

**Appendix M**  
**Biological Resources Assessment**





March 1, 2018

Mr. Gregory Wade  
City of Solana Beach  
635 S. Highway 101  
Solana Beach, CA 92075

**Subject: Biological Resources Assessment  
Solana 101 Project (Zephyr)  
City of Solana Beach, San Diego County, California**

Dear Mr. Wade:

This letter report provides the assessment of the biological resources within the Solana 101 project site (proposed project). This letter includes an introduction, methodology, results, impacts, and a summary. Background information, including existing setting, regulatory framework, and thresholds of significance are provided in Section 4.14, Biological Resources, of the Solana 101 Project Environmental Impact Report.

#### **LOCATION, TOPOGRAPHY, AND LAND USE**

The proposed project site is within the City of Solana Beach, California (Attachment A: Figure 1). The proposed project area is rectangular and is bordered by a shopping center to the north, Highway 101 to the east, Dahlia Drive to the south, and South Sierra Avenue to the west (Attachment A: Figure 2).

The topography of the project site varies from 61 to 68 feet above mean sea level (Nova 2012). The northern half of the project site consists of an abandoned mobile home park, which includes 24 vacant concrete pads that were once used for trailers and mobile homes. This area also contains a former access road, a variety of trees, overhead power lines, and debris from the former mobile home park. The eastern portion of the southern half of the project site contains a one-story metal building, which was formerly part of a gas station, and a paved parking area. Two rusted metal poles that formerly displayed signage and a small, abandoned coffee kiosk are also present in the southeastern portion of the site. The southwestern portion of the site contains two vacated, one-story, single-family residences and a vacated one-story retail commercial building with a detached garage. The southern half of the project site also includes asphalt driveways, parking areas, and various trees and shrubs. As part of the proposed project's Structure Development Permit application, temporary story poles were erected on the proposed project site in November 2017 to show the height and general outline of the proposed structures.

#### **PROJECT DESCRIPTION**

The project proposes to construct a new two-story mixed-use development consisting of 45,587 square feet (SF) of commercial office space; 10,562 SF of high turnover and quality restaurant indoor space; 2,920 SF of outdoor patio space; 4,142 SF of commercial retail space; and 25 multi-family residential units totaling 33,473 SF. The development would be situated over a two floor subterranean parking garage providing 366 spaces.

## **REGIONAL CONTEXT**

The project is located within the City of Solana Beach and is within the planning area for the North County Multiple Habitat Conservation Program (MHCP) which is a comprehensive conservation planning process that addresses the needs of multiple plant and animal species in northwestern San Diego County. The North County MHCP encompasses the cities of Solana Beach, Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, and Vista. Its goal is 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.

In order to participate in the program, the participating jurisdictions must implement their portions of the MHCP through citywide “subarea” plans, which describe the specific policies that each city will institute for the MHCP. Participation by a local jurisdiction allows for the authority to issue take authorizations for impacts to sensitive biological resources within the city boundary. Issuance of take authorization is based on successful completion of the MHCP plan, city prepared subarea plans, implementing agreements, and environmental documentation. Local jurisdictions are required to prepare individual subarea plans that comply with all relevant elements of the MHCP and be accompanied by their own environmental compliance documents.

Currently the only jurisdiction to implement a subarea plan is the City of Carlsbad. The City of Solana Beach has not adopted a subarea plan because it does not anticipate the need to issue take authorizations given the level of build-out, small amount of native habitat remaining within the City and low potential to impact sensitive biological resources. Therefore, the City of Solana Beach has not adopted a subarea plan implemented the North County MHCP within the city.

## **DATA REVIEW AND FIELD SURVEY**

Prior to performing fieldwork within the project site, a review of existing information (including previous maps, surveys, reports, and plans) and a search of the California Department of Fish and Wildlife’s (CDFW) California Natural Diversity Database (CNDDDB) and U.S. Fish and Wildlife Service (USFWS) sensitive species database were performed.

Harris & Associates’ biologist Melissa Tu and environmental analyst Haley Johnson conducted a biological resources pedestrian survey of the project site on February 12, 2018. Vegetation communities were assessed and mapped on a color aerial. Animal species observed directly or detected from calls, tracks, scat, nests, or other sign were documented. All plant species observed onsite were also documented.

## **RESULTS**

The following subsections describe the vegetation/land cover; the wildlife and plant species; and the potential for special-status species to occur within the proposed project area.

