (PAR) resulting in an estimate to cover the costs of perpetual management. The non-wasting endowment must generate sufficient funds to cover the annual maintenance costs. The non-wasting endowment funds will be held in an account earmarked for the management of the open space prior to any site clearing or grading. A PAR will be prepared for this project and provided to the City for review and acceptance prior to any site clearing or grading.

1.2.3 Cost Estimate/Budget

Section 5.1 provides details regarding the cost estimate.

1.2.4 Reporting Requirements

An annual report shall be submitted to the City, along with funds to cover City staff review time. Annual reports shall discuss the previous year's management and monitoring, as well as management and monitoring anticipated in the upcoming year. The annual report shall provide a concise but complete summary of management and monitoring methods, identify any new management issues, and address the success or failure of management approaches (based on monitoring). The report shall include a summary of changes from baseline or the previous year's conditions for species and vegetation communities and address any

monitoring and management limitations, including weather. The report shall also address any adaptive management (changes) resulting from previous monitoring results and provide a methodology for measuring the success of adaptive management. In addition, the annual report shall document the condition of the Preserve and provide specific recommendations, as necessary, to remediate any problems. If any habitats or sensitive species' populations appear to be declining, the annual report shall outline a plan for the recovery of the resource(s).

Site photographs from fixed photo-documentation points shall be provided in the annual report. These shall clearly depict the height and cover of the native vegetation and any problems not needing an emergency response. The annual report shall summarize remediation required during the previous reporting period and make specific recommendations for future maintenance and monitoring. The report shall include copies of CNDDDB forms submitted to the CDFW for any new sensitive species observations or significant changes to species occurrences or habitats previously reported. The report shall also include copies of invasive plant species forms submitted to the City, if applicable.

1.2.6 Upland Habitat Rehabilitation/Revegetation

The project proposes the revegetation of approximately 0.27-acre of upland habitat. This consists of 0.24 acres of Disturbed Diegan Coastal Sage Scrub, 0.1-acre of Non-native Vegetation, 0.1-acre of Eucalyptus Woodland, and 0.1-acre Disturbed/Developed Habitat. A specific plant palette has been designed for this project. This palette defines the quantity, type, and size of all required container stock plant materials for the upland revegetation area. A specific list of required plants for use in the upland revegetation areas may be found in Table 1 below. All plant stock shall be from locally-sourced stock, preferably from onsite sources (seeds, cuttings, etc).

Table 1. Revegetation Container Stock – Sanctuary at Olivenhain LLC

Number of Plants	Common Name	Scientific Name	Container Size
50	Del Mar Manzanita	<i>Arctostaphylos glandulosa</i> ssp. <i>crassifolia</i>	1 Gallon
50	Torrey’s Hybrid Oak	<i>Quercus x acutidens</i>	1 Gallon
200	Chamise	<i>Adenostoma fasciculatum</i>	1 Gallon
100	Black Sage	<i>Salvia mellifera</i>	1 Gallon
50	Mission Manzanita	<i>Xylococcus bicolor</i>	1 Gallon
50	Mojave Yucca	<i>Yucca schidigera</i>	1 Gallon
100	Lemonadeberry	<i>Rhus integrifolia</i>	1 Gallon
135	Coast White Ceanothus	<i>Ceanothus verrucosus</i>	1 Gallon
735 @ 4’ centers			

2.0 PROPERTY DESCRIPTION

2.1 Legal Description

The Sanctuary at Olivenhain project site encompasses the approximately 8.5-acre APN 265-331-49 property located just northwest of Rancho Santa Fe Road at the end of Ranch View Terrace in the City of Encinitas (Figure 1).

2.2 Geographical Setting

The Sanctuary at Olivenhain project site can be reached by taking I-5 North to exit 39 towards Manchester Ave, turn right to stay on Manchester Ave, continue onto

Rancho Santa Fe Road, turn left onto Ranch View Terrace 33.043837, -117.238036. Access to the property is from Rancho Santa Fe Road west on Ranch View Terrace. Figure 2 presents a regional location map identifying major roadways and access to the property.

The project is located in the eastern-central part of the city, within the Encinitas "Softline Focused Planning Area" (FPA- Figure 3), as defined in the Multiple Habitat Conservation Program (MHCP) Subregional Plan, which was developed for certain north San Diego County cities in anticipation of Subarea Plan preparation and implementation.

2.3 Land Use

The Sanctuary at Olivenhain site consists of vacant, undeveloped land supporting areas of mostly native vegetation. The proposed development areas of the site support mostly non-native species and other disturbances. Adjacent properties support single family homes.

2.4 Geology, Soils, Climate, Hydrology

Most of the project site is characterized by variable terrain, with the site sloping up near the western edge and eastern edge. Elevations onsite range between approximately 163 feet MSL and 266 feet MSL.

Soil types found onsite include Rough broken land (RuG), Altamont Clay, 9 to 15 percent slopes, eroded (AtD2), and Altamont Clay, 15 to 30 percent slopes, eroded (AtE2).

The climate of Encinitas is characterized by hot, dry summers, with average day-time temperatures in the low 75°s Fahrenheit, and cool, wetter winters, with average day-time temperatures in the 67°s Fahrenheit. Yearly precipitation averages around 10 inches, with most of this total occurring between December

and March. This period also represents the main growing season of the area.

2.5 Trails

The Sanctuary at Olivenhain project application does not propose equestrian/hiking within the Preserve. The perimeter of the Preserve will include exclusionary fencing and signage to prevent access to the Preserve area.

2.6 Easements or Rights

No existing easements cross over or through the Preserve. Sanctuary at Olivenhain will also not create any new easements that will affect the Preserve other than the aforementioned Conservation Easement over the entirety of the preserved area.

3.0 BIOLOGICAL RESOURCES DESCRIPTION

3.1 Vegetation Communities/Habitats

3.1.1 Description of Quality of Vegetation Communities/Habitats

Five relatively discrete vegetation communities (habitats) are present on the Sanctuary at Olivenhain project site (Figure 3). These are described in detail in the Biological Resources Survey Report (Scheidt, 2022) prepared for this project. The onsite habitats include Southern Maritime Chaparral, disturbed Diegan Coastal Sage Scrub, Non-native Vegetation, Eucalyptus Woodland, and Disturbed/Developed Habitat.

