



City of Del Mar

**DRAFT INITIAL STUDY / ENVIRONMENTAL CHECKLIST
AND MITIGATED NEGATIVE DECLARATION
FOR THE QUALANTONE AMENDING MAP PROJECT
DEL MAR, CALIFORNIA**

Prepared by
City of Del Mar
Planning and Community Development Department
1050 Camino del Mar
Del Mar, CA 92014-2604

April 2024

This page is intentionally blank.

TABLE OF CONTENTS

1.0	Introduction	5
2.0	Draft Mitigated Negative Declaration	7
3.0	Project Description	10
4.0	Initial Study Checklist	20
4.1.	Aesthetics	22
4.2.	Agricultural And Forestry Resources	26
4.3	Air Quality	28
4.4	Biological Resources	29
4.5	Cultural Resources	35
4.6	Energy	38
4.7	Geology And Soils	40
4.8	Greenhouse Gas Emissions	43
4.9	Hazards And Hazardous Materials	44
4.10	Hydrology And Water Quality	47
4.11	Land Use And Planning	50
4.12	Mineral Resources	52
4.13	Noise	53
4.14	Population And Housing	54
4.15	Public Services	55
4.16	Recreation	56
4.17	Transportation / Traffic	57
4.18	Tribal Cultural Resources	58
4.19	Utilities And Service Systems	60
4.20	Wildfire	63
4.21	Mandatory Findings Of Significance	65
5.0	Mitigation Monitoring Program	68
6.0	Fish and Wildlife Determination	72
7.0	References	73
8.0	Appendix	77

FIGURES

Figure 1: Regional Location Map	13
Figure 2: Project Location on Aerial Photograph	14
Figure 3: Applicant's Project Proposed Tentative Map	15
Figure 4: SWCA Prepared Site Plan	16

APPENDICES

Appendix A: Biological Study by SWCA Environmental Consultant	77
Appendix B: Tribal AB 52 Noticing and Response	81

1.0 Introduction

This Initial Study/Mitigated Negative Declaration (IS/MND) for the Amending Map at 2112 Heather Lane has been prepared in accordance with relevant provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, the CEQA Guidelines, as revised, and the City of Del Mar CEQA Supplemental Regulations of 2009, as revised. This IS/MND evaluates the environmental effects of an Amending Map to revise Scenic Easement to allow for a modified (larger) development area on an existing developed site currently developed and zoned for one single-unit dwelling, in the City of Del Mar (City). No change in zoning or property boundary is proposed.

This project is subject to CEQA and does not qualify for an exemption under CEQA Guidelines Section 15303. The City is the Lead Agency for the proposed project under CEQA. The Lead Agency, as defined by CEQA Guidelines Section 15367, is the public agency which has the principal responsibility and authority for carrying out or approving the project.

The IS/MND includes the following components:

- A Draft IS/MND and the formal findings made by the City of Del Mar (City) that with the project with the adoption of mitigation measures the project would not result in any significant effects on the environment, as identified in the CEQA IS Checklist.
- Detailed project description.
- The CEQA IS Checklist, which provides standards to evaluate the potential for significant environmental impacts from the proposed project, and is adapted from Appendix G of the CEQA Guidelines. The project is evaluated in 20 environmental issue categories to determine whether the project's environmental impacts would be significant in any category. Brief discussions are provided that further substantiate the project's anticipated environmental impacts in each category.
- A Draft Mitigation-Monitoring and Reporting Program, which details the proposed mitigation measures (as well as timing and responsibility) that will reduce potentially significant impacts to a level of less than significance.

Because the proposed project fits into the definition of a “project” under Public Resources Code Section 21065 requiring discretionary approvals by the City; and because it could result in a significant effect on the environment, the project is subject to CEQA review. The IS Checklist was prepared to determine the appropriate environmental document to satisfy CEQA requirements: an Environmental Impact Report (EIR), an MND, or a Negative Declaration (ND). The analysis in this IS Checklist supports the conclusion that the project would not result in significant

environmental impacts with the incorporation of mitigation measures; therefore, an MND has been prepared.

This IS/MND will be circulated 30 days for public and agency review, during which time individuals and agencies may submit comments on the adequacy of the environmental review. Following the public review period, the City Council will consider any comments received on the IS/MND when deciding whether to adopt the MND.

2.0 Draft Negative Declaration

Project Name: Qualantone Amending Map (RM24-001)

Project Location: 2112 Heather Lane, Del Mar, CA 92014 (APN: 299-072-436-00)

The project is located in the city of Del Mar, San Diego County, California. The project is located within Section 14 of Township 14 South, Range 4 West on the United States Geological Survey (USGS) Del Mar OE W, California topographic quadrangle.

Project Description:

The property is approximately 19,268.76 square feet in area (0.44-acre) and is currently developed with a one-story single-unit dwelling with attached garage approximately 2,072 square feet in size located on the northeast portion of the lot at the top of the slope on the property. Adjacent to the west side of the house is an elevated deck, with additional associated landscaping and walls to the north and south of the residence. And an at-grade patio is located to the east of the residence adjacent to the front door. The residence is accessed from the private street, Heather Lane and connected to the public streets via David Way. The existing driveway takes access off Heather Lane via the driveway located adjacent to the northeast corner of the property line. The scenic easement is located entirely on the west and south property line of the project property and the existing dwelling unit is located outside of the easement. The easement resides on a slope leading from the west and south side of the home to Jimmy Durante Boulevard and along David Way. The scenic easement consists of a variety of wild grasses, one tree, and large and medium sized shrubs.

The Applicant is proposing to amend the TM-78-02 Tentative Map to reduce the area of the scenic easement located to the west and south of the existing residence. The proposed easement relocation would relocate the line to remove all portions of the existing home outside of the easement area and add a developable portion south of the house with a deed restriction on future development.

The subject property was created in 1978 through the approval of Tentative Map TM-78-02, recorded by the County as Map No. 8957 and approved by City Council under Resolution PC 78-03. An Environmental Impact Report was also prepared for the project which analyzed the environmental impacts of the project. The Original Tentative Map involved the creation of a new subdivision tract that included the subdivision of a 5.7-acre hillside into 18 residential lots. The development of the subject property (2112 Heather Lane) was created from this map as Lot 4 of this map.

The existing scenic easement covers the western and southern parts of the lot, which is approximately 12,504 square feet in area (64.89% of the total lot area). The remainder of the lot is approximately 6,764.76 square feet (35.11% of the total lot area) and comprises the developable area on the northeast portion of the lot. The existing scenic easement was a condition of approval of TM-78-02 and was intended to protect the natural features on the site, specifically, vegetation and natural steep slopes and canyon

located on the west side of the property along Jimmy Durante Boulevard, which is located along the project lot and adjacent properties to the north.

If the request to amend Tentative Subdivision Map TM-78-02 is approved, it would reduce the area and size of the scenic easement from 12,504 square feet (64.89% of total lot size) to 10,044.39 square feet (52.13% of total lot size), thereby increasing the lot's developable area from 6,764.76 square feet (33.11% of the total lot size) to 9,344 square feet (47.87% of the total lot size). The modification to the developable lot area would not affect the property's maximum allowable Floor Area Ratio (FAR) of 25% (4,817 square feet), which would still be calculated using the "gross lot area" of 19,268.76 square feet. The portion of the property that is removed from the existing scenic easement will have a (voluntary) development restriction recorded against the deed of the property through a City covenant. The covenant would prohibit development other than at-grade patio surfaces and related patio/landscaping improvements

The voluntary development restrictions would be separate from the requirement of the Bluff, Slope and Canyon Overlay Zone (BSC- OZ) which states in accordance with provisions of the code section BSC-OZ, the portion of the property that have substantially steep slopes are considered areas that shall be retained in their natural state and therefore required to be placed in a scenic easement through the deed of the property or into a City covenant recorded for development restriction. Other existing easements (utilities and access) would remain unaffected.

While new development is not proposed at this time, this IS/MND evaluates potentially significant impacts that could occur from a full buildout of a single-family residential unit and accessory uses within the lot. The property is zoned R1-10 which allows for development of no more than one primary residence and accessory uses. The property is currently developed with a residence approximately 2,072 square feet in area. The R1-10 zone allows a maximum FAR of 25%, and for the subject site at 19,268.76 square feet, would allow 2,745.19 square feet to be added to the existing residence or redevelopment to construct a replacement residence 4,817 square feet in size (at least 400 square feet of that being the required garage). The project property is also subject to additional development restrictions placed through a deed restriction and conditions of approval for TM78-02. These restrictions include specific setbacks as listed on the recorded map, a single- story building height limitation, and no direct vehicular access to Jimmy Durante Boulevard.

Notwithstanding the analysis herein, in the event future development is proposed on the lot, the scope of development would be further evaluated by the City for potential impacts and compliance with applicable regulations and mitigation measures discussed in this IS/MND.

The project site is in the Coastal Zone, as defined by the California Coastal Commission (CCC) and inside of appeals jurisdiction. As such, compliance with the California Coastal Act (CCA) would be required. The City's Land Use Plan (1993) is a component of an approved Local Coastal Program (LCP). The LCP guides development in the coastal zone, which is certified by the CCC. After an LCP has been

approved, the permitting authority of the CCC is transferred to the local government. Therefore, the City will make a finding of LCP compliance upon adoption of this IS/MND and approval of the project.

Findings:

Pursuant to the provisions of CEQA (Public Resources Code, Section 21000 et seq.) and based on information contained in the attached IS Checklist, the City of Del Mar has determined that the proposed project (future development and ground disturbing activities) will not have a significant effect on the environment in the following areas: Aesthetics, Agriculture and Forestry Resources, Air Quality, Energy, , Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, , Utilities and Services, and Wildfire.

Impacts related to Biological Resources, Cultural and Tribal Cultural Resources, and Geology and Soils, were shown to have a less-than-significant impact with mitigation as a result of the revision of the existing scenic easement and restricted future development of fences, hardscape and landscape at the top of steep slopes, and ground-disturbing activities. Measures to avoid or mitigate the effects would be incorporated into the project to reduce the impacts to below a level of significance.

During the 30-day circulation period for public comment, a digital copy would be made available on the City website at delmar.ca.us and a hard copy of the Draft IS/MND will be made immediately available at the following locations:

Del Mar Library
1309 Camino del Mar
Del Mar, CA 92014

Del Mar Civic Center
1050 Camino del Mar
Del Mar, CA 92014

Elizabeth Yee, Associate Planner
City of Del Mar

Date

3.0 Project Description

- | | |
|---|--|
| 1. Project Title: | Qualantone Amending Map (RM24-001) |
| 2. Lead Agency Name and Address: | City of Del Mar
1050 Camino del Mar
Del Mar, CA 92014 |
| 3. Contact Person and Phone Number: | Elizabeth Yee
Associate Planner
City of Del Mar Planning Department
858-755-9313
eyee@delmar.ca.us |
| 4. Project Location: | 2112 Heather Lane (APN 299-072-43-00) |
| 5. Project Applicant: | Barbara and Michael Qualantone |
| 6. Community (General) Plan Designation: | Low Density Residential |
| 7. Zoning Designation: | R1-10, Bluff, Slope, and Canyon Overlay
Zone, Coastal Commission Appeals
Jurisdiction Overlay |

8. Project Description:

The Applicants are proposing to amend the TM-78-02 Final Map to reduce the area of the scenic easement located to the southwest of the existing residence (approximately 2,777.41 square feet) while adding a portion to the easement at the northwest corner of the property (approximately 317.81 square feet). The subject property was created in 1978 through the approval of Tentative Map TM-78-02, recorded by the County as Map No. 8957. An Environmental Impact Report (EIR) was originally prepared for TM-78-02 and certified on August 8, 1977, which analyzed the environmental impacts of the 18-lot subdivision on the 5.4 acres hillside, which included this project site. The document has subsequently been lost with minimal records recoverable.

The existing scenic easement covers the western and southern part of the lot, which is approximately 12,504 square feet in area (64.89% of the total lot area). The remainder of the lot is 6,764.76 square feet (35.11% of the total lot area) and includes the developable area on the northeast portion of the lot. The scenic easement was a condition of approval of TM-78-02 and was intended to protect the natural features and slopes on the site.

If the requested Amending Map is approved, it would effectively reduce the area and size of the scenic easement from 12,504 square feet (64.89% of total lot size) to 10,044.39 square feet (52.13% of total lot size), and thereby, increase the area and size of the development area from 6,764.76 square feet (35.11% of the total lot size) to 9,344.37 square feet (47.87% of the total lot size).

The property would continue to be subject to the developmental requirements of the original map approval, Low Density Residential Zone (R1-10), Bluff, Slope, and Canyon Overlay Zone (BSC-OZ), and the Local Coastal Program. The portion of the property that is removed from the existing scenic easement would have a (voluntary). development restriction recorded against the deed of the property through a City covenant. The covenant would prohibit development other than at-grade patio surfaces, fencing, and related patio/landscaping improvements. In accordance with provisions of the Bluff, Slope, and Canyon Overlay Zone (BSC-OZ), the portion of the property that has substantially steep slopes are considered areas that shall be retained in their natural state and therefore required to be placed in a scenic easement through the deed of the property or into a City covenant recorded for development restriction.

Other existing easements (utilities and access) would remain unaffected.

While development is not proposed at this time, the City-prepared Initial Study would evaluate potentially significant impacts that could occur with the easement revision and full buildout of a home and accessory uses within the lot.

The property owners of the lot would enter a voluntary City covenant or add an equally protective permanent easement that restricts the area to only allow for an at-grade patio, fencing, hardscape and landscaping within the areas removed from the existing scenic easement area south of the single-family dwelling unit on the lot. Therefore, with these restriction, the intended full buildout of the proposed area removed from the easement would include the development of a patio/outdoor space as proposed in the attached landscape plans. The property is zoned R1-10 which allows for development of no more than one primary residence and accessory uses. The property is currently developed with a residence of approximately 2,072 square feet in area. The R1-10 zone allows a maximum FAR of 25%, and for the subject site at 19,268.76 square feet, would allow another 2,745.19 square feet.

In the approval of the original map, this parcel along with three other adjacent properties were subject to a one-story development restriction that limits any expansion of the development more than it already has. In addition to the development restrictions, this parcel is located in the Bluff Slope and Canyon Overlay and the scope of potential development is limited to what is already developed without the application of a conditional use permit and further is limited by the scenic easement and applicant proposed development covenants. Notwithstanding these restrictive components, subdivision track map, covenant or easement, and protective slope and bluff zoning, , the scope of development has with this document been further

evaluated by the City for potential impacts and compliance with applicable regulations and mitigation measures discussed in this IS/MND.

As previously detailed, the project site is also located in the Coastal Zone. Compliance with the California Coastal Commission would be through the City's approved Local Coastal Program (LCP) and related provisions regarding public scenic view and resource protection. The project is located in the appeals jurisdiction of the Coastal Zone, which warrants the project the additional review by the California Coastal Commission.

9. Setting and Surrounding Land Uses:

The 0.44-acre project site is located on the east side of Jimmy Durante Boulevard at postal address 2112 Heather Lane (County Assessor Parcel Number 299-072-43-00), in the City of Del Mar. The City of Del Mar is located in the northwestern portion of San Diego County, adjacent to the cities of Solana Beach to the north, and San Diego to the east and south.

Figure 1 provides the regional location of the project site and Figure 2 shows the project location and surrounding land uses on an aerial photograph. Figure 3 and Figure 4 shows the applicant project area with the proposed relocation of the scenic easement with the changed parcels.