## **Vegetation Communities and Land Cover Types**

No native species or vegetation communities were identified within the survey limits. The 1.95-acre site includes developed and disturbed vegetation consisting of non-native ornamental and non-native annual plant species (Attachment A: Figure 3; Attachment B: Photographs 1 through 4). The developed area is 1.01 acres and the disturbed/ ornamental area is 0.94 acre. The surrounding areas are all disturbed or developed, with no native habitat within or adjacent to the project site. All the plant species observed onsite were non-native ornamental or non-native weedy species. A list of plant species observed onsite is included in Attachment C. No sensitive habitat or native plant species were observed onsite.

### ***Disturbed Habitat/Ornamental***

The mature ornamental landscaping within the proposed project area consists of abandoned fruit trees including avocado (*Persea americana*), loquat (*Eriobotrya japonica*), and a peach or plum (*Prunus* sp.) trees; large ornamental pine (*Pinus* sp.), gum (*Eucalyptus* sp.), and ficus trees (*Ficus* spp.); and Bougainvillea (*Bougainvillea*), and English ivy (*Hedera helix*). Annual ruderal species including bromes (*Bromus* sp.), wild oats (*Avena* sp.), cheeseweed (*Malva parviflora*), and filaree (*Erodium* sp.) dominated the unpaved areas.

### ***Developed***

The developed areas on the site include concrete pads from former mobile homes, existing residential and commercial buildings, driveways and paved parking areas.

### ***Wetlands***

No jurisdictional wetlands or water occur within the proposed project site.

### **General Wildlife**

No sensitive species were observed onsite. Table 1 presents the six bird species that were observed onsite during the February 12, 2018, morning site visit. The bird species observed onsite are typical for disturbed and landscaped areas. The mature trees onsite offer cover, foraging, and potential nesting for birds.

Table 1 includes the order, family, common name, and scientific name for each species. American crow (*Corvus brachyrhynchos*) was the most common bird species observed. An American crow was observed flying over the site and a group of six crows were heard and observed west of the site. American crows are not likely to nest on site but are likely to harass species that nest onsite. Anna's hummingbird (*Calypte anna*) and house finch (*Haemorhous mexicanus*) were both observed and are likely to nest within the site. Two northern mockingbirds (*Mimus polyglottos*) were observed within the northwestern portion of the site. Northern mockingbird has a moderate potential to nest within the site. Yellow-rumped warbler (*Setophaga coronata*) is a winter visitor and migrates to higher elevations to nest. A juvenile red-shouldered hawk (*Buteo lineatus*) landed on a story pole during the site visit and could forage for reptiles or rodents within the site (Attachment B: Photograph 5). Hawks are not likely to nest within the site due to the lack of native habitat; lack of larger trees; disturbance; and

surrounding development. Hawks are likely to nest south of site within or near San Dieguito lagoon or north of the site within or near San Elijo Lagoon.

<b>Table 1 Bird Species Observed Onsite</b>	
<b>Common Name</b>	<b>Scientific Name</b>
<b>ACCIPITRIFORMES</b>	
<b>Hawk, Eagle, Kite, Harrier Family</b>	<b>Accipitridae</b>
Red-shouldered hawk	<i>Buteo lineatus</i>
<b>CAPRIMULGIFORMES</b>	
<b>Hummingbird Family</b>	<b>Trochilidae</b>
Anna's hummingbird	<i>Calypte anna</i>
<b>PASSERIFORMES</b>	
<b>Corvid Family</b>	<b>Corvidae</b>
American crow	<i>Corvus brachyrhynchos</i>
<b>Finch Family</b>	<b>Fringillidae</b>
House finch	<i>Haemorhous mexicanus</i>
<b>Mimid Family</b>	<b>Mimidae</b>
Northern mockingbird	<i>Mimus polyglottos</i>
<b>Wood-warbler Family</b>	<b>Parulidae</b>
Yellow-rumped warbler	<i>Setophaga coronata</i>

The pine (*Pinus* sp.), ficus (*Ficus* spp.), gum (*Eucalyptus* sp.), Brazilian pepper (*Schinus terebinthifolia*), avocado and other trees within the project site provide nesting habitat for birds. Two unoccupied nests from a prior year were observed in ficus trees within the southwestern portion of the site. The old buildings in the southwestern portion of the site also provide bird and rodent roosting and nesting habitat.