Southern Maritime Chaparral – 5.0 acres

The central and western portions of the property support Southern Maritime Chaparral, a rare native plant community that is essentially restricted to areas

in close proximity to the coast. This habitat is indicated by Coast White Ceanothus (*Ceanothus verrucosus*), Chamise (*Adenostoma fasciculatum*), Del Mar Manzanita (*Arctostaphylos glandulosa* ssp. *crassifolia*), Mission Manzanita (*Xylococcus bicolor*), Spice Bush (*Cneoridium dumosum*), and other native soft-woody and hard-woody shrubs. The chaparral vegetation onsite is considered a sensitive and high-value biological resource.

Diegan Coastal Sage Scrub (disturbed) – 0.9 acre

Disturbed Diegan Coastal Sage Scrub covers a portion of the eastern portion of the property. This diverse, native vegetation-type is dominated by California Sagebrush (*Artemisia californica*), Flat-top Buckwheat (*Eriogonum fasciculatum*), Black Sage (*Salvia mellifera*), and other soft-woody shrubs. The disturbed Diegan Coastal Sage Scrub onsite has grown in areas of the site that were formerly Southern Maritime Chaparral but were converted to agriculture. The habitat contains non-native species, such as Hottentot Fig (*Carpobrotus edulis*) and others in areas. The biological resource value of this habitat is moderate due to its disturbed condition.

Non-native Vegetation – 1.0 acres

A variety of non-native trees and large shrubs are present along the site's boundaries. These create Nonnative Vegetation. This ornamental vegetation is likely a result of recruitment by non-natives from adjacent properties and perhaps old plantings. Non-native Vegetation onsite is indicated by Acacia (*Acacia* sp.), Jade Plant (*Crassula ovata*), and others. Non-native Vegetation is of no biological resource value.

Eucalyptus Woodland – 1.3 acres

A stand of mature trees growing on a low knoll near the site's eastern property edge qualifies as Eucalyptus Woodland. This mainly consists of large to small Murray Red Gum (*Eucalyptus camaldulensis*) trees and others, with little to no understory. Eucalyptus Woodland is of no biological resource value.

Disturbed/Developed Habitat – 0.3 acres

Disturbed/Developed habitat is in the form of a paved road and adjoining areas of bare dirt. This is almost entirely found on the southeast portion of the property within the access road footprint. Disturbed/ Developed habitat is of no biological resource value.

3.2 Plant Species

3.2.1 Species Present and Correlation of Species with Habitat Onsite

Sixty-one species of plants are reported from the project site. These typify the diversity normally found in disturbed/developed areas, non-native habitats, scrub and chaparral in the Encinitas area. A list of the plants observed onsite during the site surveys may be found in the Biological Resources Survey Report for this project (Scheidt, 2022).

3.2.2 Rare, Threatened, or Endangered Plants

Three sensitive plant species have been detected onsite. These are Del Mar Manzanita (*Arctostaphylos glandulosa* ssp. *crassifolia*), Coast White Ceanothus (*Ceanothus verrucosus*), and Torrey Pine (*Pinus torreyana*). There are no additional sensitive plants species identified with a high potential of occurring onsite. For a more detailed discussion of the sensitive plant species present onsite, see the project biology report.

3.2.3 Non-native and/or Invasive Plant Species

Various non-native plant species are present on the Sanctuary at Olivenhain project site. No significant populations of noxious or invasive plant species were detected onsite other than the eucalyptus trees, which will be removed by development.

3.3 Wildlife Species

3.3.1 Species Present and Correlation of Species with Habitat Onsite

Eighteen species of animals are known from the project site. These typify the diversity normally found in disturbed/developed areas, non-native habitats, scrub and chapparal in the Encinitas area. A list of the animals observed onsite during the baseline site surveys may be found in the project's biology report.

3.3.2 Rare, Threatened, or Endangered Wildlife

Various biological resource field surveys have been conducted on the Sanctuary at Olivenhain project site between 2016 and 2021, with several of the surveys focused on the potential presence of federally-listed Threatened or Endangered Species as defined by the federal Endangered Species Act (ESA). These surveys included protocol California Gnatcatcher Surveys. During the surveys, these and any other federally-listed species detected would have been noted. No federally-listed Threatened or Endangered Species were detected at any time during any of the surveys.

Sensitive species identified on the project site include, Red-shouldered Hawk and San Diego Desert Woodrat. For a more detailed discussion of the sensitive wildlife species present onsite, see the project biology report.

3.3.3 Non-native and/or Invasive Wildlife Species

No noxious or invasive wildlife species were identified on the project site. All of the animals present onsite and in the vicinity are native species.

4.0 MANAGEMENT ELEMENTS AND GOALS

4.1 Interim Management

4.1.1 Interim Management Period

All implementation work during the 5-year interim management period shall be conducted under the direction of the Project Biologist in coordination with the Wildlife Agencies and City of Encinitas. The interim management period ensures that site protection, weed control, and pest control are performed adequately prior to long-term management. Interim Management tasks shall be conducted throughout the entire preserved area and shall be coordinated by the Project Biologist.

4.1.2 Goals

The goal of the interim management shall be to provide facilities and the maintenance thereof that support the biological resources management goals. This goal shall be primarily accomplished by controlling Preserve access. Natural areas supporting mostly undisturbed native vegetation require very little intervention, with the exception of the control of invasives, the removal of litter, and the maintenance of fencing and signage. The interim management period shall establish the maintenance and monitoring for the long-term management that follows.

4.1.3 Tasks

Baseline Inventory and Vegetation Mapping

A vegetation map showing current conditions shall be produced for the Preserve during the first year of biological monitoring. This exhibit shall include a table showing total acreages of all existing habitat-types within the Preserve's boundaries. The locations of any sensitive plants or animals detected shall be noted on the vegetation map. Vegetation mapping shall be conducted at five years intervals in perpetuity.

A baseline species inventory shall also be compiled during the first year of biological monitoring. This shall consist of a complete list of all plant and animal species observed (either directly or indirectly by scats, tracks, etc.) during the periodic field surveys. The baseline species inventory shall be updated with any new species detected onsite during subsequent field surveys of the Preserve.