Figure 1: Regional Location Map

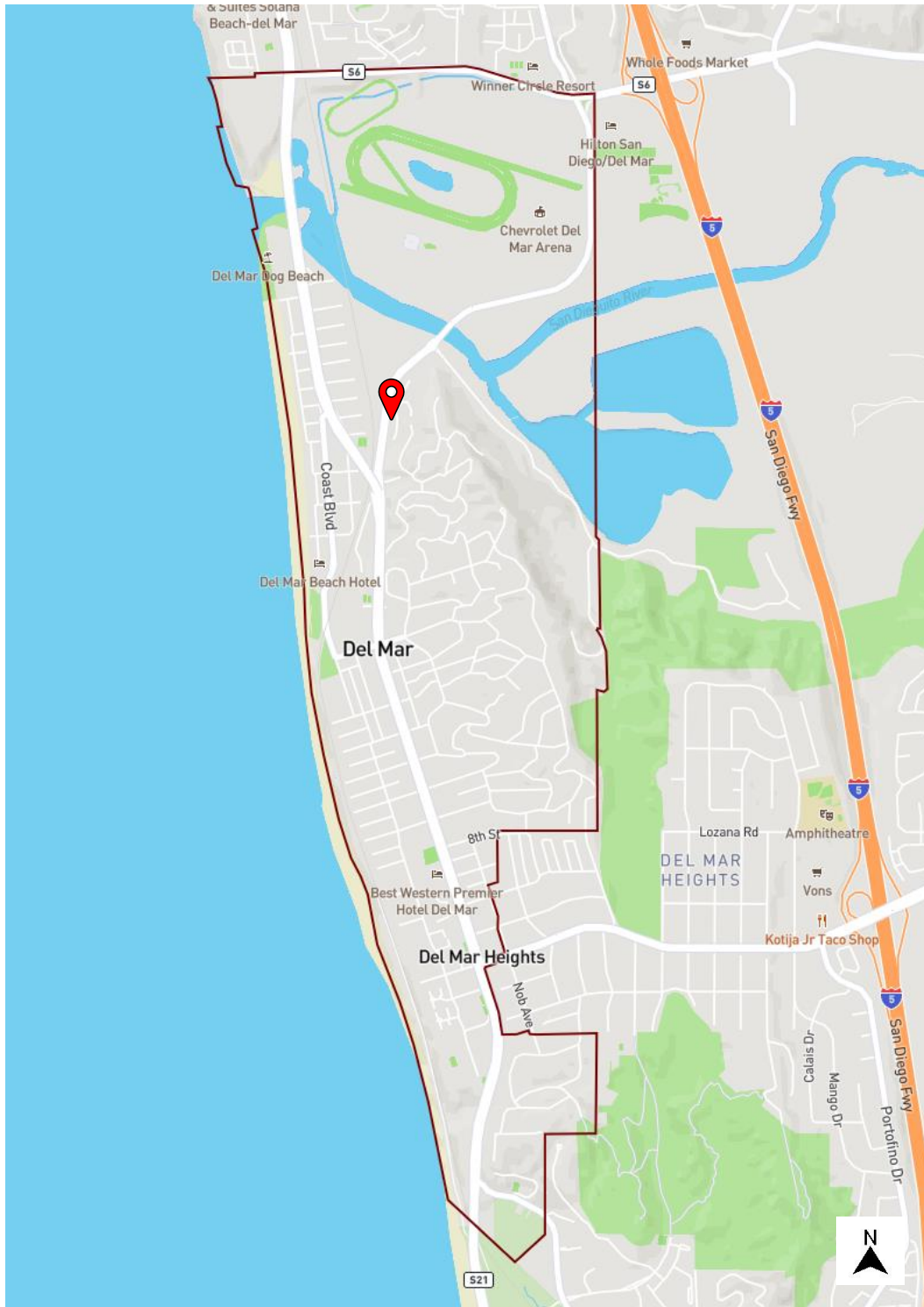


Figure 2: Project Location on Aerial Photograph

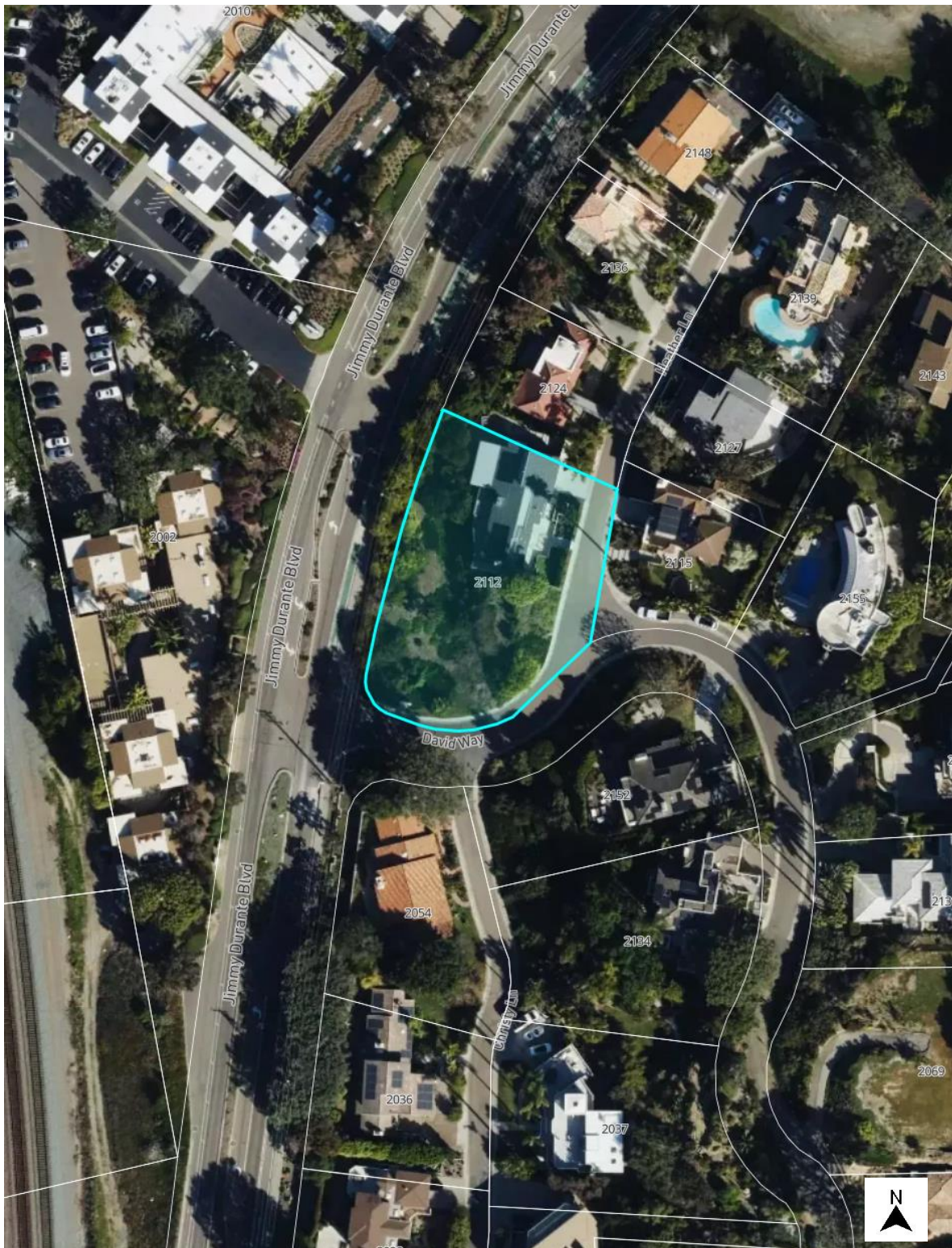


Figure 3: Applicant's Project Proposed Tentative Map

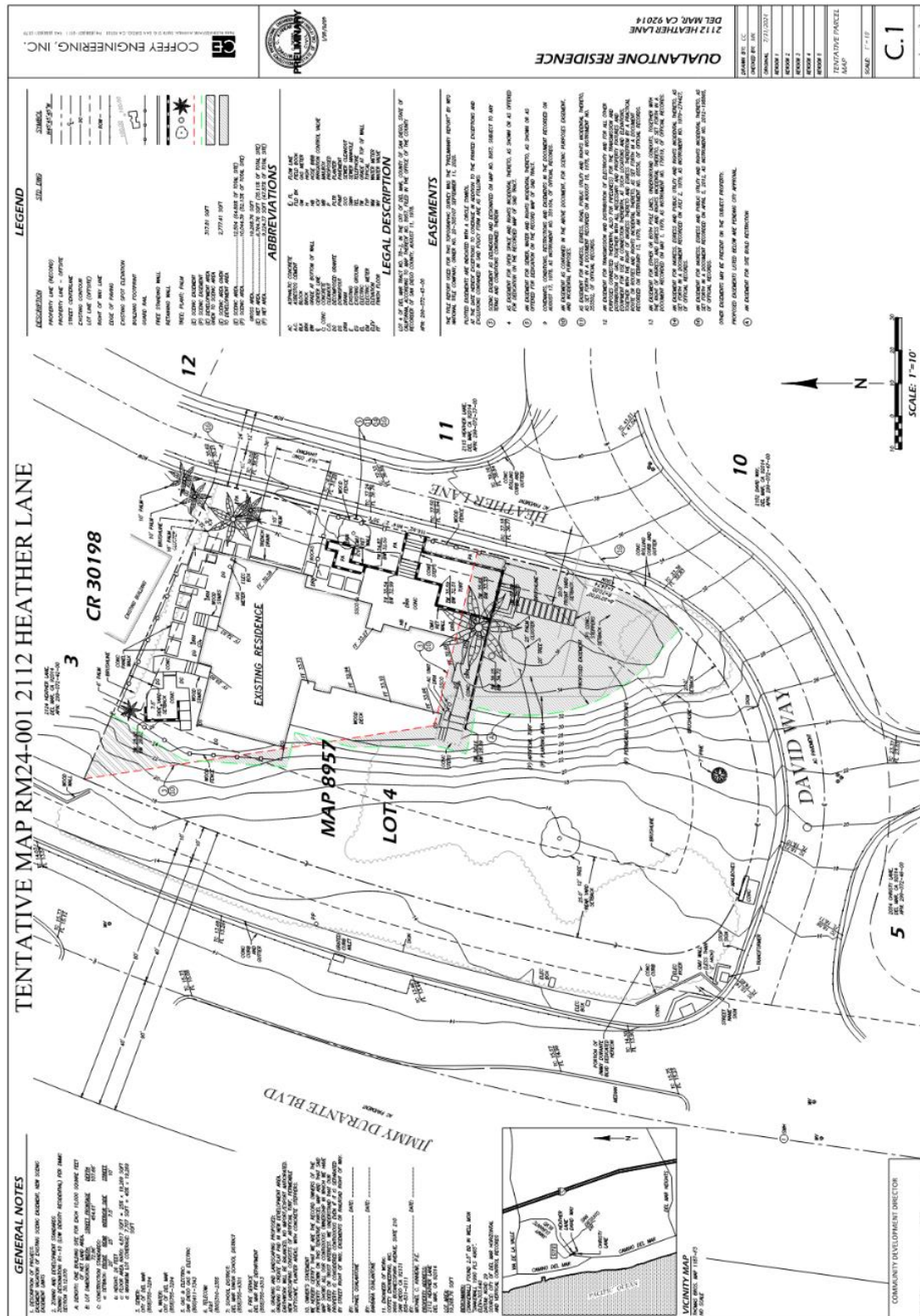
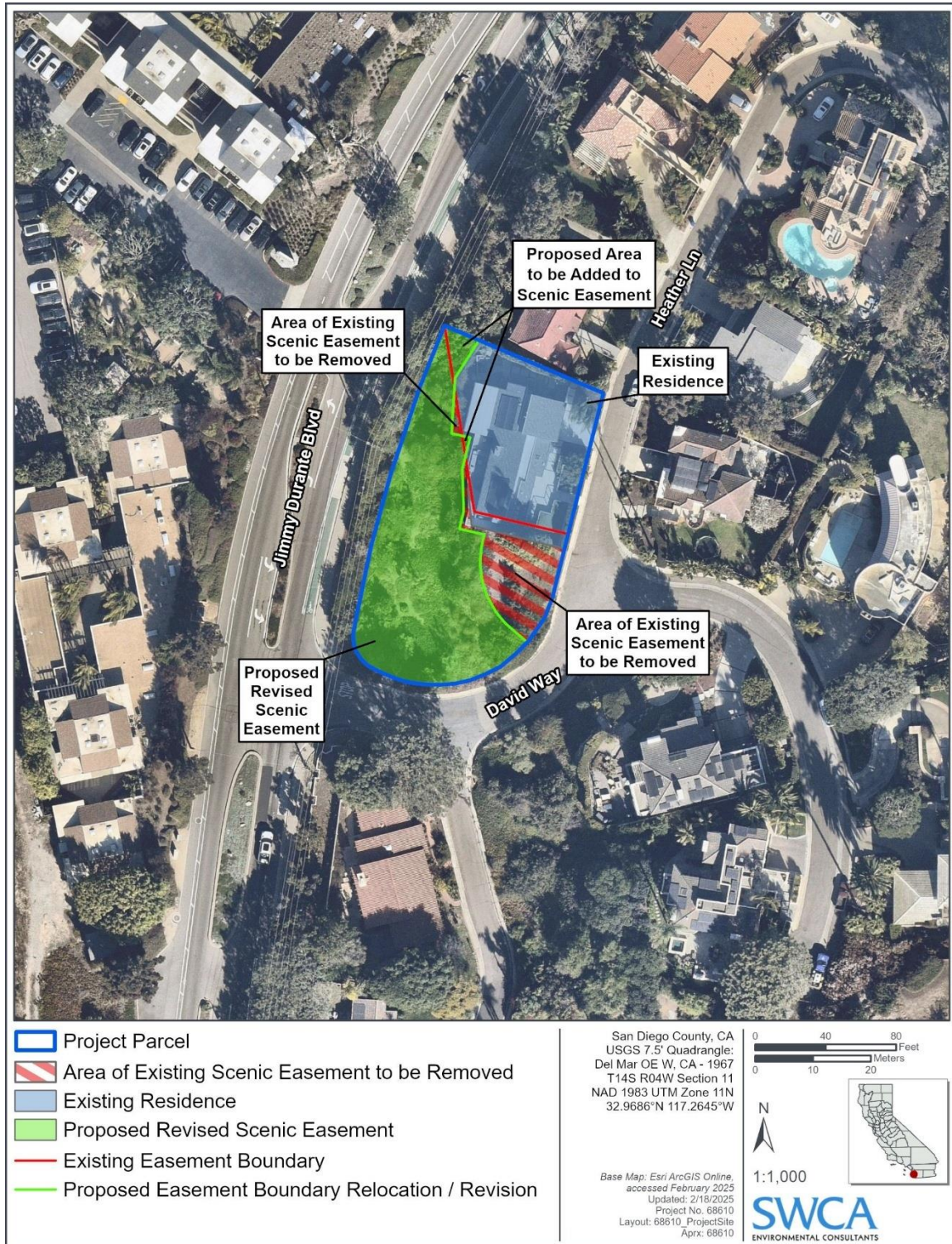


Figure 4: SWCA Prepared Site Plan



The property is approximately 19,268.76 square feet in area (0.44-acre) and is currently developed with a one-story single-unit dwelling with attached garage approximately 2,072 square feet in size located on the northeast portion of the lot. An elevated deck is developed along the west side of the house, overlooking the scenic easement and Jimmy Durante Boulevard and an at-grade patio located to the east of the residence along Heather Lane.

The Applicant's driveway is located at the northeast corner at 2112 Heather Lane. The scenic easement is located to the west and south of the residence which encompasses the canyon along the west and south property line abutting Jimmy Durante Boulevard and David Way. The scenic easement is covered with a variety of large and medium sized shrubs, vegetation and one tree.

The property is designated as Low-Density Residential Zone (R1-10, maximum 4.3 units/net acre) and Del Mar Municipal Code Chapter 30.12 is intended to allow for single residential dwelling unit uses and accessory uses. The current development aligns with the code requirements for the R1-10 Zone.

The project site is located within the Coastal Zone and in the Coastal Commissions appeals jurisdiction which is subject to the City's Local Coastal Program (LCP). The project is reviewed under a Coastal Development Permit (CDP) as established in Del Mar Municipal Code Chapter 30.75 and is reviewed to ensure that it is consistent with all provision of the LCP and the California Coastal Act.

The property and surrounding properties have been mapped to be located within the protective Bluff, Slope, and Canyon Overlay Zone (BSC-OZ). The Bluff, Slope, and Canyon Overlay Zone is the defined geographical area made of scenic sandstone bluffs and related canyons and steep slopes where houses meet or are within proximity of these undeveloped landforms. The zone is intended to preserve the bluffs and mitigate adverse impacts of erosion and sedimentation on downstream resources and preserve the diversity within the city. The unique landforms within these geographical areas are subject to the Del Mar Municipal Code Chapter 30.52 to protect the health, safety and general welfare and development of properties in the designated zone. Development in this zone is subject to additional setback requirements, height restrictions, and the need for conditional use permits within a specified distance from a steep slope.. In accordance with provisions of the Bluff, Slope, and Canyon Overlay Zone (BSC-OZ), the portion of the property that have substantially steep slopes are considered areas that shall be retained in their natural state and therefore required to be placed in a scenic easement through the deed of the property or into a City covenant recorded for development restriction.

Building and fire code requirements would be a part of any development review of the site.

10. Approvals Required:

The proposed project is subject to the receipt of an Amending Map (RM24-001) and Coastal Development (CDP25-002) Permits issued by the City of Del Mar City Council. The property is located within an area of the City where the City's final action on the CDP may be appealed to the California Coastal Commission.

11. Other public agencies whose approvals are required (e.g., permits, financing approval, or participation agreement):

No other approvals are required.

12. Summary of Environmental Factors Potentially Affected:

The project would have the following Potentially Significant Impacts to the resource areas listed below. A summary of the environmental factors potentially affected by this project are included below. These are environmental factors that consist of Potentially Significant Impacts that would be reduced from "Potential Impact" to "Less than Significant with Mitigation." The potential impacts and mitigation are described in the Initial Study Checklist.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forestry	<input type="checkbox"/>	Air Quality
<input checked="" type="checkbox"/>	Biological Resources	<input checked="" type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Energy
<input checked="" type="checkbox"/>	Geology/ Soils	<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards and Hazardous Materials
<input type="checkbox"/>	Hydrology/ Water Quality	<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources
<input type="checkbox"/>	Noise	<input type="checkbox"/>	Population/ Housing	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation/Traffic	<input checked="" type="checkbox"/>	Tribal Cultural Resources
<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Wildfire	<input checked="" type="checkbox"/>	Mandatory Findings of Significance

13. Determination:

On the basis of this initial evaluation: (To be completed by the Lead Agency)

<input type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
--------------------------	---

Draft Initial Study/ Mitigated Negative Declaration
Qualantone Amending Map
April 2024

<input checked="" type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required

Elizabeth Yee, Planner
City of Del Mar

Date

4.0 Initial Study Checklist

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses”, as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or (mitigated) negative declaration pursuant to Section 15063(c)(3)(D) of the CEQA Guidelines. In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

- c. Mitigation Measures. For effects that are “Less Than Significant With Mitigation Measures Incorporated”, describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significant.