No mammals were directly observed during the site visit. Many mammal species are nocturnal and can be detected during daytime surveys by observing their sign, such as tracks, scat, or burrows. The weedy ruderal habitat within the western portion of the proposed project area provides burrowing and foraging opportunities for a variety of common small mammal species. Numerous Botta's pocket gopher (*Thomomys bottae*) mounds were observed onsite (Attachment B: Photograph 6). Due to the lack of native habitat, the site is not likely to support special status mammal species.

Piles of trash, wood, and sticks provide nesting and foraging habitat for other small mammals (Attachment B: Photographs 7 and 8). Large English ivy (*Hedera helix*) bushes are also likely to support rodent species (Attachment B: Photograph 9).

No reptiles or amphibians were observed but the site is likely to support western fence lizard (*Sceloporus occidentalis*) and western side-blotched lizard (*Uta stansburiana elegans*).

## Special-status Species

No special-status plant or wildlife species were observed during the site visit. According to the CNDDDB search, the following three special status species, including one reptile and two plant species, historically occurred within 0.25 mile of the proposed project area (CNDDDB 2018).

- California glossy snake (*Arizona elegans occidentalis*), a CDFW species of special concern, was observed in 1946.
- Sea dahlia (*Leptosyne maritima*), a California Rare Plant Rank 2B.2<sup>1</sup>, was observed in 1969.
- Sand-loving wallflower (*Erysimum ammophilum*) a California Rare Plant Rank 1B.2<sup>2</sup>, was observed in 1967.

Due to the development surrounding the project site, and the age of these sitings, the most recent of which was nearly 50 years ago, California glossy snake, sea dahlia, and sand-loving wallflower are not likely to occur in the project site. Furthermore, no special status-species are likely to occur within the proposed project site due to the lack of native vegetation and the fact that the site is surrounded by development.

## IMPACTS

Vegetation on the project site consists of non-native mature landscape trees and shrubs that would be removed prior to project construction. No sensitive habitat or wetlands occurs within the site and no special status species are expected to occur. Therefore, no impacts to sensitive habitat or wetlands would occur from the implementation of the proposed project and no mitigation is required.

The mature landscape trees and shrubs on the site have the potential to provide nesting habitat for birds protected under the Migratory Bird Treaty Act. Construction impacts on nesting birds protected under the California Fish and Game Code and the Migratory Bird Treaty Act would be potentially significant and mitigation would be required.

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<sup>1</sup> 2B = Species rare, threatened, or endangered in California but which are more common elsewhere. These species are eligible for state listing.  
.2 = Fairly endangered in California

<sup>2</sup> 1B = Species rare, threatened, or endangered in California and elsewhere. These species are eligible for state listing.

## **MITIGATION**

Implementation of mitigation measure BIO-1 would reduce potential impacts to nesting birds to a less than significant level.

### **Mitigation Measure BIO-1: Pre-Construction Nesting Birds Survey**

If construction activity occurs during the breeding season for raptors and other birds (January 1 through September 15), the project applicant shall retain a qualified biologist, to conduct a biological survey for nesting bird species within the proposed impact area and a 300-foot buffer within 72 hours prior to construction. This survey is necessary to ensure avoidance of impacts to nesting raptors (e.g., Cooper's hawk and red-tailed hawk) and/or other birds protected by the federal Migratory Bird Treaty Act. The qualified biologist shall submit a written report of the survey results to the City's Community Development Director for review and approval prior to the commencement of any construction activity on the project site. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 300-foot buffer and up to a maximum of 500 feet for raptors, as determined by the project biologist, and shall be avoided until the nesting cycle is complete. Subject to consultation with and the prior written approval of the City's Community Development Director, the project biologist may reduce the avoidance buffer if a reduced buffer maintains protection of the nesting cycle of the avian species.

## **SIGNIFICANCE AFTER MITIGATION**

Implementation of mitigation measure BIO-1 would reduce the potential for project construction to affect birds protected under the California Fish and Game Code and Migratory Bird Treaty Act. Implementation of mitigation measure BIO-1 would reduce impacts to a less than significant level.

## **SUMMARY**

Due to the disturbance and development at the proposed project, the site provides low quality non-native habitat and little biological resources value. The site is not expected to support special-status species. Implementation of mitigation measure BIO-1 would reduce the impacts to birds and their nests protected by CDFW and Migratory Bird Treaty Act to less than significant level. Therefore, the implementation of the proposed project would not have a significant impact on biological resources.