The vegetation map and baseline species inventory shall be included in the first annual report. This information shall be used as a baseline to measure habitat changes resulting from both natural causes and edge effects, as well as to evaluate the success of the management effort in the years that follow.

Monitoring

Biological monitoring shall begin once the RMP is approved, a Management Agreement is signed, the Sanctuary at Olivenhain LLC meets their obligations required prior to the long-term management, and the long-term management funding has been established.

Basic qualitative and quantitative monitoring shall be conducted on an annual basis. Because of the gradual nature of changes experienced by climax plant association lands, this is consistent with the regional planning efforts for this area. During annual site visits, to be conducted in the early spring, the Preserve shall be visually inspected for changes, including new occurrences of exotic species, changes in vegetative growth patterns, changes in floristic composition or diversity, and other factors relating to habitat viability. The monitor shall recognize the survey's limitations and shall adopt methodologies to maximize the detection of changes to the structure of the habitat, as appropriate. All plant and animal species observed shall be recorded during each site survey.

Any measurable changes within the Preserve that could affect the existing biological resources shall be monitored over time. Information obtained from tracking changes within the Preserve shall be used by the Resource Manager to

determine specific remediation and recovery, as needed. All remediation/recovery activities shall be discussed with the Preserve Biologist prior to implementation.

Removal of Invasive Species

The Resource Manager shall be responsible for assessing the occurrence of invasive or exotic plant species in the Preserve on an ongoing basis. This shall include annual monitoring of the Preserve by the Resource Manager for the occurrence of exotic plants. An exotics control section will be included in the annual report, if necessary. In addition, measures shall be undertaken to prevent the introduction of new invasive species into the Preserve.

Invasive species detected in the Preserve shall be immediately and completely removed under the direct supervision of the Resource Manager. Perennial and biennial exotic plants shall be removed by cutting their stems at or below ground level or pulling seedlings manually. Annual weeds shall be manually pulled prior to producing mature seed. All cuttings or pulled weeds shall be exported from the Preserve and disposed of properly. The use of herbicides/pesticides for weed/vector control shall be avoided and shall be implemented only if authorized by the Preserve Biologist in coordination with the Resource Manager.

Exotic plants that must be removed from the Preserve, if found, include Hottentot Fig (*Carpobrotus edule*), Castor Bean (*Ricinus communis*), Mexican Fan Palm (*Washingtonia robusta*), Pampas Grass (*Cortaderia* sp.), and any plants ranked as “high” priority species in the *California Invasive Plant Inventory* prepared by the California Invasive Plant Council (Cal-IPC, 2006).

Predator Control

The control of exotic animals usually presents more of a challenge than does the task of controlling exotic plants. Pest control will mostly consist of domesticated animals, particularly feral or uncontrolled pet animals. Dogs and cats are major

predators of native species. Exotic animal control is not anticipated to represent a major issue in the management of the Preserve.

Exotic animal control shall be initiated on a case-by-case basis, as follows:

- Predator/pest control shall only be implemented to address a specific, identified problem situation.
- The trapping of non-native predators/pests shall be limited to strategic locations where it is determined to be most feasible to accomplish the goal of removing these animals from the Preserve.
- All predator/pest control shall be considered a temporary, short-term activity.
- Predator/pest control methods shall be humane. Adequate shade shall be provided, and all traps shall be checked twice daily. Any domestic animals trapped during predator/pest control shall be taken to the nearest animal shelter.
- The Resource Manager shall report to the City Animal Control Officers if persistent and chronic problems occur with respect to particular uncontrolled pets being found in the Preserve.

Sensitive Species Surveys and Management

The Resource Manager shall be responsible for evaluating the status of the sensitive species in the Preserve and for implementing protective measures, if necessary. Monitoring of sensitive species shall include the use of specific survey protocols and methodologies, fixed monitoring locations or transects, and species-specific data collection and analysis. The Resource Manager shall monitor all of the sensitive species that are recorded from the Sanctuary at Olivenhain project

site. Any additional sensitive species detected in the Preserve during the regular monitoring periods shall be incorporated into future monitoring reports.

The status of all sensitive species' populations potentially onsite shall be assessed at least once every five years. This assessment shall include protocol presence/absence surveys for California Gnatcatcher. The protocol California Gnatcatcher surveys must be conducted by a qualified biologist. Surveys shall be conducted in the spring to best assess the Preserve's carrying capacity. In addition, surveys for any other sensitive species detected within the Preserve shall be included with the above, if appropriate.

Habitat Restoration

The Resource Manager, in consultation with the Preserve Biologist, shall allow seeds and cuttings to be collecting from plants in the Preserve for the expressed purpose of revegetating degraded Preserve areas (see Table 1). Any such collecting shall be performed under the direct supervision of the Resource Manager, during the appropriate season, and under a written agreement specifying the amounts and locations of collected materials. The collecting of revegetation stock shall be limited to the minimum necessary for the revegetation effort and shall not seriously deplete the existing vegetation.

Annual Monitoring Reports

As discussed in Section 1.2.4, above, annual reports shall be prepared that summarize the condition of the Preserve, the results of the previous year's management and monitoring, and recommendations for the upcoming year's management and monitoring. Copies of these reports shall be provided to the City and the Wildlife Agencies, along with funds to cover City staff review time.

Review of RMP

At five-year intervals, the Resource Manager shall meet with the Preserve Biologist to discuss whether changes in management of the Preserve are needed. Any necessary changes in management will be reflected in updates of this RMP. Updates shall be based on findings and determinations made during the ongoing biological monitoring of the Preserve, changes in site conditions, and recommended modifications to maintenance efforts.

Trash/Graffiti Removal and Vandalism Repair

The Resource Manager shall be responsible for the general condition of the Preserve by directing the removal of any illegally dumped materials, the clean-up of any litter, and the removal of any graffiti. Any vandalism resulting in damage to resources within the Preserve must be remediated immediately. These tasks shall occur during the annual monitoring visits or as often as necessary and approved by the Resource Manager.