Impact Terminology

The following terminology is used to describe the potential level of significance of impacts:

- A finding of ***no impact*** is appropriate if the analysis concludes that the project would not affect the particular resource in any way.
- An impact is considered a ***less than significant impact*** if the analysis concludes that it would not cause substantial adverse change to the environment and requires no mitigation.
- An impact is considered ***less than significant with mitigation incorporated*** if the analysis concludes that it would not cause substantial adverse change to the environment with the inclusion of environmental commitments that have been agreed to by the applicant.
- An impact is considered a potentially significant impact if the analysis concludes that it could have a substantial adverse effect on the environment and requires mitigation.

4.1. Aesthetics

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation of Checklist:

a & c. Less than Significant Impact

The City has identified the Pacific Ocean, the North Bluff area, and the San Dieguito and Los Peñasquitos lagoons as scenic vistas. In order to provide context and to reduce duplicative analysis, “scenic vistas” are defined as views or vistas generally panoramic in nature and identified as viewpoints or vistas (e.g., formal turn-outs along roadways) or within planning documents. A substantial adverse effect on a scenic vista or view would occur where the majority of an existing view would be blocked or substantially interrupted.

The City of Del Mar Community Plan (Community Plan) is its “constitution for development.” The Community Plan includes goals and policies to preserve and enhance scenic, natural resources, and the City’s special residential character and small-town atmosphere with its harmonious blending of buildings and landscape in proximity to a beautiful shoreline. According to the Community Plan, the City is characterized by scenic stretches of coastal beaches, picturesque sea cliffs, flat-topped coastal areas, steep mesa bluffs, broad level-floored stream valleys, and gently rolling hills (City of Del Mar 1985). Applicable policies of the Community Plan (Community

Development, Goal 3) related to visual resources and the character of development include the following:

- Objective A Maintain a low-density residential character and allow only one and two story low mass intensity development in residential areas.
- Policy 4 Limit building height to two stories in all residential areas, prohibit three-story façades, and encourage single-story development in areas where two-story construction would be disruptive to neighborhood character and scale of development.
- Objective B Ensure that future development, whether commercial or residential, does not detract from high-quality vistas and terrain, either by blocking views or disturbing natural topography, mature trees, or native growth.
- Policy 1 Strengthen height controls to protect scenic vistas from both private and public areas. Construction in areas of view sensitivity should require design approval to ensure protection, in an equitable manner, or the right to view scenic vistas from both near and far.
- Objective F Protect and enhance human scale, warmth, charm, interest, texture, pedestrian involvement and landscaping.
- Policy 1 Encourage harmonious development which is in scale with the character of existing development.

All new residential developments are subject to discretionary permit review in accordance with the City's Design Review Ordinance (DRO) (DMMC Chapter 23.08). The City's Design Review process is intended to preserve and improve the scenic amenities of Del Mar and to protect the City's natural environment, its scenic vistas and the community's overall aesthetic quality. The Design Review process encourages good design, including the use of harmonious materials and colors, and the appropriate use of landscaping.

As part of the review process, applications for Design Review Permits are evaluated for their consistency with the applicable provisions of DMMC Chapter 23.08 (Design Review) and DMMC Title 30 (Zoning Code). The City's DRO was adopted to implement and enforce the above-mentioned policies of the City's Community Plan.

All properties within the City are located within the California Coastal Zone as defined in the California Coastal Act and are accordingly subject to the provisions of the City's certified Local Coastal Program (LCP). The LCP is composed of the certified Land Use Plan (LUP) and Implementing Ordinances that are incorporated into Title 30 (Zoning) of the DMMC. The LCP addresses shoreline resources and development policies and regulations aimed at preserving ocean views and coastal access, as well as beach, coastal bluffs', erosion control, and hazards. This project is located in the

appeals jurisdiction of the Coastal Commission and will have an opportunity to review the project for potential adverse effects on scenic vistas and visual characteristics.

To preserve scenic public ocean views and vistas, the City has adopted policies and regulations in place that are implemented through the City's Zoning Code (DMMC Title 30) and the DRO, which generally limit the design and potential massing of new development through criteria and development standards that require low-scale building height and floor area and preservation of scenic views (public and private). Additional local requirements that maintain protection of scenic vistas and visual resources are implemented through the requirements of overlay zones within the City's Zoning Code as further described below.

The Bluff, Slope, and Canyon Overlay Zone (BSC-OZ) is designed to protect health, safety, and general welfare, and to control the development of properties within the designated zone in order to preserve the scenic sandstone bluffs and related canyons and steep slopes which characterize the area within the zone. Development of a primary residence can generally be permitted within the Bluff Slope and Canyon Overlay Zone with a Conditional Use Permit when built within a certain distance from a steep slope. In the case of this site, the future development is not permitted in the easement and confined to the proposed portion of removed easement.

The scenic easement currently encompasses the slopes that run along the west and south side of the property abutting Jimmy Durante Boulevard and David Way. The zone is intended to preserve the bluffs and mitigate adverse impacts of erosion and sedimentation on downstream coastal resources and preserves the diversity within the City. The unique landforms within these geographical areas are subject to the Del Mar Municipal Code Chapter 30.52 to protect the health, safety and general welfare and development of properties in the designated zone. The proposed revision of the scenic easement would remove the easement south of the existing residence to accommodate the portions of the existing house, landscape, hardscape and fencing currently inside the scenic easement. Development in this zone is subject to additional setback requirements, and height restrictions.

While no development is proposed with this Amending Map, future development within the proposed site would be limited to hardscape, landscape and fencing under a deed restriction. Additionally, future development would require the appropriate applications for design and development review in order to install any landscaping, setbacks, height, building articulation, and other design features per City development standards. Conformance with these requirements would ensure the proposed project would not substantially degrade the existing visual character of the site or quality of *public* views to the canyon.

Additionally, future development of this property would be required to conform to the protective covenant or new scenic easement as well of adhering to all state and local requirements including the Community Plan, City's Design Review Ordinance (DMMC Chapter 23.08), Tree Ordinance (DMMC Chapter 23.50), Zoning Code (DMMC Title 30), specifically Bluff, Slope and Canyon Overlay Zone (DMMC Chapter

30.60) and the Local Coastal Program. Conformance with all regulatory requirements would ensure that the proposed project would not have a substantial adverse effect on impacts. The applicant is voluntarily proposing to record a deed restriction through a covenant with the City which would further restrict the development of the area removed from the existing easement to only be developed with fencing, landscape and hardscape. Thus, impacts would be less than significant.

b. No Impact

No State Scenic Highways traverse the City or are in its vicinity. The nearest State-designated highway is a portion of State Route 163 running south from the northern boundary of Balboa Park to the southern boundary of the park. This State Scenic Highway is located approximately 15 miles south of the City. According to the California Department of Transportation (Caltrans), Interstate 5 (“I-5”) which runs east of the City boundary and east of the San Dieguito Lagoon is eligible to become an officially designated State Scenic Highway. However, the nearest segment of I-5 is located over one-half mile from the project site. As there are no State Scenic Highways located adjacent to or within immediate view of the project site, no impacts to scenic resources within a state scenic highway would occur (Caltrans 2020).

d. Less than Significant Impact

The revision of the easement size would result in a new developable area south of the existing single-family residence and due to the proposed deed restriction to permit, landscaping, fencing and hardscape would limit the possibility to add sources of light and glare. Potential new light sources would be primarily exterior nighttime lighting fixtures, and landscape lighting. Future development plans would be required to comply with all applicable requirements related to light and glare, including the California Green Building Standards Code (Part 11 of Title 24), the City’s Community Plan (General Plan) and DRO. The DRO lighting policies and companion Citywide Design Guidelines (2017) ensure that new outdoor lighting associated with structures would not have substantial adverse effects. These standards require that outdoor lighting be directed downward and shielded away from surrounding properties and public rights-of-way. DMMC §23.08.077 requires that projects be consistent with existing neighborhoods, including ensuring that a project’s design would not adversely affect the lighting quality of the local neighborhood and that exterior lighting be functional, shielded, and subtle or architecturally integrated with the building’s style, materials, or colors. Conformance with all regulatory requirements would ensure that the proposed project would not create a new source of substantial light or glare. Thus, impacts would be less than significant.

4.2. Agricultural And Forestry Resources

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220[g]), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104[g])?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a. No Impact

The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (State of California Department of Conservation (DOC; 2016). Additionally, any future housing development within the project site would not impact agricultural resources by conversion to non-agricultural usage. Thus, no impacts to Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would occur.

b. No Impact

Only land located within an agricultural preserve is eligible for Williamson Act contracts. According to the DOC and San Diego County, the project site contains no designated agricultural preserves, and therefore, no lands under a Williamson Act contract (DOC 2016). Because the project site is not zoned for agricultural and is not subject to Williamson Act contracts, no impacts would occur.

c. No Impact

The project site is not designated or zoned for forestry uses, nor is the project site adjacent to any zoning for forest land or timberland. The proposed revision of the scenic easement would allow for future residential development that would remain zoned for low density residential (R1-10) development. Consequently, the project would not conflict with existing zoning nor would it cause rezoning of forest land, timberland, or timberland zoned Timberland Production. Thus, no impact would occur.

d. No Impact

As discussed in Section 4.2 (c), the project would not result in the loss of forest land or the conversion of forest land to non-forest use. Therefore, no impacts to forest resources would occur.

e. No Impact

The Farmland Mapping and Monitoring Program classifies the project site and surrounding properties as “urban and built-up land” (DOC 2016). Future housing development within the project site would occur only on portions of the property designated and zoned for residential use. Therefore, no impacts to agricultural or forest land resources would occur.

4.3 Air Quality

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a-c. No Impact

The project site is proposed to make no changes to the use or zoning and would also result in no additional development beyond what is typically allowed which includes the development a single-family dwelling unit and associated accessory uses. With the proposed revised map, the parcel would be able to accommodate an additional 2,745.19 square feet of development. However, due to the development standards of the zones, the subdivision map restrictions, conditions of approval of the original map, and proposed deed strinctions for this project site the increase area of development would only be permitted to develop with landscape, hardscape and fencing. This would result in no impact to the air quality.

d. No Impact

The project does not include heavy industrial or agricultural uses that are typically associated with odor complaints. During construction, diesel equipment may generate some nuisance odors. Sensitive receptors near the project site include residential uses; however, exposure to odors associated with project construction would be short term and temporary in nature. Residential uses do not typically include operational sources of objectionable odors. Thus, operation of the project is not expected to generate significant objectionable odors affecting a substantial number of people, and there would be no impacts.

4.4 Biological Resources

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

This section is based on the Biological Resources Technical Report (Appendix A) prepared for the proposed project (SWCA Environmental Consultants 2024).

a. *Less Than Significant with Mitigation Incorporated.*

A Biological Resources Technical Report Study was completed in November of 2024 by SWCA Environmental Consultants; the survey was completed on site on November 25, 2024 for the property and included the 100 feet buffer area around the site. In addition to the physical survey, an online literature and database review was performed for the half mile radius around the project site and the biologists' report identified the following:

The vegetation within the study area was found to be dominated by nonnative species, with some isolated native plants interspersed among disturbed vegetation and landscaped plantings. However, these native species do not contribute significantly to the structure, continuity, or coverage required to constitute functional native habitat. Observed native species include lemonade berry (*Rhus integrifolia*), bladder pod (*Peritoma arborea*), and Torrey pine. Two land cover types were identified on the project parcel: disturbed habitat and urban/developed areas.

One species, the southern California legless lizard, was identified as having a "Low Potential" within the study area, and one candidate species for listing under the federal ESA, the monarch butterfly, was also identified as having a "low potential" within the study area but were not observed on-site and may be present due to ornamental flowering plants but not for overwintering.

One special-status plant species, the Torrey pine occurs within the project site once and is present once more in the study area buffer, due to the location of both trees being outside of the areas being revised, no impacts are expected as a result of approval of the amended map. The project has the potential to directly impact potentially suitable overwintering roost trees that may be used by monarch butterfly and habitat for southern California legless lizard.

Implementation of MM BIO-1 and MM BIO-2 would reduce the potential impacts to biological resources to a less than significant level.

b. *No Impact.*

The project site does not support any riparian habitat or other sensitive natural communities. For this reason, no direct impacts are anticipated.

c. *No Impact.*

No direct impacts were determined for the present project; however, prior to approval of any future development the City will analyze the proposed future project scope and

design parameters to determine if any modifications following the initial field assessment would be required. If environmental parameters have changed from the present assessment, then a formal delineation will be required where impacts to an identified potentially jurisdictional biological feature may become impacted. This future required assessment would determine the limits and classification of any such resources, as impacts to features that may be under the regulatory jurisdiction of the U.S. Army Corps of Engineers, California State Water Resources Control Board, or CDFW may necessitate permitting and mitigation in compliance with Sections 404 and 401 of the Clean Water Act, as well as Section 1600 of the California FGC.

Given the project footprint proximity to the potentially regulated aquatic resource, indirect impacts such as erosion, sedimentation, pollutant transport, noise, lighting, and invasive species may arise during construction.

There are no areas on site that meet the criteria for jurisdictional wetlands or waters under the jurisdiction of the U.S. Army Corps of Engineers (ACOE), Regional Water Quality Control Board (RWQCB), CDFW, or CCC, therefore, no impact would occur.

d. No Impact.

The project site is land-locked and does not support the movement of wildlife on a local or regional level, nor is it recognized as a vital corridor for dispersal or seasonal migration or a wildlife nursery site. For these reasons, no impacts would result to wildlife corridors or nursery sites as a result of the project.

Wildlife corridors are linear features that connect large patches of natural scenic and provide avenues for the migration of animals. Habitat linkages are small patches that join larger blocks of habitat and help reduce the adverse effects of habitat fragmentation; they may be continuous habitat or discrete habitat islands that function as stepping stones for wildlife dispersal. Because the project area is heavily disturbed, and is surrounded by existing roads and development, the site has limited value as a potential wildlife corridor or habitat linkage. Therefore, the project site does not have important value as a wildlife corridor or habitat linkage and no impact would occur.

e-f. No Impact.

The project site has one Torrey Pine tree located on site and it is considered a “Protected Tree” under the City’s Municipal Code. Approval of the amended map would not result in impacts to the protected tree due to the protected tree’s current location outside of the area proposed for removal from the easement. Further, a Tree Removal Permit from the Planning and Community Development Department would be required for any future removal of the protected tree.

No MSCP Subarea Plan or Draft Subarea Plan has been prepared for the City nor are there any other approved local, regional, or state Habitat Conservation Plans in the

City. If the proposed Amending Map is approved, no impacts are anticipated from future development within the area removed from the existing scenic easement.

NUMBER	MITIGATION MEASURE	TIMING	RESPONSIBILITY
Biological Resources			
MM BIO-1:	<p>Southern California Legless Lizard:</p> <p>Prior to vegetation removal and/or development of the area proposed to be removed from the easement, a preconstruction survey shall be required no more than 14 days prior to soil disturbance. The survey shall be conducted when soil temperatures are between 60- and 70-degrees Fahrenheit. If southern California legless lizards are identified, a qualified biologist with an appropriate Scientific Collecting Permit shall relocate individuals to suitable habitat outside of the project footprint.</p>	Prior to vegetation removal, ground disturbance, and/or landscaping of the area proposed to be removed from the easement.	Applicant
MM BIO-2:	<p>Nesting Birds and Raptors:</p> <p>Prior to vegetation removal and/or landscaping of the area proposed to be removed from the easement the following nesting bird mitigation requirements shall be implemented:</p> <p>a. If possible, site disturbance and landscaping activity shall not occur during the nesting bird breeding season (February 1 through August 31; January 1 through June 30 for raptors).</p> <p>b. If activities associated with vegetation removal,</p>	Prior to vegetation removal, ground disturbance, and/or landscaping of the area proposed to be removed from the easement.	Applicant

NUMBER	MITIGATION MEASURE	TIMING	RESPONSIBILITY
	<p>construction, or grading must be conducted during the bird nesting/breeding season (February 1 through August 31; January 1 through June 30 for raptors), a qualified biologist shall conduct surveys for active nests. Preconstruction nesting bird surveys shall be conducted no more than 3 days prior to the start of clearance/construction work. If ground-disturbing activities are delayed, additional preconstruction surveys should be conducted such that no more than 3 days have elapsed between the survey and ground-disturbing activities.</p> <p>c. If active nests are discovered during the nest survey, those nests shall be avoided until the young have fledged. The qualified biologist shall recommend appropriate nest avoidance buffers to be implemented during construction that are based on the species of bird and applicability of noise attenuation measures, the topography between the nest and the proposed disturbance activity, and the surrounding vegetation. Installation of the exclusionary material may be completed by construction personnel under the supervision of a qualified biologist prior to initiation of construction activities. The buffer zone shall remain intact and maintained while the nest is active (i.e., occupied or being constructed by at least one adult bird) and until young birds have fledged and no continued use of the nest is observed, as determined by a</p>		

NUMBER	MITIGATION MEASURE	TIMING	RESPONSIBILITY
	qualified biologist. The barrier shall be removed by construction personnel only at the direction of the biologist.		
MM BIO-3:	Protected Trees: Two Torrey pine trees were documented within the study area, with only one located on the subject property. Currently, both Torrey pines are outside the area proposed for removal from the existing easement. The applicant shall ensure that landscaping planned for the area proposed to be removed from the easement does not encroach on the Torrey Pines and stays within the proposed limits of disturbance.	Prior to vegetation removal, ground disturbance, and/or landscaping of the area proposed to be removed from the easement.	Applicant

4.5 Cultural Resources

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Disturb human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation of Checklist:

a,b Less Than Significant Impact with Mitigation Incorporated

The project site does not contain any cultural resources that have been identified as “historical or cultural resources” pursuant to CEQA Guidelines Section 15064.5. Therefore, impacts to known historical resources would be less than significant. However, in the event of an accidental discovery of a cultural and/or historical resource during project development, implementation of MM CUL-1 would reduce the potential impacts to historical resources to a less than significant level.