If you have any questions regarding this analysis, please do not hesitate to call at 619.236.1778 or email at [melissa.tu@weareharris.com](mailto:melissa.tu@weareharris.com).

Sincerely,



Melissa Tu  
Senior Biologist

**Attachment A: Figures**

- Figure 1 Project Vicinity
- Figure 2 Project Location
- Figure 3 Biological Resources

**Attachment B: Photographic Record**

**Attachment C: Plant Species Observed**

**REFERENCES**

City of Solana Beach. 2013. City of Solana Beach Local Coastal Plan. February 27, 2013. Amended June 11, 2014.

City of Solana Beach. 2014. Draft Program Environmental Impact Report for the Solana Beach General Plan Update, SCH#2013081087. August 19.

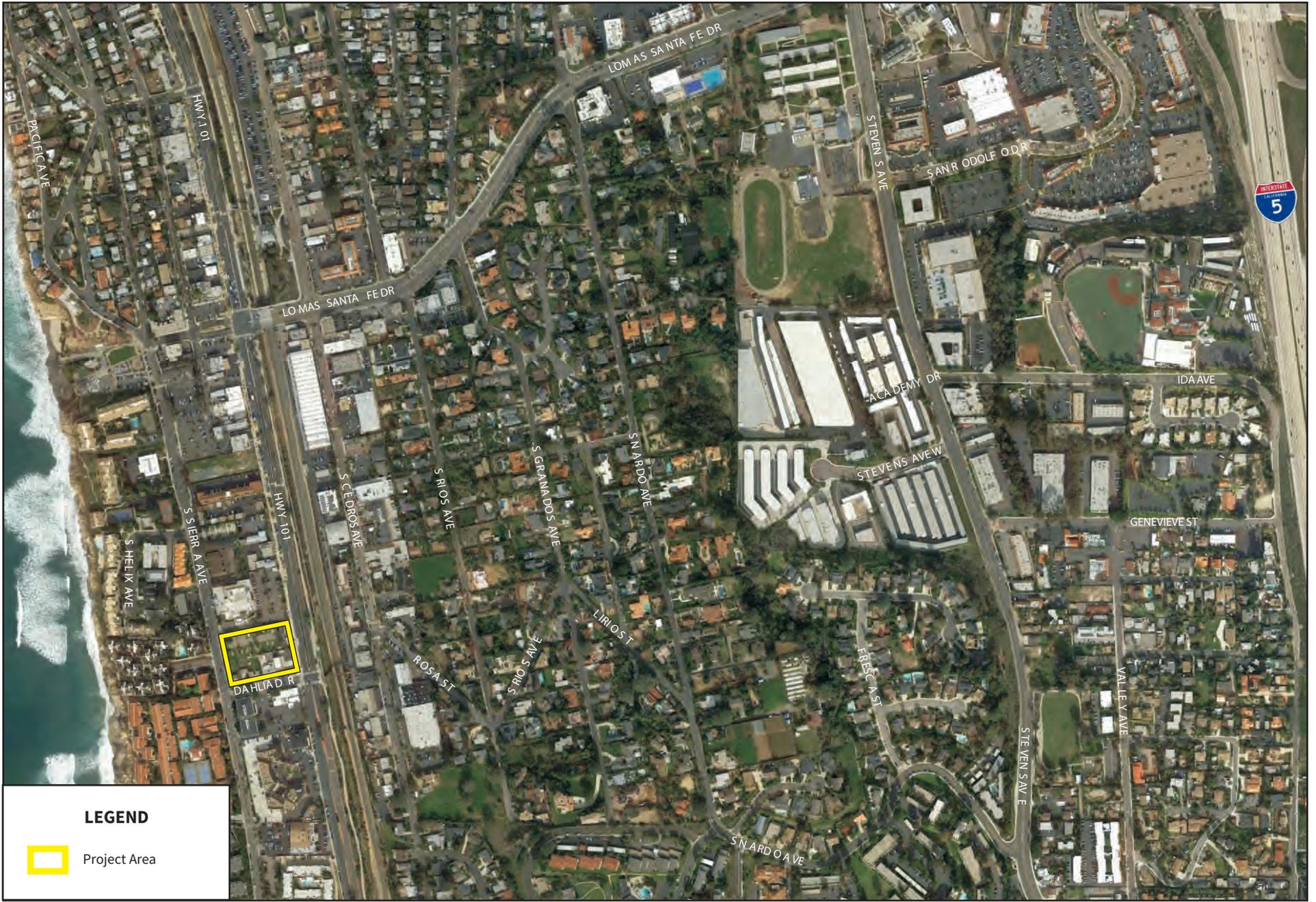
California Department of Fish and Wildlife. 2018. California Natural Diversity Database.