Encampments and Unauthorized Encroachments

Encampments are prohibited in all open space areas in the city. The Resource Manager shall survey the site for encampments during monitoring visits and report them to the authorities and the City. All encampments shall be removed from the Preserve upon vacation of the property by the unauthorized persons. Improper or illegal encroachments must be removed as soon as possible, on an as needed basis.

Lighting, Fencing, Gates, and Signs

Lighting shall not be installed within the Preserve. Any lighting associated with the development area of Sanctuary at Olivenhain shall be directed downward and away from the Preserve, avoiding light pollution to the natural area.

The Preserve shall be protected from adjacent development by professionally-installed fence or wall. This should limit encroachment from development without impeding wildlife movement within the easement. The fence shall be placed all around the border of the Preserve (Figure 4) prior to the commencement of construction activities associated with the implementation of Sanctuary at Olivenhain. The fence shall be placed on the development side and should result in no vegetation loss within the Preserve. The fence shall have a minimum 5' height with a single-entry gate maintained with a lock for access by the Resource Manager. The purpose of the fence is to prevent intrusion into the Preserve and to avoid an attractive nuisance.

Evidence that permanent fencing and signage has been properly installed shall consist of a signed, stamped statement from a California Registered Engineer or licensed surveyor verifying that the permanent fence has been put in place around the perimeter of the Preserve. Photographs and a brief description of design and materials used shall be submitted along with the statement from the California Registered Engineer or licensed surveyor. The specific construction materials and fence designs are subject to approval by the City and the Preserve Biologist.

Permanent, high-visibility metal signs shall be installed at 100-foot intervals along the permanent fence. These signs shall read the equivalent of:

*Sensitive Environmental Resources
Access Beyond this Point is Restricted
By Conservation Easement*

Information:

Sanctuary at Olivenhain LLC

Phone (XXX) XXX-XXXX

Signs must be in good condition at all times and must be replaced, repaired, and/or cleaned as deemed necessary by the Resource Manager. The Land Owner shall be responsible for the installation of the permanent fencing, signs, and gate. The Resource Manager shall be responsible for the long-term maintenance and repair of the fencing, signs, and gate.

Access

The Land Owner shall be responsible for providing a permanent access easement for the Resource Manager to the Preserve. The Land Owner shall be responsible for the long-term maintenance of any access roads if necessary. Any Preserve's access gates must be locked and maintained in working order at all times to prevent unauthorized entry into the Preserve. Under normal circumstances, only the Resource Manager and other authorized agents will be allowed into the actual Preserve. Exceptions to this shall be in an emergency or as otherwise specified by the Resource Manager in consultation with the Preserve Biologist. Access to the Preserve (other than for monitoring) shall primarily occur during the dry season to avoid potential damage to sensitive biological resources.

Coordination with Other Agencies

The Resource Manager shall coordinate with the relevant local and City agencies on an as-needed basis, including, but not limited to:

- Coordination with the City
- Coordination with law enforcement
- Coordination with emergency services, such as the local fire department

4.1.4 Management Constraints

There are no internal or external management constraints that may affect meeting the RMP goals.

4.1.5 Adaptive Management

This RMP has been developed to facilitate an adaptive management strategy. The overall goal of an adaptive management strategy is to improve the quality of decisions, based on the best available information. Monitoring will be used to assess the success of adaptive management. If monitoring indicates that the biological resource management goals are not being met, it may be necessary to modify this RMP between regularly scheduled updates. If changes to the RMP are determined to be necessary, the proposed changes shall be submitted to the City and Wildlife Agencies for approval, as required.

4.2 Long-Term Management

4.2.1 Long-Term Management Period

Following the 5-year interim period, the implementation of long-term management shall take effect. Work during the long-term management period shall be conducted by the resource manager in coordination with the Wildlife Agencies and City of Encinitas. The long-term management period ensures that site protection, weed control, and pest control are performed adequately in perpetuity.

4.2.2 Goals

One of the long-term goals of the biological resource management of the Preserve shall be to preserve and manage its lands to the benefit of the flora, fauna, and native ecosystem functions reflected in the natural communities occurring within the Preserve. This goal shall be accomplished by controlling access to the Preserve and implementing a proactive monitoring program. Natural areas supporting

mostly undisturbed native vegetation require very little intervention, with the exception of the control of invasives, the removal of litter, and the maintenance of fencing and signage.

A second long-term goal shall be to manage the Preserve for the benefit of sensitive species and existing natural communities, without substantial efforts to alter or restrict the natural course of habitat development and dynamics. This goal shall be accomplished via periodic assessments of the known populations of sensitive species from the area, including focused surveys for specific sensitive species, as described below in Section 5.2.3. An adaptive management program shall be implemented to allow for management of the Preserve to change as necessary, based on any changes occurring within the Preserve due to the natural course of habitat development and dynamics.

A third long-term goal shall be to reduce, control and, where feasible, eradicate non-native, invasive flora and/or fauna known to be detrimental to the native species and ecosystems present within the Preserve. This goal shall be accomplished via annual monitoring of the Preserve by the Resource Manager for the occurrence of exotic plants. Exotic plants and/or animals shall be removed from the Preserve on an as-needed basis, as described below.

4.2.3 Tasks

Monitoring

Biological monitoring shall continue into long-term management. The Resource Manager shall identify any measurable changes within the Preserve that could affect the existing biological resources.

Removal of Invasive Species

The Resource Manager shall continue to monitor and assess the occurrence of

invasive or exotic plant species in the Preserve on an ongoing basis. This shall include annual monitoring of the Preserve by the Resource Manager for the occurrence of exotic plants. An exotics control section will be included in the annual report, if necessary. In addition, measures shall be undertaken to prevent the introduction of new invasive species into the Preserve.

Invasive species detected in the Preserve shall continue to be immediately and completely removed under the direct supervision of the Resource Manager. Perennial and biennial exotic plants shall be removed by cutting their stems at or below ground level or pulling seedlings manually. Annual weeds shall be manually pulled prior to producing mature seed. All cuttings or pulled weeds shall be exported from the Preserve and disposed of properly. The use of herbicides/pesticides for weed/vector control shall be avoided and shall be implemented only if authorized by the Preserve Biologist in coordination with the Resource Manager.