The subject site is not identified in the Environmental Management Element of the Del Mar Community Plan as having high sensitivity for prehistoric and archaeological resources including the possibility of human remains. However, the site lies adjacent to an area that was mapped as being potentially sensitive for archaeological resources. However, the property has been significantly disturbed as shown in the supporting documents for the previous EIR, and development of the existing residence demonstrates previous grading activities, utility trenching, and other site improvements on the portion of property subject to this approval request.

Furthermore, a letter was sent to the California Native American Heritage Commission (NAHC) on July 17, 2024, requesting a search of their Sacred Lands File (SLF). The NAHC sent a reply on August 9, 2024, indicating there were no sacred lands or Native American cultural resources of significance reported under the SLF. At the time of the development of this Initial Study, the City sent letters requesting consultation with Native American tribes pursuant to Assembly Bill 52 (AB 52). No tribes responded.

The possibility of significant buried cultural resources being present within the project area is relatively low because the portion of the project area proposed for removal from the Scenic easement has been disturbed during past development activities. In the unlikely event that buried archaeological resources are encountered during project development, potential impacts may be significant, and mitigation would be required. Implementation of MM CUL-1 would reduce impacts to a less than significant level.

c Less Than Significant Impact

There are also no known burial sites or cemeteries near the City. Therefore, it is not expected that human remains would be disturbed as a result of future single family dwelling unit and accessory use development on the project site. However, the discovery of human remains is always a possibility during ground disturbing activities. In the unlikely event that human remains are discovered during project construction or future development within the project site, work shall be halted in that area and the procedures set forth in the California Public Resources Code (Section 5097.98) and State Health and Safety Code (Section 7050.5) would be implemented. If the remains are determined to be of Native American origin, the Coroner would notify the NAHC, which would determine and notify a Most Likely

Descendant (MLD), who shall help determine what course of action should be taken in dealing with the human remains. No further construction activities would be permitted until the coroner is contacted, as well as any applicable Native American tribes. As regulations are in place to respond to any inadvertent uncovering of human remains during grading, impacts to human remains would be less than significant.

NUMBER	MITIGATION MEASURE	TIMING	RESPONSIBILITY
Cultural Resources			
MM CUL-1:	Inadvertent Cultural Discovery. If a cultural resource is inadvertently unearthed during ground disturbing activities, work in the immediate area shall cease and a qualified archaeologist meeting the United States Secretary of the Interior's Professional Qualifications for archaeology shall be contacted to evaluate the significance of the find. If the unanticipated discovery is of Native American origin, the City of Del Mar shall also consult with consulting tribes. Work can continue beyond the find. For finds that are not significant, work may resume immediately after the find is documented and removed at the direction of the archaeologist. If a find is significant, a mitigation plan shall be developed and approved by the City of Del Mar and all required mitigation completed prior to ground disturbance activity continuing within the established buffer radius.	During ground disturbance activities associated with the future single family dwelling unit and/or accessory use development.	Applicant

4.6 Energy

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a. Less than Significant Impact

Construction

The analysis of impacts considers the future buildout of new or remodeled single-unit residence and accessory improvements to provide a full buildout scenario assessment of potential impacts. Construction of any future single-family dwelling unit and accessory uses would be required to follow the City's Construction and Demolition Waste (C&D) Recycling Ordinance (DMMC Chapter 23.70). Transportation energy use during short-term construction would come from the transport and use of equipment and employee vehicles that would use diesel fuel and/or gasoline. The use of energy resources by these vehicles would be temporary. Impacts related to transportation energy use during construction would be temporary and would not require expanded energy supplies or the construction of new infrastructure. Additional impacts would be less than significant due to proposed deed restriction on development.

Operation

Operational emissions associated with the project include mobile and stationary sources. Additionally, area and energy source emissions would result from the use of

natural gas and consumer products. Future construction of a single-family dwelling unit and accessory uses would comply with current Energy Code and CALGreen standards, which require energy-efficient measures including solar ready roofs, increased lighting efficiency, and the installation of Energy Star appliances. Prior to the issuance of building permits, future development of single-family residences must demonstrate compliance with the current Energy Code through submission and approval of a Title 24 Compliance Report to the local building permit review authority and the California Energy Commission (CEC). Additionally, future development would be required to implement the Del Mar Solar Energy Ordinance (see Section 4.5.2.2) requiring all conventional heating, ventilation, and air conditioning systems to be provided with an active, passive, or hybrid solar system which addresses any potential for wasteful consumption of energy resources. Since the local and state mandates mitigates the issues through the existing local code, impacts would be less than significant.

b. No Impact

On June 6, 2016, the City adopted a Climate Action Plan (CAP) which sets targets for reducing greenhouse gas (GHG) emissions by 2020 and 2035 (City of Del Mar 2016). The CAP's goal for 2035 is to reduce GHG emissions to at least 50 percent below the City of Del Mar's baseline 2012 values, and to continue further reduces to meet the state goal of 80 percent reduction below statewide 1990 values by 2050. Recognizing that energy use is a significant contributor to the City's GHG emissions (36 percent of the 2012 baseline), the CAP has a goal to achieve 100 percent renewable energy by 2035 (City of Del Mar Climate Action Plan 2016, page S-1).

In October 2019, the Del Mar City Council adopted an ordinance to implement a Community Choice Energy (CCE) Program. Del Mar, along with the cities of Solana Beach and Carlsbad, formed a new public entity to operate the CCE program. In May 2021, that CCE program—Clean Energy Alliance (CEA)—began providing energy services to the three founding cities. Residents and businesses are automatically enrolled into a power supply portfolio with greater than or equal to 50 percent renewable power sources. Residents and businesses have the choice to opt-out entirely or opt into 100 percent renewable power sources. CEA plans to offer 100 percent renewable power sources to all customers by 2035.

Future residential development would be required to comply with current Energy Code and CALGreen standards, which require energy-efficient measures including solar ready roofs, increased lighting efficiency, and the installation of Energy Star appliances. Prior to the issuance of building permits, future development must demonstrate compliance with the current Energy Code through submission and approval of a Title 24 Compliance Report to the local building permit review authority and the CEC. Additionally, future development would be required to implement the Del Mar Solar Energy Ordinance requiring all conventional heating, ventilation, and air conditioning systems to be provided with an active, passive, or hybrid solar system. Thus, through regulatory compliance it is ensured that the project would not conflict

with or obstruct a state or local plan for renewable energy or energy efficiency. No impacts expected as no development is proposed.

4.7 Geology and Soils

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation of Checklist:

a. (i, ii,iii,iv) Less Than Significant Impact.

No known active faults traverse the project site or are within 0.5 mile of the site. The closest know active faults are the Newport/Inglewood and Rose Canyon faults located approximately two miles west of the Proposed project. Three major fault systems within the area include the Elsinore, San Jacinto, and Rose Canyon faults. The active Elsinore fault trends northwest and is about 33 miles northeast of Del Mar. The San Jacinto fault is also an active northwest-trending fault about 55 miles northeast of Del Mar. There is potential for some local damage in the event of a major earthquake along one of these fault systems, which could result in significant impacts to the project. While the potential for on-site rupture cannot be completely discounted (e.g., unmapped faults could conceivably underlie the site), the likelihood for such an occurrence is considered low due to the absence of known faulting within the immediate area. As a result, impacts related to fault rupture are assessed as less than significant.

The site is not mapped in the vicinity of geologic hazards such as landslides, liquefaction areas, or faulting. However, the buildable area of this property located at the top of a canyon in the Bluffs, Slopes and Canyon Zone and is subject to additional development restrictions of that zone, which includes the requirement for a Conditional Use Permit approval to development adjacent to a steep slope and a less than significant impact would occur.

b. Less Than Significant Impact.

The future development of the subject would require review by the Engineering Department. Future development is not expected to cause substantial erosion or loss of topsoil due to standard engineering practices and storm water requirements enforced by the City's permitting process. Impacts would be less than significant.

c and d. Less Than Significant Impact.

The project site has not been affected by any major natural disasters in recent decade such as wildfires, earthquakes or flooding so the report remains accurate through the weathering of the element and time. At the time of any future development, the owner

and applicants would be required to submit a detailed Geotechnical Report as part of their discretionary permits per DMMC and Building Code for review by Del Mar Engineering Department and Building Department review; therefore, the impact is less than significant.

e. No Impact.

No septic tanks or alternative wastewater disposal systems are proposed since there is no development proposed with the project. Any future development that requires separate wastewater connection would tie into the City's wastewater system and would not use a septic system. No impact would occur.

f. Less Than Significant Impact.

No development is proposed as part of the revised map, but the existing single family dwelling unit and associated accessory use development may cause minimal impact expected with the development restrictions and minimal ground disturbance. The portion of the property removed from the scenic easement does not contain a unique geologic feature and has not been noted to have any unique paleontological resources and would not likely directly or indirectly destroy a unique paleontological resource or site or unique geologic feature with future development. A mitigation has been added in the event of inadvertent discovery and therefore the impact would be less than significant.

NUMBER	MITIGATION MEASURE	TIMING	RESPONSIBILITY
Geology and Soil Resources			
MM GEO-1:	Inadvertent Paleontological Discovery. If a paleontological resource is inadvertently unearthed during ground disturbing activities, work in the immediate area shall cease and a qualified archaeologist meeting the United States Secretary of the Interior's Professional Qualifications for archaeology shall be contacted to evaluate the significance of the find. Work can continue beyond the find. For finds that are not significant, work may resume immediately after the find is documented and removed at the direction of the archaeologist. If a find is significant, a mitigation	During ground disturbance activities associated with the future single family dwelling unit and/or accessory use development.	Applicant

NUMBER	MITIGATION MEASURE	TIMING	RESPONSIBILITY
	plan shall be developed and approved by the City of Del Mar and all required mitigation completed prior to ground disturbance activity continuing within the established buffer radius.		

4.8 Greenhouse Gas Emissions

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a. Less Than Significant Impact.

The CEQA Guidelines requires lead agencies to adopt Greenhouse Gas (GHG) thresholds of significance. When adopting these thresholds, a lead agency may consider: (1) thresholds of significance adopted or recommended by other public agencies, (2) thresholds recommended by experts, provided that the thresholds are supported by substantial evidence, or (3) develop their own significance threshold.

The City has not adopted a GHG threshold of significance for general use as part of its environmental review process. Therefore the guidance from the California Air Pollution Control Officers Association (CAPCOA) report CEQA & Climate Change, dated January 2008, is used and identifies several potential approaches for assessing a project's GHG emissions (CAPCOA 2008). Among these approaches, the guidance

introduces the concept of establishing thresholds based on GHG emission market capture rates. Following this approach, a lead agency defines an acceptable market capture rate and identifies the corresponding emissions level.

No development is proposed as part of the revised map, but the existing single family dwelling unit and associated accessory use development may cause minimal impact expected with the development of a new single-family dwelling unit and would be considered within the existing thresholds expected for the zone; this impact would be less than significant.

b. Less Than Significant Impact.

The proposed project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions, due to the fact that one single-unit residence exists in an established urban area with services and facilities currently available. In addition, the project is consistent with the underlying zone and land use designation and any proposed development would be limited, no impacts are expected.

4.9 Hazards and Hazardous Materials

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a.-b. No Impact.

Pursuant to Government Code Section 65962.5, the subject property is not listed on the current listing of the Hazardous Materials Establishments and Sites as prepared by the San Diego County Department of Environmental Health. The proposed project is a single-unit residence and the use would not involve hazardous materials. The proposed project would be located within a developed residential urban setting and would not transport, use, or dispose of hazardous materials beyond those used for general household cleaning and landscape maintenance. No impact would occur.

c. No Impact.

The Winston School is located within 1.2 mile of the project site. However, the project would not emit any new hazardous emissions or handle hazardous materials since the property is currently developed with a single-family residence and no zoning modifications are proposed which would affect the density of the site. No impact would occur.

d. No Impact.

The Hazardous Waste and Substances Sites (Cortese) List is a planning document that provides information about the location of hazardous materials release sites in the state. Government Code Section 65962.5 requires the California Environmental Protection Agency to develop at least annually an updated Cortese List. The California Department of Toxic Substances Control (DTSC) is responsible for a portion of the information contained in the Cortese List. Other state and local government agencies are required to provide additional information for the Cortese List. A review of the Cortese List (EnviroStor 2020) indicated that no hazardous materials locations have been recorded within 0.5 mile of the project site. Therefore, the project is not located on a site or near a site included on a list of hazardous materials sites that would create a significant hazard, and no impacts would occur.

e. No Impact.

The project site is not located within an airport land use plan or within two miles of a public airport or public use airport. No impact would occur.

f. No Impact.

The single family dwelling unit and accessory use development is consistent with the adopted DMMC, and land use plans, and would not interfere with the implementation of or physically interfere with an adopted emergency response or evacuation plan. No impact would occur.

g. No impact.

The project area is mapped outside of the Wildland Urban Interface (WUI) Zone.

Future single family dwelling unit and accessory use development would be required to adhere to mandatory fire prevention requirements and regulations of DMMC Chapter 10.04 (Fire Prevention, which incorporates the 2019 California Fire Code) and DMMC Section 10.04.070-503 (Fire Apparatus Access Roads). Adherence to state and local fire codes are intended to reduce risks in conjunction with future development related to wildland fire. As a result, impacts associated with wildland fires would have no impact.

4.10 Hydrology and Water Quality

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner, which would:				
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation of Checklist:

a. Less than Significant Impact.

While no construction is proposed for the project, any future development of the site, would require the City to consider a permit for land disturbance activities as well a storm water management plan ("SWMP").

The preparation of any SWMP is intended to comply with the City of Del Mar BMP Design Manual, which is a design manual for compliance with the City of Del Mar and the MS4 Permit (California Regional Water Quality Control Board San Diego Region Order No. R9-2015-0100) requirements for storm water management.

All project construction is subject to the City's Stormwater Management, and Discharge Control Ordinance (DMMC Chapter 11.30), which requires implementation and maintenance of minimum Best Management Practices (BMPs) outlined in the City's Stormwater Standard Manuals. The City would require installation of BMPs

as outlined in the SWMP to prevent erosion, runoff, and pollution into storm drains. Implementation of BMPs would minimize potential impacts to water quality. With implementation of the applicable regulatory framework, the project would not violate any water quality standards or waste discharge requirements. Therefore, impacts related to water quality and runoff would be less than significant.

b. No Impact.

There are no known aquifers or groundwater supplies in the vicinity of the proposed project. The San Diego County Water Authority provides potable water in the City. Therefore, any future development would not deplete groundwater supplies and would have no impact.

c. Less than Significant Impact.

The project site does not contain any stream, river, or water course. For future single family and accessory use development, any potential increase in the amount of surface runoff is addressed and controlled through the SWMP. The SWMP would ensure that any potential drainage impacts can be considered less than significant due to project design and engineering practices.

d. No Impact.

The project site is partially located within a 100-year flood hazard area along the lowest elevation of the property where the scenic easement would remain and the single-family residence is current outside of the 100-year flood hazard area at the highest elevation of the parcel, and therefore at present no impacts are present.

e. Less than Significant Impact

The City's Best Management Practices Design Manual (City 2016) addresses on-site post-construction storm water requirements and provides procedures to plan, design, and select storm water management best practices to meet the performance standards of the MS4 Permit. Best management practices include reducing water use, employing erosion-resistant surfaces, diverting water around the construction site, keeping vegetation, protecting channels, and not excavating or grading during wet weather. The manual provides guidelines for preparation and review of storm water management programs.

Any future development would be required to comply with all federal, state, and local requirements for avoiding and minimizing construction and operations impacts to prevent conflicts with or obstruction of implementation of a water quality control plan or sustainable groundwater management plan, including the Basin Plan and the City's Jurisdictional Runoff Management Plan. Further, future development would not prevent the City's Clean Water Program staff from ensuring that MS4 Permit and Basin Plan requirements are met through implementing programs such as

education/training, water quality monitoring and assessment, inspections, and enforcement activities.

Example City activities implemented to address potential pollution sources include:

- Focused inspections of construction sites
- Response to public or City staff observations of potential polluting activities
- Observations of storm drains to identify pollutant sources
- Investigations of pollutant sources
- Cleaning of the storm drain system
- Street sweeping
- Diverting non-stormwater discharges to the sanitary sewer system

As a result, future development would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Therefore, impacts would be less than significant.

4.11 Land Use and Planning

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a.-b. No Impact.

All new residential development projects are subject to discretionary permit review in accordance with the City's Design Review Ordinance (DRO) (DMMC Chapter 23.08). The City's Design Review process is intended to preserve and improve the scenic amenities of Del Mar and to protect the City's natural environment, its scenic vistas and the community's overall aesthetic quality. The Design Review process encourages good design, including the use of harmonious materials and colors, and the appropriate use of landscaping.

Because new residential development (i.e., of the primary residence or of any accessory units or secondary areas) would be required to be located on the existing single-family lot, future development would not physically divide the existing community.