NOVA Services, Inc. (NOVA). 2012. Geotechnical Investigation Solana 101 Mixed Use Project Highway 101 and Dahlia Drive, Solana Beach, California. May 31.

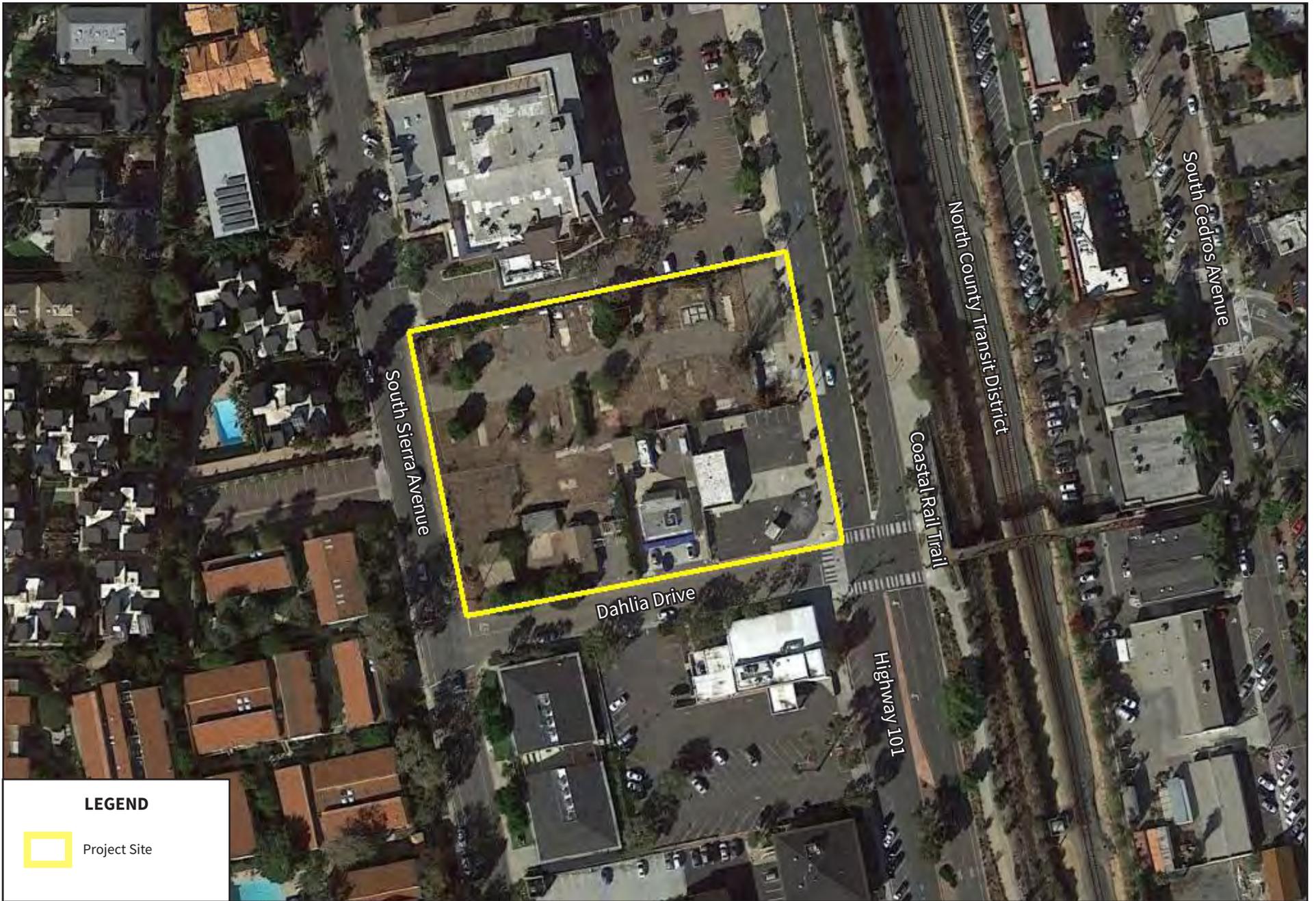


**Harris & Associates**

**Attachment A: Figures**

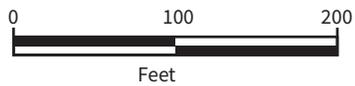


Source: Google Maps 2010

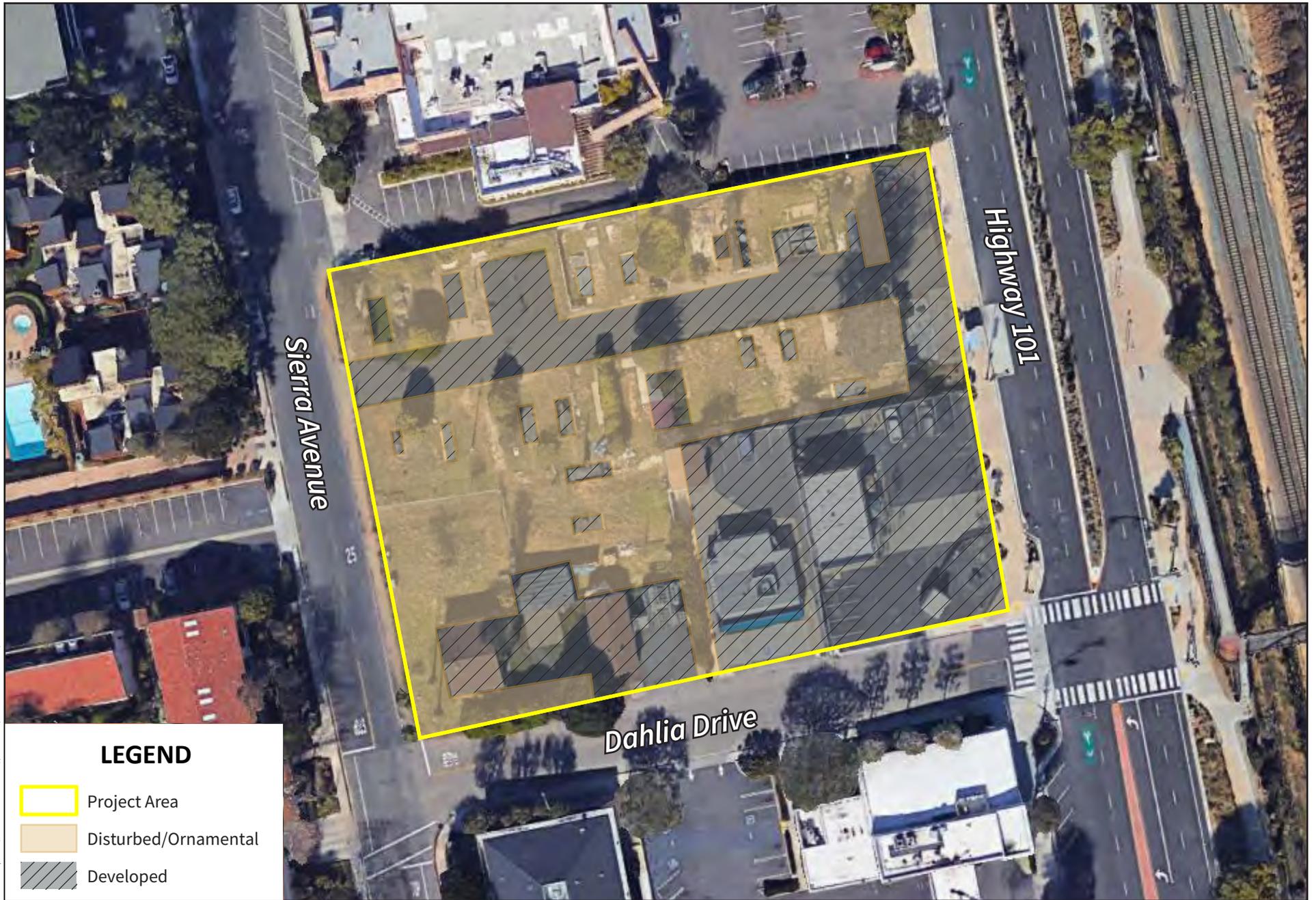


**LEGEND**

 Project Site



**Figure 2**  
Project Location



Source: Harris & Associates 2018



**Harris & Associates**

**Attachment B: Photographic Record**

**Attachment B: Photographic Record**



**Photograph 1:**  
Solana 101  
Mixed-Use  
Project site facing  
southwest.



**Photograph 2:**  
Abandoned  
buildings within  
the site facing  
south.



**Photograph 3:**  
Bird nesting  
habitat on the  
northeast side of  
site.



**Photograph 4:**  
Bird nesting  
habitat on the  
northwest side of  
site.



**Photograph 5:**  
Juvenile hawk on  
story pole in the  
middle of the site,  
facing southwest.



**Photograph 6:**  
Botta's pocket  
gopher  
(*Thomomys  
bottae*) holes in  
the western  
portion of the  
site.



**Photograph 7:**  
Rodent habitat on  
the northern  
portion of the  