Exotic plants that must be removed from the Preserve, if found, include Hottentot Fig (*Carpobrotus edule*), Castor Bean (*Ricinus communis*), Mexican Fan Palm (*Washingtonia robusta*), Pampas Grass (*Cortaderia* sp.), and any plants ranked as “high” priority species in the *California Invasive Plant Inventory* prepared by the California Invasive Plant Council (Cal-IPC, 2006).

Predator Control

Pest/ predator control will continue to monitor for mostly domesticated animals, particularly feral or uncontrolled pet animals. Dogs and cats are major predators of native species. Exotic animal control is not anticipated to represent a major issue in the management of the Preserve.

Exotic animal control shall be initiated on a case-by-case basis, as follows:

- Predator/pest control shall only be implemented to address a specific,

identified problem situation.

- The trapping of non-native predators/pests shall be limited to strategic locations where it is determined to be most feasible to accomplish the goal of removing these animals from the Preserve.
- All predator/pest control shall be considered a temporary, short-term activity.
- Predator/pest control methods shall be humane. Adequate shade shall be provided, and all traps shall be checked twice daily. Any domestic animals trapped during predator/pest control shall be taken to the nearest animal shelter.
- The Resource Manager shall report to the City Animal Control Officers if persistent and chronic problems occur with respect to particular uncontrolled pets being found in the Preserve.

Sensitive Species Surveys and Management

The Resource Manager shall continue to be responsible for evaluating the status of the sensitive species in the Preserve and for implementing protective measures, if necessary. Monitoring of sensitive species shall include the use of specific survey protocols and methodologies, fixed monitoring locations or transects, and species-specific data collection and analysis established during the interim management period. The Resource Manager shall monitor all of the sensitive species that are recorded from the Sanctuary at Olivenhain project site. Any additional sensitive species detected in the Preserve during the regular monitoring periods shall be incorporated into future monitoring reports.

The status of all sensitive species' populations potentially onsite shall continue to be assessed at least once every five years. This assessment shall include protocol

presence/absence surveys for California Gnatcatcher. The protocol California Gnatcatcher surveys must be conducted by a qualified biologist. Surveys shall be conducted in the spring to best assess the Preserve's carrying capacity. In addition, surveys for any other sensitive species detected within the Preserve shall be included with the above, if appropriate.

Annual Monitoring Reports

Annual reporting shall continue into long-term management and the annual reports shall be prepared that summarize the condition of the Preserve, the results of the previous year's management and monitoring, and recommendations for the upcoming year's management and monitoring. Copies of these reports shall be provided to the City and the Wildlife Agencies, along with funds to cover City staff review time.

Review of RMP

At five-year intervals, the Resource Manager shall meet with the Preserve Biologist to discuss whether changes in management of the Preserve are needed. Any necessary changes in management will be reflected in updates of this RMP. Updates shall be based on findings and determinations made during the ongoing biological monitoring of the Preserve, changes in site conditions, and recommended modifications to maintenance efforts.

Trash/Graffiti Removal and Vandalism Repair

The Resource Manager shall be responsible for the general condition of the Preserve by directing the removal of any illegally dumped materials, the clean-up of any litter, and the removal of any graffiti. Any vandalism resulting in damage to resources within the Preserve must be remediated immediately. These tasks shall occur during the annual monitoring visits or as often as necessary and approved by the Resource Manager.

Encampments and Unauthorized Encroachments

Encampments are prohibited in all open space areas in the city. The Resource Manager shall survey the site for encampments during monitoring visits and report them to the authorities and the City. All encampments shall be removed from the Preserve upon vacation of the property by the unauthorized persons. Improper or illegal encroachments must be removed as soon as possible, on an as needed basis.

Fencing, Gates, and Signs

The Preserve fencing and signage shall be monitored and maintained each year in perpetuity. The Resource Manager shall ensure that all preserve fencing and signage is in good condition each year.

Signs must be in good condition at all times and must be replaced, repaired, and/or cleaned as deemed necessary by the Resource Manager. The Resource Manager shall be responsible for the long-term maintenance and repair of the fencing, signs, and gate.

Access

The Resource Manager shall be responsible for maintaining permanent access to the easement. Any Preserve's access gates must be locked and maintained in working order at all times to prevent unauthorized entry into the Preserve. Under normal circumstances, only the Resource Manager and other authorized agents will be allowed into the actual Preserve. Exceptions to this shall be in an emergency or as otherwise specified by the Resource Manager in consultation with the Preserve Biologist. Access to the Preserve (other than for monitoring) shall primarily occur during the dry season to avoid potential damage to sensitive biological resources.

Coordination with Other Agencies

The Resource Manager shall coordinate with the relevant local and City agencies on an as-needed basis, including, but not limited to:

- Coordination with the City
- Coordination with law enforcement
- Coordination with emergency services, such as the local fire department

4.2.4 Prohibited Activities

Within the Preserve, the following shall be prohibited:

- Grading, excavation, or the placement or movement of any soil, sand, rock, gravel, or any other material, except for habitat or species restoration
- The clearing or thinning of any vegetation, except for the removal of exotic plant species as determined by the Resource Manager to be necessary
- Proactive landscape maintenance activities, such as watering, pruning, or fertilization of the native species, unless determined by the Resource Manager to be necessary
- The construction, erection, or placement of any building or structure, with the exception of the required perimeter fence
- Vehicular activities
- Dumping of any kind, including the dumping of landscape materials, trash, hazardous waste, or any other materials

- Planting of any vegetation except as pursuant to an approved revegetation program or for habitat enhancement as described in this RMP
- Use for any purpose other than those specifically designated in this RMP
- The collecting, removal, or relocation of any natural resource from the Preserve (e.g., plants, animals, rocks, etc.)
- Hunting of any kind

Anyone attempting such activities shall be informed of the restrictions by the Resource Manager in a non-confrontational manner. The Resource Manager shall report any serious confrontational situations and any chronic offenders to the Preserve Biologist and the Sheriff's Department.