As part of the review process, applications for Design Review Permits are evaluated for their consistency with the applicable provisions of DMMC Chapter 23.08 (Design Review) and DMMC Title 30 (Zoning Code). The City's DRO was adopted to implement and enforce the above-mentioned policies of the City's Community Plan. Thus, no impact would occur.

c. No Impact.

No MSCP Subarea Plan or Draft Subarea Plan has been prepared for the City, nor are there any other approved local, regional, or state Habitat Conservation Plans in the City. As such, if the proposed Amending Map is approved, no impacts to habitat conservation or natural community plans would occur from future development within the area removed from the existing scenic easement.

4.12 Mineral Resources

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a.-b. No Impact.

According to the Del Mar Community Plan, there are no known valuable mineral resources, as recognized by the California Department of Conservation Division of Mines and Geology, in the immediate region that could be impacted by or result in significant loss of mineral resources by the project. The California Geological Survey classifies the regional significance of mineral resources in accordance with the California Surface Mining and Reclamation Act of 1975 and designates lands containing significant aggregate resources. No impact would occur.

4.13 Noise

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. For a project located within the vicinity of a private airstrip or an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a.-b. Less Than Significant Impact.

Noise levels in the City of Del Mar are regulated by the City's Municipal Code Chapter DMMC 9.20 Noise. This Chapter regulates hours of when construction take place and sets the maximum noise limits that would may be reached during construction. The Ordinance sets the maximum sound levels, of varying duration, that are allowed beyond the property's boundaries.

During construction activities, the potential would exist for temporary or periodic increases in noise levels and/or ground-borne noise and vibration levels on and adjacent to the project site. The degree of such increases would depend on the type and intensity of construction activity, equipment type used, duration of equipment use, and distance between the noise source and noise receiver. Adherence to the allowable time limits established in the City's Noise Ordinance would ensure that any

such noise and vibration increase would result in less than significant impacts. A requirement for compliance with the City's Noise regulations, including limits on construction hours, would be included as part of the project's permit conditions of approval. Impacts would be less than significant.

The noise sources on the project site after completion of construction are anticipated to be those that would be typical of any single-family residential use, such as vehicles arriving and leaving, and landscape maintenance machinery. None of these noise sources would violate the City of Del Mar Municipal Code Noise Ordinance limits.

c. No Impact.

Marine Corps Air Base at Miramar the closest airport to the project site and is located more than five miles to the south. There would be no impact due to aircraft noise.

4.14 Population and Housing

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a. Less Than Significant Impact.

The project would be implemented within an urbanized site which already has roadway access, all urban infrastructure; and is also surrounded by existing low to very-low density residential development; as such, it would not induce population growth. The proposed project does not include development and currently is developed with a residence in the R1-10 zone, which allowed for single family dwelling unit

development. Future development on the site would be restricted to the development regulations of the R1-10 zone, while also inhibiting the possibility of inducing substantial population growth in the fully developed neighborhood where the project site is location. The impact would be less than significant.

b: No Impact.

The proposed revised map does not include development, and the project parcel is currently developed with a residence. No residential occupants would be displaced as a result of the project. Thus, the project would not displace existing housing or people.

4.15 Public Services

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a.(i-ii) No Impact.

The proposed revised map does not include development and the project parcel is currently is developed with a residence in the R1-10 zone, the developed project site is located within an urbanized community well served with sewer and water lines, streets, drains and other public utilities. In addition, fire protection, and emergency medical services and law enforcement protection is provided by the Del Mar Fire Department, San Diego County Sheriff and the San Diego County CSA 17 for provision of emergency services. With the referenced infrastructure and services already in place, and there is no impact.

a.(iii-v) No Impact.

The reduced easement would not be expected to significantly increase the demand for public services. The area is adequately served by the Del Mar Union and San Dieguito Union School Districts. The area is served by a variety of park areas and an existing public library. The project would not require the provision of new or expanded public facilities. Thus, there would be no impact.

4.16 Recreation

Would the project:

Issue	Potential ly Significa nt Impact	Less Than Significant with Mitigation Incorporat ed	Less Than Significa nt Impact	No Impact
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a.-b. No Impact.

The project site is located in an urbanized area where it is served by existing park and recreational opportunities, including the Powerhouse Park and nearby public beach areas and access points. Therefore, the project would not require the addition or expansion of park facilities and would result in no impacts.

4.17 Transportation / Traffic

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-d No Impact

The proposed project would not include construction development. The property is zoned R1-10 and allows no more than a single unit dwelling with accessory uses. The property is currently developed with a single residence and is accessed via Heather Lane. Future housing development would be required to comply with applicable building and fire safety regulations required for the design of new housing and emergency access. And the newl imposed covenant or easement and compliance with the City's municipal code would ensure adequate access issues, including emergency access. Therefore, no impact would occur.

4.18 Tribal Cultural Resources

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?				
--	--	--	--	--

Explanation of Checklist:

a.i-ii. *Less than Significant with Mitigation Incorporated*

A letter was sent to the NAHC on July 17, 2024, requesting a search of their SLF. The NAHC sent a reply on August 9, 2024, indicating there were no sacred lands or Native American cultural resources of significance reported under the SLF. At the time of the development of this Initial Study, the City sent formal notification pursuant AB 52 on July 19, 2024. Correspondence was sent via certified mail to the designated contact/tribal representative for the following tribes:

- Manzanita Band of Kumeyaay Nation
- Viejas Band of Kumeyaay Indians
- Sycuan Band of the Kumeyaay Nation
- Lipay Nation of Santa Ysabel (note: two separate contacts)
- La Posta Band of Mission Indians
- Kwaaymii Laguna Band of Mission Indians
- Jamul Indian Village
- Ewiiapaayp Band of Kumeyaay Indians (note: two separate contacts)
- Campo Kumeyaay Nation
- Barona Group of the Capitan Grande
- Inaja-Cosmit Band of Indians
- Mesa Grande Band of Diegueno Mission Indians
- San Pasqual Band of Diegueno Mission Indians

In accordance with AB 52, tribes must respond in writing within 30 days of receipt of the formal notification from the City and request consultation. City staff received no response from the tribes. The City will continue to monitor any responses received subsequent to the preparation of this document and accommodate consultation requests by interested Native American tribes for future single family dwelling unit and accessory use development on the project site. Appendix B, "AB 52 Tribal Consultation Notice and Response," includes copies of the correspondence.

This project does not require tribal monitoring. However, the possibility of unanticipated discoveries exists as the project site is adjacent to an area identified as having high sensitivity for prehistoric archaeological resources in the Environmental Management Element of the Del Mar Community Plan. In the unlikely event that

buried Native American resources are encountered during project development, potential impacts could be significant, and mitigation would be required. Implementation of MM CUL-1 would reduce impacts to tribal cultural resources to a less than significant level (see Section 4.5).

4.19 Utilities and Service Systems

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Generate solid waste in excess of State or local standards, or in excess of	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?				
e. Comply with federal, state, and local management and reduction statutes and regulation related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a.-b. No Impact.

The project site is located within an area currently served by the public sewer system. Because the project would not involve the construction of facilities that would generate significant amounts of sewage, it would not require the construction or expansion of any new wastewater facilities or exceed applicable wastewater treatment requirements. Adequate wastewater treatment facilities and services are in place to serve the project site. No impact would occur.

The project site is located within an area currently served by the San Diego Gas and Electric for natural gas and electric power. The project site is also located in an area currently served by Verizon and Spectrum for telecommunications facilities. Because the project would not involve the construction of facilities that would generate significant amounts of usage beyond the typical for a single-family dwelling unit, it would not require the construction or expansion of any utilities or exceed applicable utility use requirements. Adequate gas, electric and telecommunications facilities and services are in place to serve the project site. No impact would occur.

c. No Impact.

The proposed revision of the scenic project does not include development. Future development would be designed to retain and treat storm water runoff prior to discharging from the site, consistent with the City's SUSMP requirements. Because the project is consistent with the Del Mar Community Plan with respect to zoning and land use, the existing storm water drainage facilities in the area would be adequate to serve future development of the site. Therefore, no impact would occur.

d. No Impact.

The proposed project site would require water supplies to serve any future single family dwelling unit and accessory use development on the site however the demand would not exceed the typical water demand of a single-family residence. Because the project is consistent with the Del Mar Community Plan with respect to zoning and land use and would comply with DMMC Chapter 21 (Water Supply), therefore, no impact would occur.

e. No Impact.

The City owns and operates a sanitary sewer collection system. Wastewater generated by existing and future development of a single unit dwelling would be treated at the San Elijo Joint Powers Authority San Elijo Wastewater Treatment Facility which processes most (98 percent) of the City's wastewater; however, the remainder (2 percent) including extreme emergency flows can be sent to Metro wastewater Joint Powers Authority Point Loma Wastewater Treatment Plant and North City Water Reclamation Plant. Any future proposed project would not generate additional waste water, therefore no impact would occur.

f.- g. No Impact.

Solid waste service for the City of Del Mar is provided by EDCO Waste and Disposal Corporation which disposes of non-recyclable solid waste, recyclable material and green and organic waste. As with the rest of Del Mar, the project would be served by EDCO. No impact would occur.

4.20 Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a. No Impact

The California Department of Forestry and Fire Protection (CAL FIRE) has mapped areas of significant fire hazards in San Diego County into different fire hazard severity

zones (FHSZ) based upon fuels, terrain, weather, and other relevant factors. The project site is currently located outside of the fire hazard severity zone and is located 0.25 miles west from the closest FHSZ.

In March 2025, CAL FIRE released the new fire hazard severity zone maps for San Diego, which now includes a portion of the project site proposed for removal from the scenic easement. The City expects to adopt the new fire hazard severity zone maps by September 2025. While the new maps have not been adopted by the City of Del Mar, they will be incorporated into the current draft of the Safety element and assessed as part of the required environmental documentation for draft General Plan element by the City of Del Mar.

The City and County Emergency Operations Plans guide the integration and coordination within other governmental agencies that are required during an emergency to serve the existing and future public safety needs in the city. The Emergency Operations Plans identify evacuation routes, emergency facilities, and personnel, and describes the overall responsibilities of federal, state, regional, and city entities.

The City has adopted and implemented programs to reduce and prevent risks associated with wildfire including DMMC §2.52.020 (Emergency Plan), DMMC Chapter 10.04 (Fire Code), and DMMC Chapter 23.12 (Uniform Codes for Construction Building Code). Future development would be subject to discretionary permits and required to meet the mandatory requirements related to the prevention of wildfire impacts. As a result, the project would not substantially impair an adopted local or county-wide emergency response or evacuation plan and there would be no impact.

b. No Impact

Any future patio or other construction development would be subject to mandatory fire prevention requirements and regulations of DMMC Chapter 10.04 (Fire Prevention, which incorporates the 2022 California Fire Code). Adherence to state and local fire codes are intended to reduce risks in conjunction with future development related to wildland fire. As a result, impacts associated with wildland fires would have no impact despite its location on a slope.

c. No Impact

The site is accessible via private road, Heather Lane. Site access is through the adjacent and fully developed road via Jimmy Durante Boulevard and David Way, which does not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk. Future development proposed in the area would be required to offset wildfire exposure by complying with the wildfire protection building construction requirements contained in the 2022 California Building Codes, including the California Building Code, Chapter 7A, California Residential Code, §R327, and

California Referenced Standards Code, Chapter 12-7A. Due to the deed restriction on any future development in the proposed relocated easement, no impact would occur.

d. No Impact

The project site is located outside of the WUI and is 0.25 miles away from developments located within the WUI.

Due to the distance and restrictions placed on future development, the relocation of the scenic easement and planned development would not impair or physically interfere with an adopted emergency response or evacuation plan. The City and County Emergency Operations Plans guide the integration and coordination within other governmental agencies that are required during an emergency to serve the existing and future public safety needs in the city. The Emergency Operations Plans identify evacuation routes, emergency facilities, and personnel, and describe the overall responsibilities of federal, state, regional, and city entities. Therefore, no impact would occur.

4.21 Mandatory Findings of Significance

Does the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable futures projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a. Less Than Significant with Mitigation Incorporated.

The project would not degrade the quality of the environment, nor would it substantially reduce the habitat of a wildlife species. The reduction of the scenic easement would not alter the existing canyon, and the project could have the potential to result in impacts to nesting birds if construction occurs during the breeding season; however, most trees within the property would remain as they are and construction would be performed outside of the nesting period. Furthermore, mitigation measures have been identified to reduce impacts to a level that is less than significant.

The property has been significantly previously disturbed as shown in the supporting documents provided in the previous EIR, and development of the existing residence demonstrates previous grading activities, utility trenching, and other site improvements on the portion of property subject to this approval project request.

The possibility of significant buried cultural or tribal resources being present within the project area is considered relatively low because the portion of the project area proposed for removal from the Scenic easement has been disturbed during past development activities. As provided in Section 4.5 of this checklist, a mitigation measure has been included to reduce this potential effect to a level below significance.

Also, as state regulations are in place to respond to any inadvertent uncovering of human remains during grading, impacts to human remains would be less than significant. As a result of this evaluation, there is no substantial evidence that, after mitigation, significant effects associated with this project would result. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

The project has the minimal potential impact to paleontological resources as grading in the area is within areas of previous ground disturbance and with the development restrictions would be unlikely to cause a significant environmental impact, however a mitigation has been incorporated into Section 4.7 to ensure that the impact would be less than significant. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

b. Less Than Significant Impact.

Per the instructions for evaluating environmental impacts in this Initial Study, the potential for adverse cumulative effects were considered in the response to each requirement of the checklist. In addition to project-specific impacts, this evaluation considered the project's potential for incremental effects that are cumulatively considerable. As a result of this evaluation, potentially significant effects were determined to exist related to biological and cultural resources. However, mitigation has been included that reduces these potential effects to a level below significance, as detailed in Sections 4.4 and 4.5 of this checklist. As a result of this evaluation, there is no substantial evidence that, after mitigation, there are cumulative effects associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

c. No Impact.

Development of the proposed project would not create direct and indirect adverse effects on humans. No impacts would occur. Development of the proposed project would not substantially increase traffic nor would it result in a substantial increase in population as this is a single-family residential development. Public facilities are available to accommodate the existing development. No impact would occur.

5.0 Mitigation Monitoring Program

Introduction:

Section 21081.6 of the California Public Resources Code and §15091(d) and 15097 of the State CEQA Guidelines require public agencies “to adopt a reporting and/or monitoring program for changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment.” A Mitigation Monitoring and Reporting Program (MMRP) is required for the Qualantone Amending Map Project because the Initial Study/Mitigated Negative Declaration for the project identified potentially significant adverse impacts related to construction activities, and mitigation measures have been identified to reduce those impacts to a less than significant level. Adoption of this MMRP would occur as part of the approval of the proposed project.

Purpose of Mitigation Monitoring Program:

This MMRP has been prepared to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner during the construction of the project, as required. A table has been prepared to assist the responsible parties in implementing the MMRP. The table identifies individual mitigation measures, monitoring/mitigation timing, and the person/agency responsible for implementing the mitigation measures. The numbering of mitigation measures follows the numbering sequence found in the Initial Study/Mitigated Negative Declaration.

NUMBER	MITIGATION MEASURE	TIMING	RESPONSIBILITY
Biological Resources			
MM BIO-1	Southern California Legless Lizard. Prior to vegetation removal and/or development of the area proposed to be removed from the easement, a preconstruction survey shall be required no more than 14 days prior to soil disturbance. The survey shall be conducted when soil temperatures are between 60- and 70-degrees Fahrenheit. If southern California legless lizards are identified, a qualified biologist with an appropriate Scientific Collecting Permit shall relocate individuals to suitable habitat outside of the project footprint.	Prior to clearing, grubbing, grading, or ground-disturbing activities (such as grading for building pads, roads, utilities, and storm water improvements)	Applicant

MM BIO-2	<p>Nesting Birds. Prior to vegetation removal and/or development of the area proposed to be removed from the easement the following nesting bird mitigation requirements shall be implemented:</p> <ul style="list-style-type: none"> a. If possible, site disturbance and landscaping activity shall not occur during the nesting bird breeding season (February 1 through August 31; January 1 through June 30 for raptors). b. If activities associated with vegetation removal, construction, or grading must be conducted during the bird nesting/breeding season (February 1 through August 31; January 1 through June 30 for raptors), a qualified biologist shall conduct surveys for active nests. Preconstruction nesting bird surveys shall be conducted no more than 3 days prior to the start of clearance/construction work. If ground-disturbing activities are delayed, additional preconstruction surveys should be conducted such that no more than 3 days have elapsed between the survey and ground-disturbing activities. c. If active nests are discovered during the nest survey, those nests shall be avoided until the young have fledged. The qualified biologist shall recommend appropriate nest avoidance buffers to be implemented during construction that are based on the species of bird and applicability of noise attenuation measures, the topography between the nest 	Prior to clearing, grubbing, grading, or ground-disturbing activities (such as grading for building pads, roads, utilities, and storm water improvements)	Applicant
----------	--	---	-----------

	and the proposed disturbance activity, and the surrounding vegetation. Installation of the exclusionary material may be completed by construction personnel under the supervision of a qualified biologist prior to initiation of construction activities. The buffer zone shall remain intact and maintained while the nest is active (i.e., occupied or being constructed by at least one adult bird) and until young birds have fledged and no continued use of the nest is observed, as determined by a qualified biologist. The barrier shall be removed by construction personnel only at the direction of the biologist.		
MM BIO- 3	Protected Trees. Two Torrey pine trees were documented within the study area, with only one located on the subject property. Currently, both Torrey pines are outside the area proposed for removal from the existing easement. The applicant shall ensure that landscaping planned for the area proposed to be removed from the easement does not encroach on the Torrey Pines and stays within the proposed limits of disturbance.	Prior to clearing, grubbing, grading, or ground-disturbing activities (such as grading for building pads, roads, utilities, and storm water improvements)	Applicant
Cultural Resources			

MM CUL-1:	Inadvertent Cultural Discovery. If a cultural resource is inadvertently unearthed during ground disturbing activities, work in the immediate area shall cease and a qualified archaeologist meeting the United States Secretary of the Interior's Professional Qualifications for archaeology shall be contacted to evaluate the significance of the find. If the unanticipated discovery is of Native American origin, the City of Del Mar shall also consult with consulting tribes. Work can continue beyond the find. For finds that are not significant, work may resume immediately after the find is documented and removed at the direction of the archaeologist. If a find is significant, a mitigation plan shall be developed and approved by the City of Del Mar and all required mitigation completed prior to ground disturbance activity continuing within the established buffer radius.	During ground disturbance activities associated with the future single family dwelling unit and/or accessory use development.	Applicant
Geology and Soil Resources			
MM GEO-1:	Inadvertent Paleontological Discovery. If a paleontological resource is inadvertently unearthed during ground disturbing activities, work in the immediate area shall cease and a qualified archaeologist meeting the United States Secretary of the Interior's Professional Qualifications for archaeology shall be contacted to evaluate the significance of the find. Work can continue beyond the find. For finds that are not significant, work may resume immediately after the find is documented and removed at the direction of the archaeologist. If a find is significant, a mitigation plan shall be developed and approved by the City of Del Mar and all required mitigation completed prior to ground disturbance activity continuing within the established buffer radius.	During ground disturbance activities associated with the future single family dwelling unit and/or accessory use development.	Applicant

6.0 Fish and Wildlife Determination

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE FEE DETERMINATION

(Fish and Game Code Section 711.4, Statutes of 2006 – SB 1535)

- ☐ It is hereby found that this project involves no potential for any adverse effect, either individual or cumulatively, on wildlife resources and that a “Certificate of Fee Exemption” shall be prepared for this project.
- ☒ It is hereby found that this project could potentially impact wildlife, individually or cumulatively, and therefore, fees in accordance with Section 711.4(d) of the Fish and Game Code shall be paid to the County Clerk.