site, facing north.



**Photograph 8:**  
Wood pile in the  
northeast portion  
of the site, facing  
north.



**Photograph 9:**  
Potential rodent  
and bird nesting  
habitat in the  
middle of site,  
facing  
south/southeast.



**Attachment C: Plant Species Observed**

## Attachment C: Plants Species Observed

Scientific Name	Common Name
<b>GYMNOSPERMS</b>	
<b>CONIFER</b>	
<b>Cupressaceae</b>	<b>Cypress Family</b>
<i>Juniperus sp.</i> <sup>1</sup>	Ornamental juniper
<b>Pinaceae</b>	<b>Pine Family</b>
<i>Pinus sp.</i>	Ornamental pine
<b>ANGIOSPERMS</b>	
<b>DICOTS</b>	
<b>Anacardiaceae</b>	<b>Sumac Family</b>
<i>Schinus terebinthifolia</i>	Brazilian pepper
<b>Apocynaceae</b>	<b>Dogbane Family</b>
<i>Nerium oleander</i>	Oleander
<b>Araliaceae</b>	<b>Ginseng Family</b>
<i>Hedera helix</i>	English ivy
<b>Bignoniaceae</b>	<b>Bignonia Family</b>
<i>Jacaranda sp.</i>	Jacaranda
<i>Tecomaria capensis</i>	Orange cape honeysuckle
<b>Cactaceae</b>	<b>Cactus Family</b>
<i>Opuntia sp.</i>	Prickly pear
<b>Chenopodiaceae</b>	<b>Goosefoot Family</b>
<i>Chenopodium murale</i>	Goosefoot
<b>Crassulaceae</b>	<b>Stonecrop Family</b>
<i>Crassula ovata</i>	Jade plant