The Resource Manager, in consultation with the Preserve Biologist, shall determine the appropriateness of any proposed uses not specifically designated in this RMP. All activities authorized by the Resource Manager must be consistent with the goals and objectives of this RMP and must be approved by the Preserve Biologist. To limit impacts to sensitive biological resources, activities within the Preserve are restricted to:

- Wildlife surveys conducted as part of the ongoing biological monitoring review process
- Weeding, trash removal, or other maintenance activities (described in detail in this RMP)
- Emergency response by the Resource Manager and the appropriate agencies in case of fires, floods, earthquakes, or other natural disasters

Table 2. Long-Term Management Tasks

Task	Task Description	Schedule	Responsible Party
Baseline plant and animal inventory	<ul style="list-style-type: none"> Assess native vegetation health and cover. Map preserve vegetation and assemble an updated plant and animal inventory. Establish photo monitoring locations. Map invasive plants and problem areas. 	First year and updates every five years	Resource Manager
Biological monitoring (Patrols)	<ul style="list-style-type: none"> Monitor the health of native vegetation within the preserve. Identify non-native plant and animal species 	Two times per	Resource Manager
General Monitoring	<ul style="list-style-type: none"> Monitor for the presence of trash and/or debris. Report any vandalism, or migrant/homeless encampments. Inspect and repair fencing and signage. 	Two times per year	Resource Manager
Non-native plant control	<ul style="list-style-type: none"> Removal of invasive plants. 	Annually	Resource Manager
Fencing and Signage	<ul style="list-style-type: none"> Monitor and replace as necessary 	Annually	Resource Manager
Trash removal	<ul style="list-style-type: none"> Removal of trash and debris. 	Two times per year,	Resource Manager
Annual letter report	<ul style="list-style-type: none"> Record results of the annual monitoring. 	Annually (due Jan 31)	Resource Manager

5.0 RESOURCE MANAGEMENT PLAN SUMMARY & BUDGET

5.1 Operations and Budget Summary

An Operations and Budget Summary worksheet shall be provided to the City prior to grading activities for review and shall include all estimated operation costs associated with management of the Preserve. The summary will also provide specific information required for annual budget preparation.

6.0 REFERENCES

- Burt, W.H. and R.P. Grossenheider. 1996 A field guide to the mammals. Houghton Mifflin Company, 1966. 289p
- California Department of Fish and Game. 2022. Special animals. Natural Diversity Data Base, State of California Resources Agency, Sacramento
- Holland, R.F. 1986. Preliminary descriptions of the terrestrial natural communities of California. State of California, Nongame-Heritage Program. 156p
- Jameson, E.W., and H.J. Peeters. 1988. California Mammals. California Natural History Guides: 52. Univ. Calif. Press, Berkeley, CA
- Peterson, R.T. 1966, A field guide to western birds. Houghton Mifflin Company, 366p
- Scheidt, V.N. 2022. Results of a Biology Field Survey of the Ranch View Terrace Project Site. Unpublished.
- Smith, J.P. and K. Berg. 1988. Inventory of rare and endangered vascular plants of California. California Native Plant Society, Sacramento. 168p
- Stebbins, R.C. 1985. A field guide to western reptiles and amphibians. Houghton Mifflin Company, Boston. 336p