7.0 References

Section 15150 of the State CEQA Guidelines permits an environmental document to incorporate by reference other documents that provide relevant data. The documents listed below are hereby incorporated by reference. The pertinent material is summarized throughout this Initial Study / Environmental Checklist where that information is relevant to the analysis of impacts of the project. The following references were used in the preparation of this Initial Study / Environmental Checklist are available via the links below.

Documents referenced through all sections.

Del Mar, City of

- 1985 The Community Plan for the City of Del Mar (General Plan) .
<https://www.delmar.ca.us/DocumentCenter/View/250/Community-Plan?bidId=>

Del Mar, City of

- 2024 Municipal Code (and as amended)
https://library.municode.com/ca/del_mar/codes/municipal_code?nodeId=TIT30ZO

Del Mar, City of

- 2020 City of Del Mar CEQA Supplemental Regulations (and as amended)
<https://www.delmar.ca.us/DocumentCenter/View/247/California-Enviornmental-Quality-Act-guidelines?bidId=>

Del Mar, City of

- 1978 Environmental Impact Report for TM-78-02

Aesthetics

California Department of Transportation (Caltrans)

- 2020 Scenic Highways.
<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>.

Del Mar, City Of

- 2017 Citywide Design Guidelines.
<https://www.delmar.ca.us/DocumentCenter/View/3318/City-Council-Adopted-Design-Guidelines-PDF?bidId=>.

Agricultural/Forest Resources

State of California, Department of Conservation
2016 California Important Farmland Finder.
<https://maps.conservation.ca.gov/dlrp/ciff/>.

Biological Resources

Del Mar, City of
2004 Public Tree Policy Manual.
<https://www.delmar.ca.us/DocumentCenter/View/264>.

SWCA Environmental Consultants
2024 Biological Resources Technical Report
(Appendix A)

Cultural Resources

Del Mar, City of
Community Plan, Environmental Element
<https://www.delmar.ca.us/DocumentCenter/View/250/Community-Plan?bidId=>

Energy

CALGreen Standards
State of California, Building Standards Commission
2022 CALGreen Code
<https://www.dgs.ca.gov/BSC/CALGreen>

Del Mar, City of
2016 Climate Action Plan (CAP)
<https://www.delmar.ca.us/699/Climate-Action-Plan>

Del Mar, City of
2019 Community Choice Energy (CCE)
<https://www.delmar.ca.us/672/Energy-Use-Generation>

Greenhouse Gas Emissions

California Air Pollution Control Officers Association (CAPCOA)
2008 CEQA & Climate Change, Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act, January.
<https://www.ourair.org/wp-content/uploads/CAPCOA-CEQA-and-Climate-Change.pdf>

Hazards/Hazardous Materials

California Department of Forestry and Fire Protection (CAL FIRE)

2024 Very High Fire Hazard Severity Zones

[California State Responsibility Areas | California State Geoportal.](#)

EnviroStor

2020 Hazardous Waste and Substances List (Cortese).

https://www.envirostor.dtsc.ca.gov/public/map/?global_id=38330005.

Hydrology and Water Quality

Del Mar, City of

2016 Best Management Practices Design Manual.

<https://www.delmar.ca.us/DocumentCenter/View/2597/BMP-Design-Manual?bidId=>.

Mineral Resources

California Department of Conservation

1996 Mineral Lands Classification.

https://www.sandiegocounty.gov/content/dam/sdc/pds/ceqa/Soitec-Documents/Final-EIR-Files/references/rcref/ch3.2.2/2014-12-19_CaliforniaDepartmentofConservation1997.pdf

Public Services

Del Mar, City of

2016a Fire Department. City of Del Mar.

<http://www.delmar.ca.us/134/Fire-Department>.

2016b Sheriff's Department. City of Del Mar.

<http://www.delmar.ca.us/162/Sheriffs-Department>.

Utilities

Del Mar, City of

2020 Del Mar 6th Cycle Housing Element Update. Draft Environmental Impact Report.

<https://www.delmar.ca.us/772/Housing-Element-Update-6th-Cycle-Housing>

Wildfire

California Department of Forestry and Fire Protection (CAL FIRE)

2024 Very High Fire Hazard Severity Zones

2025 [California State Responsibility Areas | California State Geoportal.](#)

This page is intentionally blank.

END

8.0 Appendices


This page is intentionally blank.

END

Appendix A: Biological Study by SWCA Environmental Consultants

This page is intentionally blank.

END

The logo for the San Water Conservation Agency (SWCA) is positioned vertically on the left side of the page. It consists of the letters 'S', 'W', 'C', and 'A' in a large, stylized, light blue font, stacked one above the other.

Biological Resources Technical Report for the Qualantone Amending Map Project at 2112 Heather Lane, Del Mar, San Diego County, California

FEBRUARY 2025

PREPARED FOR

**City of Del Mar
Planning and Community Development
Department**

PREPARED BY

SWCA Environmental Consultants

BIOLOGICAL RESOURCES TECHNICAL REPORT FOR THE QUALANTONE AMENDING MAP PROJECT, DEL MAR, SAN DIEGO COUNTY, CALIFORNIA

Prepared for

City of Del Mar
Planning and Community Development Department
1050 Camino Del Mar
Del Mar, California 92014

Prepared by

Omar Moquit

SWCA Environmental Consultants
3838 Camino Del Rio North, Suite 220
San Diego, California 92108
(619) 320-1450
www.swca.com

SWCA Project No. 68610-003

February 2025

CONTENTS

1	Introduction	1
1.1	Project Description	1
1.1.1	Background.....	1
1.1.2	Location and Setting	1
2	Regulatory Setting	2
2.1	Federal Endangered Species Act	2
2.1.1	Migratory Bird Treaty Act.....	2
2.2	California Endangered Species Act.....	6
2.2.1	Fully Protected Species.....	6
2.2.2	Nesting Birds and Raptors	6
2.2.3	Migratory Bird Protection.....	6
2.2.4	Bats	6
2.2.5	Native Plant Protection Act	6
2.2.6	California Environmental Quality Act.....	7
2.3	California Coastal Zone and Local Coastal Program	7
2.4	San Diego Multiple Species Conservation Program.....	7
2.5	Local Plans	7
2.5.1	City of Del Mar General Plan	7
2.5.2	City of Del Mar Municipal Code	8
3	Methods	8
3.1	Thresholds of Significance	8
3.2	Literature Review	9
3.3	Field Survey.....	9
4	Existing Conditions	11
4.1	Vegetation Communities and Land Cover.....	11
4.1.1	Disturbed Habitat.....	11
4.1.2	Urban/Developed	11
4.2	General Wildlife	12
5	Special-Status Biological Resources.....	12
5.1	Special-Status Species	13
5.1.1	Torrey Pine	19
5.1.2	Monarch Butterfly.....	19
5.1.3	Southern California Legless Lizard	20
5.1.4	Nesting Birds and Raptors	21
5.2	Protected Aquatic Resources	21
5.3	Wildlife Movement.....	21
5.4	Locally Protected Resources.....	21
5.4.1	City of Del Mar Municipal Code – Chapter 23.50, Trees.....	21
5.4.2	City of Del Mar Municipal Code – Chapter 30.52, Bluff Slope and Canyon Overlay Zone (BSC-OZ)	21
5.4.3	San Diego Multiple Species Conservation Program.....	22
6	Conclusions and Recommendations	22
6.1	Special-Status Species	22
6.1.1	Torrey Pine	22

6.1.2	Monarch Butterfly.....	23
6.1.3	Southern California Legless Lizard	23
6.1.4	Nesting Birds and Raptors	23
6.2	Riparian Habitats or Sensitive Natural Communities	24
6.3	Protected Aquatic Resources	24
6.4	Wildlife Movement.....	24
6.5	Compliance with Local Regulations.....	24
6.6	Consistency with Habitat Conservation Plans	25
7	Literature Cited.....	27

Appendices

Appendix A. Site Photographs
Appendix B. Flora Observed
Appendix C. Fauna Observed

Figures

Figure 1. Regional project location.....	3
Figure 2. Project parcel.	4
Figure 3. Project site.	5
Figure 4. Vegetation communities and landcover within the project parcel.....	10

Tables

Table 1. Vegetation Communities and Land Cover Types within the Project Parcel.....	12
Table 2. Special-Status Plant Species and Potential for Occurrence	14
Table 3. Special-Status Wildlife Species and Potential for Occurrence	16

1 INTRODUCTION

This Biological Resources Technical Report has been prepared by SWCA Environmental Consultants (SWCA) to support the preparation of an Initial Study and any resulting documents for the Qualantone Amending Map Project (project) at 2112 Heather Lane in Del Mar, San Diego County, California. This report evaluates the potential for the project to impact sensitive biological resources. The analysis is based on the biological resources characteristics and species potential for the project site and its surroundings. It includes a review of published literature and online databases, as well as the results of a reconnaissance-level flora and fauna survey of the project site. The survey included a 100-foot buffer surrounding the project site and was conducted on November 25, 2024.

1.1 Project Description

1.1.1 Background

The applicant proposes to amend the TR-8957 parcel map to reduce the area of an existing scenic easement from approximately 65% to approximately 52% of the total area of the property. The area to be removed from the scenic easement (the project site) would be approximately 2,434 square feet.

The proposed reduction of the scenic easement would allow for future landscape improvements to be made within the parcel in this small portion of the property, which is adjacent to the southeast corner of the main residence (i.e., the project site). This portion of the property is currently located within the scenic easement and cannot be developed/landscaped per the scenic easement restrictions. No new habitable/roofed development is being sought by the applicant.

1.1.2 Location and Setting

The subject property (project parcel) at 2112 Heather Lane is approximately 19,269 square feet (0.44 acre) and is developed with an existing one-story single-family residence of approximately 2,176 square feet (0.05 acre) on the northeastern portion of the lot. The residence is located at the intersection of Heather Lane and David Way and is accessed from Heather Lane. David Way is accessed from Jimmy Durante Boulevard, approximately 170 feet southeast of the project parcel. The project parcel is zoned R1-10 (Low Density Residential) and BSC-OZ (Bluff, Slope and Canyon Overlay Zone). The parcel has steep slopes (over 25%) that run diagonally from the northwest corner to the southeast corner. There are several palm trees at the northeast corner and to the parcel's east, with a single Torrey pine (*Pinus torreyana* ssp. *torreyana*) in the southern portion of the parcel. The surrounding properties are residential and are developed with predominantly two-story, single-family residences.

The San Dieguito Lagoon is located approximately 0.20-mile northeast of the project parcel, while the San Dieguito River mouth, where the river discharges into the Pacific Ocean, is situated approximately 0.50-mile northeast of the project parcel. The Pacific Ocean lies directly west, approximately 0.30 mile from the project parcel. To the north, the Del Mar Fairgrounds are approximately 0.40 mile away, and to the south, the city of Del Mar's downtown is located approximately 0.60 mile from the project parcel.

Figure 1 shows the regional location of the study area, Figure 2 shows the project parcel and surrounding U.S. Geological Survey (USGS) 7.5-minute quadrangle, and Figure 3 shows the project site (area to be removed from scenic easement) and the immediately surrounding neighborhood. The study area consists of a 100-foot buffer around the project parcel.

2 REGULATORY SETTING

This section summarizes biological regulations pertinent to the proposed project.

2.1 Federal Endangered Species Act

The U.S. Congress passed the Endangered Species Act (ESA) in 1973 to protect endangered species and species threatened with extinction (federally listed species). The ESA operates in conjunction with the National Environmental Policy Act to help protect the ecosystems on which endangered and threatened species depend.

The U.S. Fish and Wildlife Service (USFWS) can issue permits under Sections 7 and 10 of the ESA. Section 10 of the ESA includes provisions to authorize take that is incidental to, but not the purpose of, activities that are otherwise lawful. Under Section 10(a)(1)(B), the USFWS may issue permits (incidental take permits) for take of ESA-listed species if the take is incidental and does not jeopardize the survival and recovery of the species. To obtain an incidental take permit, an applicant must submit a habitat conservation plan outlining steps to minimize and mitigate permitted take impacts to listed species.

2.1.1 Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA), first enacted in 1918, prohibits any person, unless permitted by regulations, to:

pursue, hunt, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to purchase, purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry, or cause to be carried by any means whatsoever, receive for shipment, transportation or carriage, or export, at any time, or in any manner, any migratory bird, included in the terms of this Convention ... for the protection of migratory birds ... or any part, nest, or egg of any such bird.
(16 United States Code 703)

The list of migratory birds includes nearly all bird species native to the United States. The MBTA was extended in 1974 to include parts of birds, as well as eggs and nests. The Migratory Bird Treaty Reform Act of 2004 further defined species protected under the act and excluded all nonnative species. Thus, it is illegal under MBTA to directly kill or destroy a nest of nearly any native bird species, not just endangered species. Activities that result in removal or destruction of an active nest (a nest with eggs or young being attended by one or more adults) would violate the MBTA. Removal of unoccupied nests and bird mortality resulting indirectly from disturbance activities are not considered violations of the MBTA.



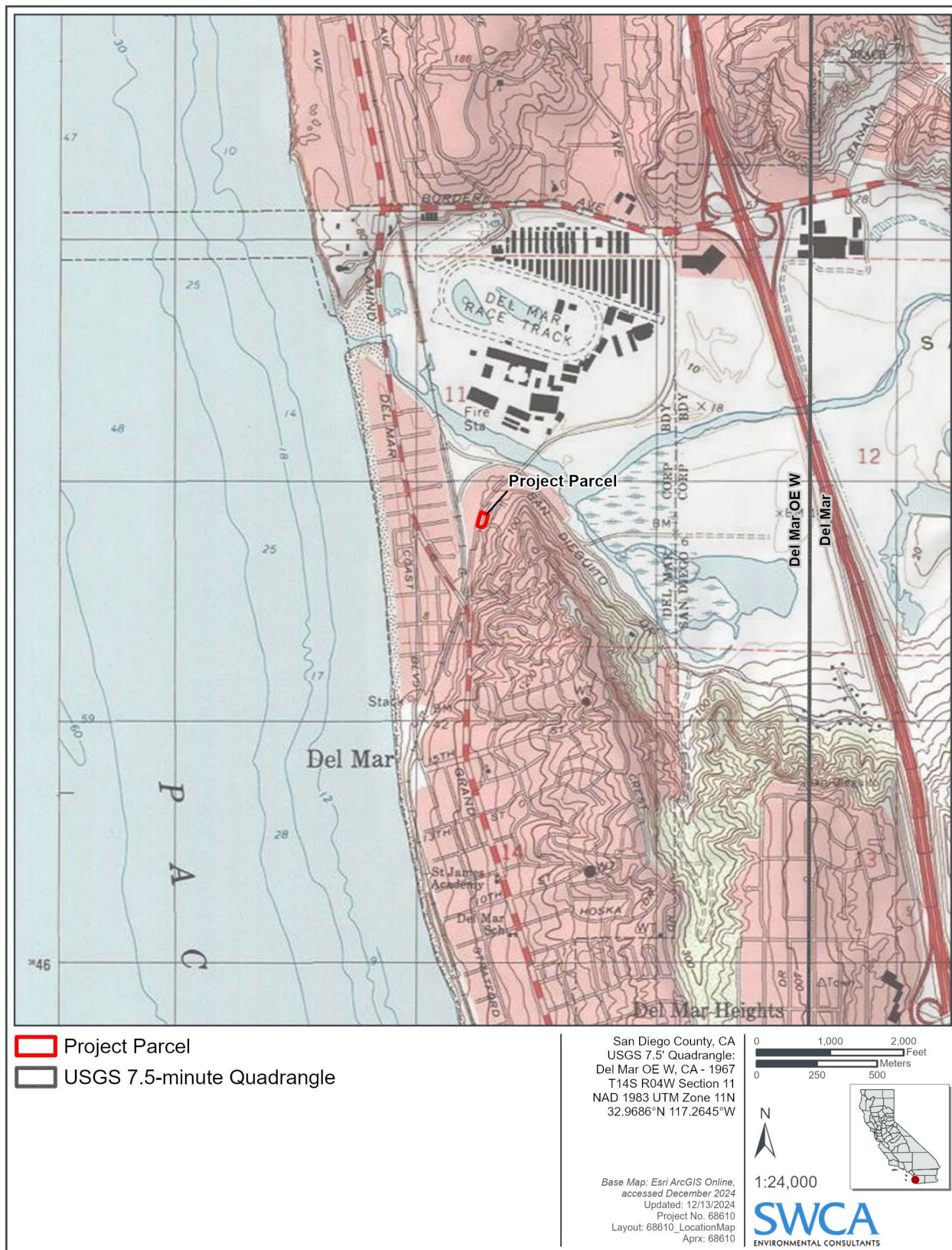


Figure 2. Project parcel.