<b>Geraniaceae</b>	<b>Geranium Family</b>
<i>Erodium sp.</i>	Stork's bill
<i>Geranium sp.</i>	Cranebills
<b>Lauraceae</b>	<b>Laurel Family</b>
<i>Persea Americana</i>	Avocado
<b>Malvaceae</b>	<b>Mallow Family</b>
<i>Malva parviflora</i>	Cheeseweed
<b>Moraceae</b>	<b>Fig Family</b>
<i>Ficus spp.</i> <sup>2</sup>	Ficus
<b>Myrtaceae</b>	<b>Myrtle Family</b>
<i>Eucalyptus sp.</i>	Gum tree

<b>Nyctaginaceae</b>	<b>Four o'clock Family</b>
<i>Bougainvillea</i> sp.	Bougainvillea
<b>Oxalidaceae</b>	<b>Wood Sorrel Family</b>
<i>Oxalis pes-caprae</i>	Sourgrass
<b>Rosaceae</b>	<b>Rose Family</b>
<i>Eriobotrya japonica</i>	Loquat (Japanese plum)
<i>Prunus</i> sp.	Stone fruit tree
<b>MONOCOTS</b>	
<b>Areaceae</b>	<b>Palm Family</b>
<i>Washingtonia robusta</i>	Mexican fan palm
<b>Heliconiaceae</b>	<b>Lobster claw Family</b>
<i>Heliconia</i> sp.	Heliconia
<b>Poaceae</b>	<b>Grass Family</b>
<i>Avena</i> sp.	Wild oats
<i>Bamboo</i> sp.	Bamboo
<i>Bromus</i> sp.	Brome
<i>Hordeum murinum</i>	Smooth barely
<b>Steritiaceae</b>	<b>Woody trunk Family</b>
<i>Strelitzia reginae</i>	Bird of paradise

Notes: <sup>1</sup>sp. = species (singular)  
<sup>2</sup>spp. = species (plural)