Figure 1. Vicinity Map – Sanctuary at Olivenhain Project Site

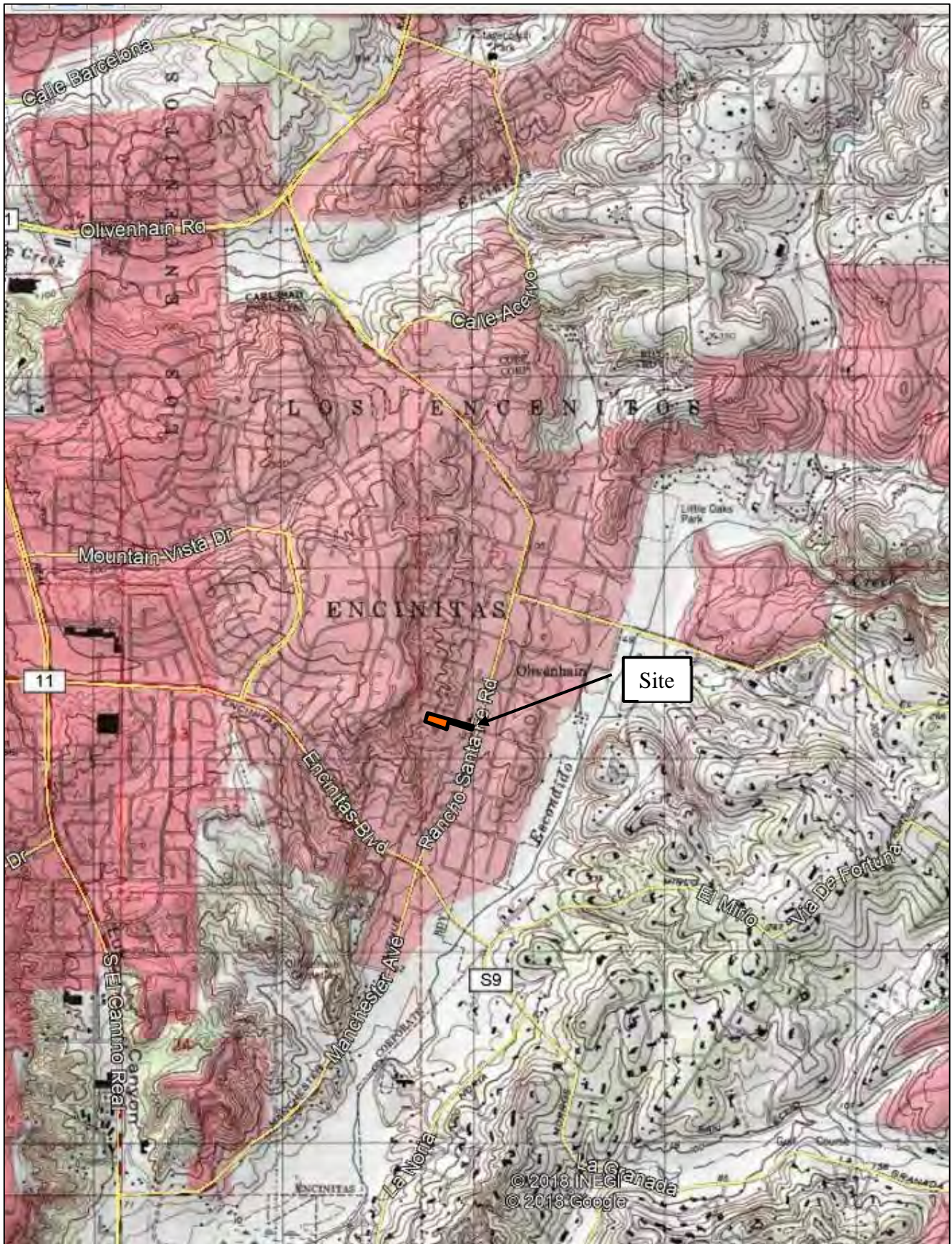


Figure 2. Regional Location – Sanctuary at Olivenhain Project Site

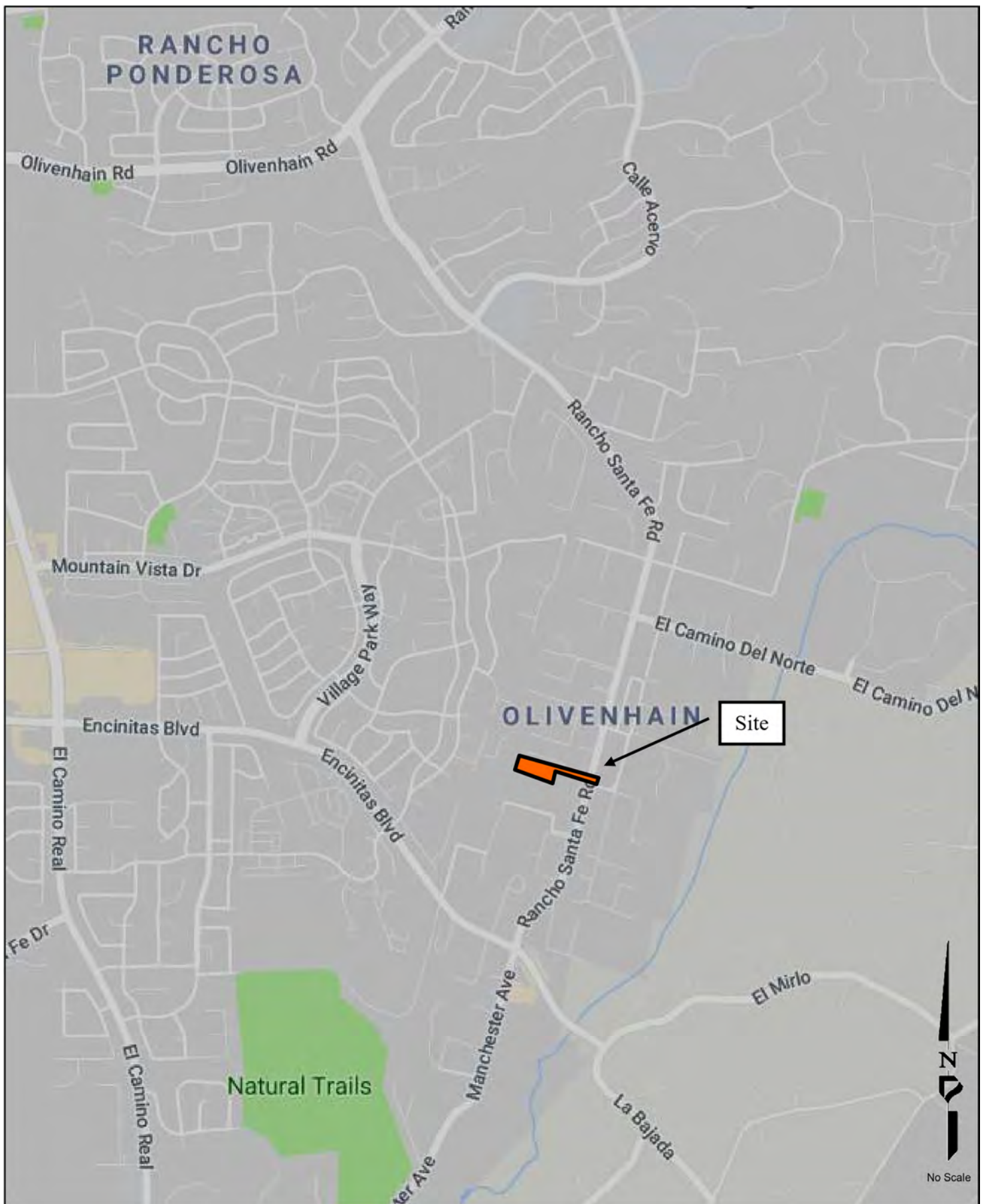
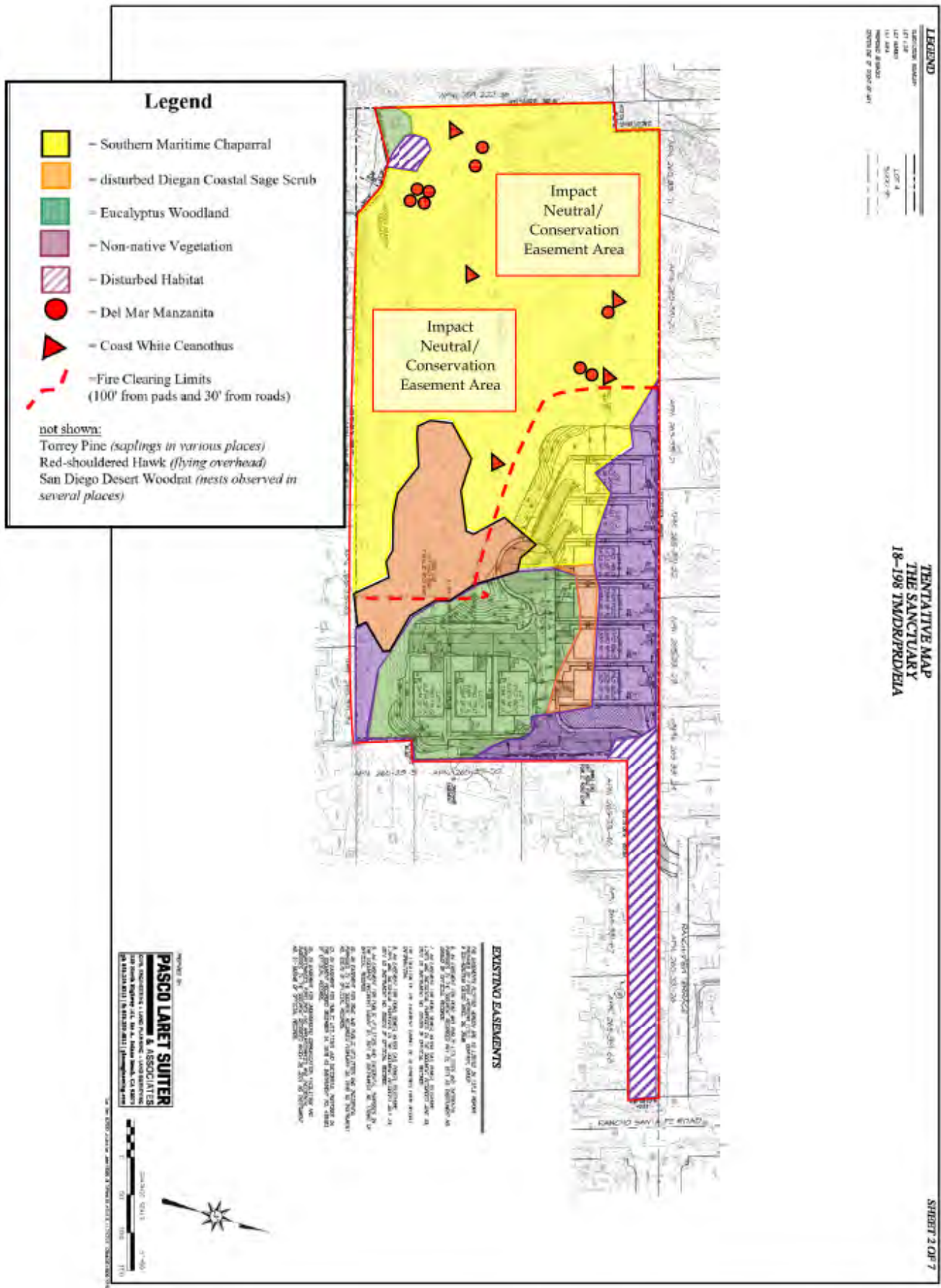