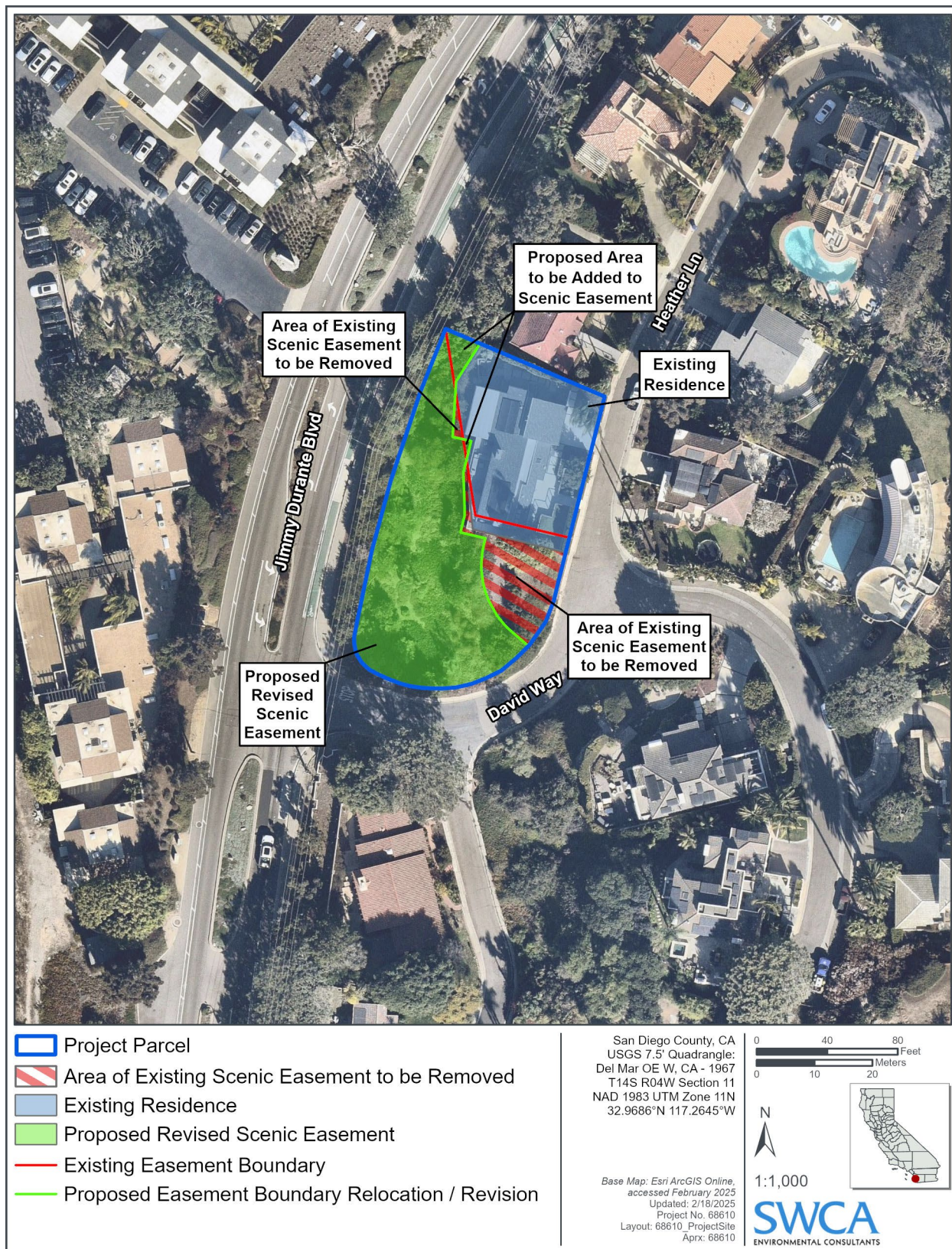


Figure 3. Project site.

2.2 California Endangered Species Act

The California Department of Fish and Wildlife (CDFW) administers the California Endangered Species Act (CESA), which prohibits the “taking” of listed species except as otherwise provided in state law. Section 86 of the California Fish and Game Code (FGC) defines “take” as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” Under certain circumstances, the CESA applies these take prohibitions to species petitioned for listing (state candidates). Pursuant to the requirements of the CESA, state lead agencies (as defined under California Public Resources Code Section 21067) are required to consult with the CDFW to ensure that any action or project is not likely to jeopardize the continued existence of any endangered or threatened species or result in destruction or adverse modification of essential habitat. Additionally, the CDFW encourages informal consultation on any proposed project that may impact a candidate species. The CESA requires the CDFW to maintain a list of threatened and endangered species. The CDFW also maintains a list of candidates for listing under the CESA, and of species of special concern (or watch list species).

2.2.1 Fully Protected Species

The FGC provides protection from take for a variety of species, referred to as fully protected species. Section 5050 lists protected amphibians and reptiles, and Section 3515 prohibits take of fully protected fish species. Eggs and nests of fully protected birds are covered under Section 3511. Migratory non-game birds are protected under Section 3800, and mammals are protected under Section 4700. Except for take related to scientific research, all take of fully protected species is prohibited.

2.2.2 Nesting Birds and Raptors

FGC Section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. Section 3503.5 provides protection for all birds of prey, including their eggs and nests.

2.2.3 Migratory Bird Protection

Take or possession of any migratory non-game bird as designated in the MBTA is prohibited by FGC Section 3513.

2.2.4 Bats

FGC Section 4150 prohibits the take of bats, regardless of their listing status.

2.2.5 Native Plant Protection Act

The Native Plant Protection Act (NPPA) of 1977 (FGC Section 1900–1913) directed the California Department of Fish and Game (now known as CDFW) to carry out the California Legislature’s intent to “preserve, protect and enhance rare and endangered plants in this State.” The NPPA gave the California Fish and Game Commission the power to designate native plants as “endangered” or “rare” and protect endangered and rare plants from take. The NPPA thus includes measures to preserve, protect, and enhance rare and endangered native plants.

CESA has largely superseded NPPA for all plants designated as endangered by the NPPA. The NPPA nevertheless provides limitations on take of rare and endangered species as follows: “...no person will import into this state, or take, possess, or sell within this State” any rare or endangered native plant,

except in compliance with provisions of the CESA. Individual landowners are required to notify the CDFW at least 10 days in advance of changing land uses to allow the CDFW to salvage any rare or endangered native plant material.

2.2.6 California Environmental Quality Act

The California Environmental Quality Act (CEQA) was adopted in 1970 and applies to discretionary actions directly undertaken, financed, or permitted by state or local government lead agencies. CEQA requires that a project's effects on environmental resources be analyzed and assessed using criteria determined by the lead agency. CEQA defines a rare species in a broader sense than the definitions of threatened, endangered, or California species of concern. Under this definition, the CDFW can request additional consideration of species not otherwise protected.

2.3 California Coastal Zone and Local Coastal Program

The California Coastal Zone is a designated area along the state's coastline, established by the California Coastal Act of 1976. The zone is managed by the California Coastal Commission in partnership with local governments, with the primary goals of protecting coastal resources, ensuring public access to the coast, and balancing conservation with responsible development (California Coastal Commission 2019). The City of Del Mar (the City) Land Use Plan (City of Del Mar 1993) is an approved Local Coastal Program (LCP). The City's certified LCP includes the certified LCP Land Use Plan and the certified LCP implementing ordinances (City of Del Mar 2001). The current LCP Implementation Plan includes the regulations in portions of the City Municipal Code, Title 30 (City of Del Mar 2024a). Title 30 addresses zoning requirements and restrictions for development and land use in specific zones.

2.4 San Diego Multiple Species Conservation Program

The San Diego Multiple Species Conservation Program (MSCP) (County of San Diego 2024) is a comprehensive habitat conservation initiative implemented in San Diego County, California. Launched in 1997, the program aims to balance biodiversity preservation with urban development needs across approximately 582,000 acres in the southwestern part of the county. The MSCP employs an ecosystem-based approach, focusing on protecting large, interconnected areas of land to benefit 85 plant and animal species, many of which are threatened or endangered. This collaborative effort involves federal, state, and local agencies working alongside private landowners to create a network of preserves while streamlining the development permit process.

2.5 Local Plans

The City does not currently have a draft or approved MSCP subarea plan. In the event that a subarea plan is developed prior to obtaining a grading permit, compliance with the subarea plan guidelines on avoidance, mitigation, and species-specific coverage would be required.

2.5.1 City of Del Mar General Plan

The City's approved community plan (City of Del Mar 1976), also known as the General Plan, is implemented through the City's LCP (City of Del Mar 1993, 2001). It is the City's constitution for development and is composed of multiple elements that provide a comprehensive slate of citywide, and location-based, policies for growth and development.

2.5.2 City of Del Mar Municipal Code

The City Municipal Code (City of Del Mar 2024a), specifically Title 23 – Building Construction, states that the erection, construction, enlargement, alteration, repair, movement, improvement, removal, conversion, demolition, equipping, using, occupying, or maintaining of any building or structure within the city shall comply with the provisions of the title. Title 23 includes ordinances for Land Conservation Permits, Chapter 23.33; Trees, Chapter 23.50; and Trees, Scenic Views and Sunlight, Chapter 23.51.

Title 23, Chapter 23.50 – Trees, has as one of its major goals the preservation of the unique village-like atmosphere of the city of Del Mar and specifically references the preservation of natural vegetation, including tree species. Torrey pine, Monterey cypress (*Hesperocyparis* [Cupressus] *macrocarpa*), and all species of trees located within the Central Commercial zone and the environmentally sensitive Open Space Overlay zone are of particular significance to the City and are protected under Title 23, Chapter 23.50 of the Municipal Code to conserve the environmental qualities of the city.

Title 30 – Zoning, was adopted to regulate the use of real property and the buildings, structures, and improvements located thereon so as to protect, promote, and enhance public safety, health, and welfare. Within Title 30, Chapter 30.52 – Bluff, Slope and Canyon Overlay Zone (BCS-OZ) controls the development of properties within the BCS-OZ to preserve the scenic sandstone bluffs and related canyons and steep slopes that characterize the zone. The BCS-OZ is also intended to protect downstream resources from the adverse impacts of erosion and sedimentation.

3 METHODS

3.1 Thresholds of Significance

For purposes of this analysis, consistent with Appendix G of the State CEQA Guidelines, impacts associated with biological resources would be significant if the project would:

- a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS.
- b. Have a substantial adverse effect on any riparian habitat or other Sensitive Natural Community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS.
- c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.
- e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

3.2 Literature Review

SWCA biologists conducted a comprehensive review of online databases and relevant literature to identify state and federally listed biological resources previously reported in the project vicinity. The literature review encompassed a 1-mile search radius surrounding the project site. This radius was selected based on two primary factors: the landlocked and developed nature of the project site, as determined through analysis of aerial imagery, and a review of San Diego Association of Governments (SANDAG) Geographic Information System (GIS) county vegetation data (SANDAG 2024). The confined search radius was selected given the urban context of the project site and the limited potential for wide-ranging biological impacts in such a developed setting.

Potential jurisdictional water features were evaluated through desktop analysis using the USFWS National Wetland Inventory (NWI) data (USFWS 2024) and Google Earth (2024) satellite imagery.

SWCA reviewed published literature and online databases regarding the current knowledge of monarch butterfly (*Danaus plexippus*) biology and conservation, as well as documented monarch overwintering sites in the vicinity of the project site. Key resources included the Xerces Society for Invertebrate Conservation (Xerces Society 2024) and the Western Monarch Count online overwintering site interactive map (Western Monarch Count 2024).

Preliminary mapping of on-site vegetation communities was conducted through desktop research with subsequent field verification. Vegetation communities were classified using *Draft Vegetation Communities Of San Diego County* (Oberbauer 2008). The following resources were evaluated during the desktop literature review:

- California Natural Diversity Database RAREFIND 5 (CDFW 2024a)
- California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants (CNPS 2024)
- Calflora online database of California plants (Calflora 2024)
- Consortium of California Herbaria (CCH) specimen data (CCH 2024)
- National Wetland Inventory (USFWS 2024)
- USFWS Critical Habitat Mapper (USFWS 2024)
- Google Earth aerial imagery (Google Earth 2024)
- Natural Resources Conservation Service (NRCS) Web Soil Survey (NRCS 2024)
- SANDAG (2024)

3.3 Field Survey

SWCA biologist Omar Moquit conducted a reconnaissance-level field survey on November 25, 2024. The survey encompassed the project parcel and a 100-foot buffer (study area) to assess biological resources (Figure 4). On-site vegetation and landcover types were verified in the field, with particular attention given to the location of native plants and other sensitive biological resources that may be potentially impacted by project implementation. Wildlife observations were made directly, aided by binoculars, or through identification of sign, including tracks, scat, and remains. Taxonomic conventions for flora followed the Jepson eFlora website (Jepson Flora Project 2024). Representative photographs of the project site and study area are provided in Appendix A. Comprehensive lists of all plant and wildlife species observed are provided in Appendices B and C, respectively.



Figure 4. Vegetation communities and landcover within the project parcel.

No jurisdictional delineation of waters of the United States or of the State was performed within the project parcel boundaries, and no protocol-level surveys for special-status species were conducted.

4 EXISTING CONDITIONS

The project parcel features a mix of relatively flat terrain and steep slopes and exhibits significant anthropogenic alteration. It is predominantly developed, including a single residential structure surrounded by nonnative weedy vegetation and ornamental landscape plantings. The project parcel is bordered by residential and commercial developments and paved roadways.

The proposed project is within the boundaries of the California Coastal Zone and is consistent with the applicable zoning for the City's LCP (City of Del Mar 1993). Within the City's community plan, the project parcel is zoned R1-10 and located in the BSC-OZ. The BSC-OZ is designed to protect health, safety, and general welfare, and to control the development of properties so as to preserve the scenic sandstone bluffs and related canyons and steep slopes which characterize the area within the zone. The BSC-OZ is also intended to protect downstream resources from the adverse impacts of erosion and sedimentation according to Chapter 30.52 of the City's zoning code (City of Del Mar 2001).

4.1 Vegetation Communities and Land Cover

The vegetation within the study area is dominated by nonnative species, with isolated native plants interspersed among disturbed vegetation and landscaped plantings. However, these native species do not contribute significantly to the structure, continuity, or coverage required to constitute functional native habitat. Observed native species include lemonade berry (*Rhus integrifolia*), bladder pod (*Peritoma arborea*), and Torrey pine. Two land cover types were identified on the project parcel: disturbed habitat and urban/developed areas (Table 1).

4.1.1 Disturbed Habitat

Disturbed habitat refers to areas where past human activities have altered the landscape to the extent that the native vegetation community is no longer discernible. These areas are typically dominated by nonnative vegetation, primarily ornamental and ruderal species that thrive in disrupted environments. (Oberbauer 2008).

The 2024 field survey determined that the project site is predominantly vegetated with nonnative ornamental species. This is a direct result of the residential nature of the site and the broader urban influence of the surrounding area. Vegetation largely consists of introduced trees, shrubs, and herbaceous plants, selected for their resilience and low maintenance rather than ecological value. Dominant species include wattles (*Acacia* spp.), sea figs/ice plants (*Carpobrotus* spp.), and bougainvillea (*Bougainvillea* sp.).

4.1.2 Urban/Developed

Urban/developed areas are defined by extensive human modification, resulting in a landscape dominated by impervious surfaces and built structures. Native vegetation is largely displaced, with landscaping typically featuring ornamental plantings chosen for aesthetics or low maintenance, often composed of nonnative species. This transformation fundamentally alters the original ecosystem, prioritizing human use over ecological value (Oberbauer 2008).

Within the project parcel, urban/developed land includes a single-story residential structure surrounded by associated hardscape features, including a driveway, walkways, and paved front areas that extend to the property's boundary. The paved front areas primarily serve as access and parking spaces. Landscaping around the structure consists predominantly of ornamental vegetation, including commonly planted species such as China rose (*Rosa chinensis*) and strawberry tree (*Arbutus unedo*) interspersed with isolated patches of bare soil or decorative mulch.