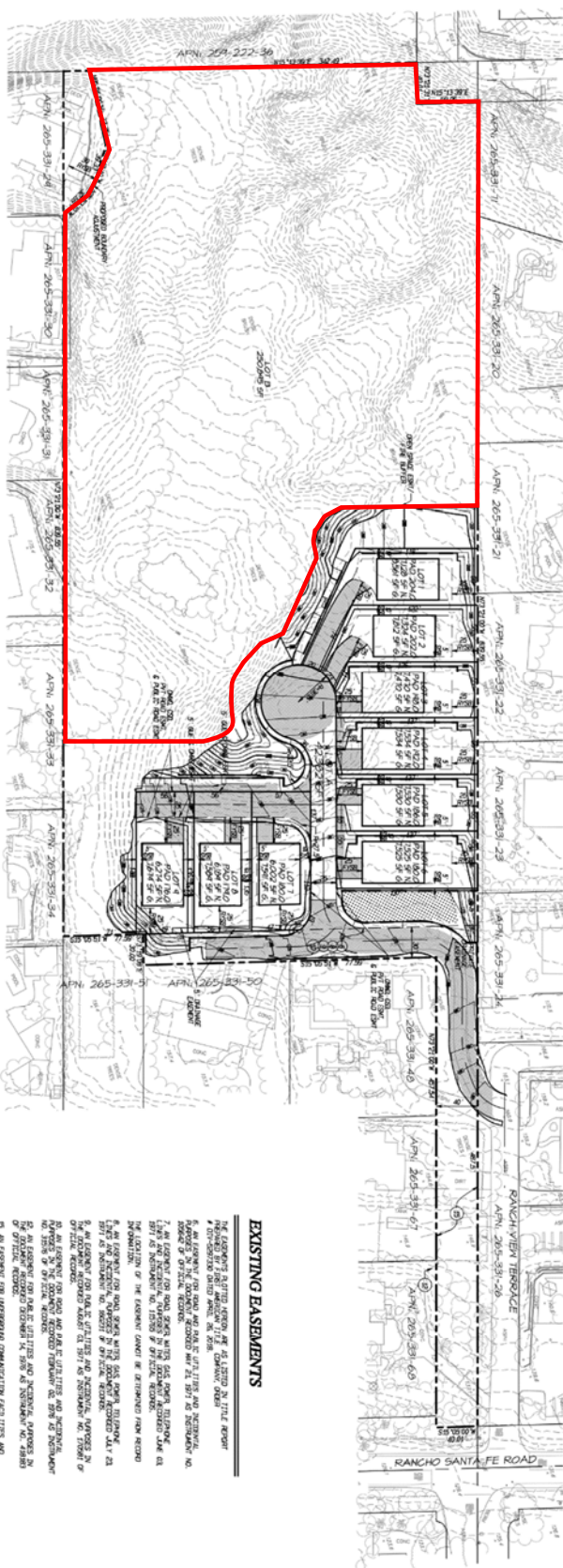


Figure 3. Biological Resources – Sanctuary at Olivenhain Project Site



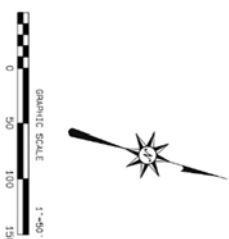
 = Fencing and Signage Location



EXISTING EASEMENTS

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Table 3. Biological Resource Total Onsite - Sanctuary at Olivenhain

<u>Biological Resource</u>	<u>Total Acreage Onsite</u>	<u>Total Acreage Within Preserve</u>
Southern Maritime Chaparral	5.00 acres	4.45 acre
Disturbed Diegan Coastal Sage Scrub	0.90 acre	0.24 acre
Non-native Vegetation	1.00 acre	0.10 acre
Eucalyptus Woodland	1.30 acres	0.10 acre
Disturbed/ Developed Habitat	0.30 acre	0.10 acre
Total	8.50 acres	4.99 acre