Table 1. Vegetation Communities and Land Cover Types within the Project Parcel

Vegetation Community/Land Cover Type	Acreage within Project Parcel	Acreage within Project Site*
Disturbed Habitat	0.29	0.052
Urban/Developed	0.14	0.0

*Project site = area to be removed from scenic easement

4.2 General Wildlife

Wildlife observations during the November 2024 field survey were limited, likely due to several factors. These include the site's highly disturbed condition, the seasonal timing of the survey, the absence of extensive native vegetation communities, and its predominantly landlocked position within a densely developed residential area. Species observed include bushtit (*Psaltirparus minimus*), mourning dove (*Zenaida macroura*), California towhee (*Melospiza crissalis*), and western gull (*Larus occidentalis*) (flyover).

5 SPECIAL-STATUS BIOLOGICAL RESOURCES

This section evaluates the potential for special-status species, habitat, and other resources to occur in the project parcel and study area based upon searches of background resource literature and databases, existing project documents, and field surveys. The assessment of special-status species' potential to occur is based on upon known ranges and habitat preferences for the species, species occurrence records from the California Natural Diversity Database (CNDDB) and other sources in the vicinity of the Area of Existing Scenic Easement to be Removed boundary, and previous reports from the study area. The potential for each special-status species to occur in the study area was evaluated according to the following criteria:

- Not Expected. Habitat on and adjacent to the site is clearly unsuitable for the species requirements (foraging, breeding, cover, substrate, elevation, hydrology, plant community, site history, disturbance regime).
- Low Potential. Few of the habitat components meeting the species requirements are present, and/or the majority of habitat on and adjacent to the site is unsuitable or of very poor quality. The species is not likely to be found on the site.
- Moderate Potential. Some of the habitat components meeting the species requirements are present, and/or only some of the habitat on or adjacent to the site is unsuitable. The species has a moderate probability of being found on the site.
- High Potential. All of the habitat components meeting the species requirements are present and/or most of the habitat on or adjacent to the site is highly suitable. The species has a high probability of being found on the site.

- Present. Species was observed on the site or has been recorded (e.g., CNDDB, other reports) on the site within the last 5 years.

For the purpose of this report, special-status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the USFWS and the National Marine Fisheries Service under the ESA; those listed as rare, threatened, or endangered by the CDFW under the CESA or NPPA; those recognized as Species of Special Concern (SSC) by the CDFW; and plant species included on lists 1 and 2 of the CNPS California Rare Plant Rank (CRPR) system. Furthermore, biological resources, including vegetation communities, are ranked globally (G) and state-wide (S) 1 through 5.

Vegetation communities are also considered special-status biological resources if they have limited distributions, have high value for sensitive wildlife, contain special-status species, or are particularly susceptible to disturbance. The CDFW ranks special-status communities as “threatened”.

5.1 Special-Status Species

Special-status species considered in this report include

- Species, subspecies, and populations listed or proposed for listing as threatened or endangered pursuant to the federal ESA, and species that are candidates for such listing (CDFW 2024b, 2024c);
- Plants listed or proposed for listing by the State of California as threatened or endangered pursuant to CESA (CDFW 2024b, 2024c);
- Plants designated as CRPR 1, 2, 3, or 4 by the CNPS (CNPS 2024); and
- Animals listed on the California Special Animals List as SSC, Fully Protected, or Special Animal (CDFW 2024b).

The desktop review encompassed a 1-mile radius surrounding the project parcel, identifying a total of 34 special-status species, inclusive of both federally and state-protected taxa (Tables 2 and 3). Among these, eight species are federally listed: five birds, one mammal, and two plants (see Tables 2 and 3). In addition, the monarch butterfly is designated as a federal candidate for listing, and the western spadefoot (*Spea hammondi*) is a federally proposed threatened species. Of the 34 special-status species identified, six are listed as California state endangered: four birds and two plants (see Tables 2 and 3).

The sections following Tables 2 and 3 provide a focused assessment of three species (Torrey pine, monarch butterfly, and southern California legless lizard [*Anniella stebbinsi*]) that were either directly observed on the project parcel within the study area or determined to have greater than a “Not Expected” potential to occur within the study area.

Table 2. Special-Status Plant Species and Potential for Occurrence

Common Name/ Scientific Name	Status*	Habitat Requirements	Elevational Range/ Life Form/ Flowering Period	Occurrence Potential
Aphanisma <i>Aphanisma blitoides</i>	CRPR 1B.2	Coastal bluff scrub, coastal dunes, coastal scrub.	5–1,000 feet above mean sea level (amsl) Annual herb February–June	Not expected: Suitable habitat not present. No recent or local records of occurrence.
Beach goldenaster <i>Heterotheca sessiliflora</i> ssp. <i>sessiliflora</i>	CRPR 1B.1	Chaparral (coastal), coastal dunes, coastal scrub.	0–4,020 feet amsl Perennial herb March–December	Not expected: Suitable habitat not present. No recent or local records of occurrence.
Chaparral ragwort <i>Senecio aphanactis</i>	CRPR 2B.2	Chaparral, cismontane woodland, coastal scrub. Alkaline soils (sometimes).	20–2,625 feet amsl Annual herb January–April (May)	Not expected: Suitable habitat not present. No recent or local records of occurrence.
Cliff spurge <i>Euphorbia misera</i>	CRPR 2B.2	Coastal bluff scrub, coastal scrub, Mojave Desert scrub, rocky soils.	35–1,640 feet amsl Perennial shrub (October) December– August	Not expected: Suitable habitat not present. No recent or local records of occurrence.
Coast woolly-heads <i>Nemacaulis denudata</i> var. <i>denudata</i>	CRPR 1B.2	Found in coastal strand communities and coastal dunes.	0–330 feet amsl Annual herb April–September	Not expected: Suitable habitat not present. No recent or local records of occurrence.
Coulter's goldfields <i>Lasthenia glabrata</i> ssp. <i>coulteri</i>	CRPR 1B.1	Occurs in coastal salt marshes, freshwater wetlands, alkali sinks, and wetland-riparian communities. Found in playas, vernal pools, and coastal habitats.	5–4,005 feet amsl Annual herb February–June	Not expected: Suitable habitat not present. No recent or local records of occurrence.
Del Mar manzanita <i>Arctostaphylos</i> <i>glandulosa</i> ssp. <i>crassifolia</i>	FE, CRPR 1B.1	Chaparral (maritime, sandy), coastal.	0–1,200 feet amsl Perennial evergreen shrub June–April	Not expected: Suitable habitat not present. No recent or local records of occurrence.
Del Mar Mesa sand aster <i>Corethrogyne filaginifolia</i> var. <i>linifolia</i>	CRPR 1B.1	Coastal bluff scrub, chaparral (maritime, openings), and coastal scrub. Sandy soils.	15–490 feet amsl Perennial herb May–September	Not expected: Suitable habitat not present. No recent or local records of occurrence.
Estuary seablite <i>Suaeda esteroa</i>	CRPR 1B.2	Coastal salt marsh and wetland-riparian communities, swamps (coastal salt). Occasionally occurs in non-wetlands.	0–15 feet amsl Perennial herb July–October	Not expected: Suitable habitat not present. No recent or local records of occurrence.
Nuttall's scrub oak <i>Quercus dumosa</i>	CRPR 1B.1	Coastal sage scrub, chaparral, closed-cone coniferous forest. Occurs in soils containing clay, loam, and sand.	50–1310 feet amsl Perennial evergreen shrub February–April	Not expected: Suitable habitat not present. No recent or local records of occurrence.
Orcutt's spineflower <i>Chorizanthe orcuttiana</i>	FE, SE, CRPR 1B.1	Closed-cone coniferous forest, chaparral (maritime), coastal scrub, openings. Sandy soil.	10–410 feet amsl Annual herb March–May	Not expected: Suitable habitat not present. No recent or local records of occurrence.
San Diego barrel cactus <i>Ferocactus viridescens</i>	CRPR 2B.1	Chaparral, coastal scrub, valley and foothill grassland, vernal pools.	10–1475 feet amsl Perennial stem May–June	Not expected: Suitable habitat not present. No recent or local records of occurrence.

Common Name/ Scientific Name	Status*	Habitat Requirements	Elevational Range/ Life Form/ Flowering Period	Occurrence Potential
San Diego sand aster <i>Corethrogyne filaginifolia</i> var. <i>incana</i>	CRPR 1B.1	Coastal bluff scrub, chaparral, coastal scrub.	10–375 feet amsl Perennial herb June–September	Not expected: Suitable habitat not present. No recent or local records of occurrence.
sand-loving wallflower <i>Erysimum ammodophilum</i>	CRPR 1B.2	Chaparral (maritime), coastal dunes, coastal scrub. Occurs in openings and sandy conditions.	0–195 feet amsl Perennial herb Feb-Jun (Jul-Aug)	Not expected: Suitable habitat not present. No recent or local records of occurrence.
Sea dahlia <i>Leptosyne maritima</i>	CRPR 2B.2	Coastal bluff scrub, coastal sage scrub.	15–490 feet amsl Perennial herb March–May	Not expected: Suitable habitat not present. No recent or local records of occurrence.
Short-leaved dudleya <i>Dudleya brevifolia</i>	SE, CRPR 1B.1	Chaparral (maritime, openings), coastal sage scrub. Torrey sandstone.	100–820 feet amsl Perennial herb April–May	Not expected: Suitable habitat not present. No recent or local records of occurrence.
Southern tarplant <i>Centromadia parryi</i> ssp. <i>Australis</i>	CRPR 1B.1	Marshes and swamps (margins), valley and foothill grassland (vernally mesic), vernal pools, salt- marshes, freshwater wetlands.	0–1,575 feet amsl Annual herb May–November	Not expected: Suitable habitat not present. No recent or local records of occurrence.
Summer holly <i>Comarostaphylis</i> <i>diversifolia</i> ssp. <i>diversifolia</i>	CRPR 1B.2	Chaparral, cismontane woodland.	100–2,590 feet amsl Perennial evergreen shrub April–June	Not expected: Suitable habitat not present. No recent or local records of occurrence.
Torrey pine <i>Pinus torreyana</i> ssp. <i>torreyana</i>	CRPR 1B.2	Closed-cone coniferous forest, chaparral. Sandstone.	100–525 feet amsl Perennial evergreen tree January–December	Present: Two trees were recorded within the study area both occurring outside the project site. One tree occurs within the southern portion of project parcel, while the second tree is approximately 80 feet southwest of the project site.
Wart-stemmed ceanothus <i>Ceanothus verrucosus</i>	CRPR 2B.2	Chaparral, coastal scrub.	5–1,245 feet amsl Perennial evergreen shrub December–May	Not expected: Suitable habitat not present. No recent or local records of occurrence.

* Status Codes:

Federal Status: FE = Federally listed endangered

California State Status:

SE = California State-listed endangered

California Rare Plant Rank (CRPR):

1B = Plants rare, threatened, or endangered in California and elsewhere

2B = Plants rare, threatened, or endangered in California, but more common elsewhere

0.1 = Seriously threatened in California

0.2 = Moderately threatened in California

Table 3. Special-Status Wildlife Species and Potential for Occurrence

Common Name/ Scientific Name	Status*	Habitat Requirements	Occurrence Potential
BIRDS			
Belding's savannah sparrow <i>Passerculus sandwichensis beldingi</i>	SE	Endemic to the coastal regions of southern California and northern Baja California, specifically restricted to coastal salt marshes dominated by pickleweed. Year-round resident inhabiting coastal salt marshes. Seasonal dietary pattern includes insects, spiders, and snails during summer, transitioning to seeds in other seasons. Forages on ground. Nesting habitat requires dense marsh vegetation with ground-level foraging opportunities.	Not expected: No suitable habitat is present within the study area.
California least tern <i>Sternula antillarum browni</i>	FE, SE	Breeding population distributed along marine and estuarine shorelines of Southern California. Nests colonially on coastal beaches and exposed tidal flats from sea level to low elevations. Migratory species, typically arriving at breeding territories in late April. Specialized habitat requires barren to sparsely vegetated sites near water, preferring sandy or gravelly substrates. Feeds on slender-bodied fish such as anchovies and topsmelt in shallow estuarine waters. Nesting sites may include artificially created depressions on hard surfaces when natural substrates are limited.	Not expected: No suitable habitat is present within the study area.
Coastal California gnatcatcher <i>Poliophtila californica californica</i>	FT, SSC	Endemic to Southern California, distributed across coastal regions from sea level to 2,500 feet elevation. Obligate permanent resident of dense coastal scrub habitats, occupying mesas and coastal hill slopes. Specialized habitat requires dense coastal scrub with specific vegetation, particularly California buckwheat and coastal sages. Forages primarily on insects by gleaning from shrub foliage.	Not expected: No suitable habitat is present within the study area.
Least Bell's vireo <i>Vireo bellii pusillus</i>	FE, SE	Summer resident distributed across southern California riparian zones, typically found below 4,000 feet elevation. Inhabits low, dense riparian environments along water courses and intermittent streams. Preferred habitats include areas with willow, cottonwood, baccharis, wild blackberry, and mesquite in desert localities. Requires dense thicket environments providing comprehensive nesting and roosting cover. Diet consists exclusively of insects, captured through diverse foraging techniques including direct plucking from vegetation and hover-gleaning. Breeding season corresponds with summer months, with nesting restricted to dense riparian vegetation.	Not expected: No suitable habitat is present within the study area.

Common Name/ Scientific Name	Status*	Habitat Requirements	Occurrence Potential
Light-footed Ridgway's rail <i>Rallus obsoletus levipes</i>	FE, SE	Resides year-round in coastal environments of southern California and northern Baja California, inhabiting marsh ecosystems from sea level to low elevations. Requires complex habitat mosaic including shallow water, mudflats, and adjacent dense vegetation. Specialized marsh habitat includes tall cordgrass, pickleweed zones, and high marsh hummocks. Feeds primarily on salt marsh invertebrates by gleaning, pecking, probing, and surface scavenging.	Not expected: No suitable habitat is present within the study area.
Western snowy plover <i>Charadrius nivosus nivosus</i>	FT, SSC	Pacific coast population distributed across coastal environments from sea level to low elevations. Nesting and roosting primarily occurs above high tide lines on coastal substrates including beaches, sand-spits, dune-backed beaches, and sparse vegetation zones. Wintering range extends across coastal California and Mexican coastlines. Habitat requirements include varied coastal formations such as beaches, salt pans, lagoons, and river mouth environments. Forages exclusively on invertebrates within intertidal zones, wet sand, and coastal margins. Breeding sites include both natural coastal formations and anthropogenic environments like dredged material areas and salt pond levees.	Not expected: No suitable habitat is present within the study area.
MAMMALS			
Northwestern San Diego pocket mouse <i>Chaetodipus fallax fallax</i>	SA	Common resident of sandy herbaceous areas, usually in association with rocks or coarse gravel in southwestern California. Found in arid coastal and desert border areas in San Diego County and portions of Riverside and San Bernardino Counties. Elevational range is from sea level to 4,500 feet. Frequents coastal shrub, chamise-redshank chaparral, mixed chaparral, sagebrush, desert wash, desert scrub, desert succulent scrub, pinyon-juniper, and annual grassland.	Not expected: No suitable habitat is present within the study area.
Pacific pocket mouse <i>Perognathus longimembris pacificus</i>	FE, SSC	Endemic to coastal southwestern California, with distribution limited to areas within approximately 2.4 miles of the ocean. Elevation range encompasses coastal terrain from sea level to low elevations. Specialized habitat requirements include fine-grained sandy substrates with specific vegetation associations. Historically inhabited coastal dunes, river alluvium, and sage scrub habitats growing on marine terraces. Subterranean lifestyle involves nesting and food storage in underground burrows. Requires relatively undisturbed coastal ecosystems with specific soil and vegetation characteristics.	Not expected: No suitable habitat is present within the study area.

Common Name/ Scientific Name	Status*	Habitat Requirements	Occurrence Potential
Pocketed free-tailed bat <i>Nyctinomops femorosaccus</i>	SSC	Rare species in California occupying a wide-ranging habitat. Distribution includes diverse ecosystems from sea level to moderate elevations, encompassing pinyon-juniper woodlands, desert scrub, desert succulent shrub, desert riparian, desert wash, alkali desert scrub, Joshua tree, and palm oasis environments. Roosting preferences favor rock crevices in cliffs. Foraging occurs high above landscapes including ponds, streams, and arid desert habitats. Requires open aerial spaces for echolocation-based insect hunting.	Not expected: No suitable habitat is present within the study area.
San Diego desert woodrat <i>Neotoma lepida intermedia</i>	SSC	Distributed across Southern California, the Great Basin, Mojave, and Colorado Deserts from sea level to moderate elevations. Inhabits environments with moderate to dense canopy cover, showing strong preference for rock outcrops, rocky cliffs, and slopes. Occupies diverse habitats including Joshua tree, pinyon-juniper, mixed and chamise-redshank chaparral, sagebrush, and most desert environments.	Not expected: No suitable habitat is present within the study area.
REPTILES			
California glossy snake <i>Arizona elegans occidentalis</i>	SSC	Widely distributed across multiple ecological zones from below sea level to 6,000 feet elevation. Most common in desert habitats but also occurs in chaparral, sagebrush, valley-foothill hardwood, pine-juniper, and annual grasslands. Primarily nocturnal, with daytime and winter inactivity periods spent in mammal burrows, rock outcrops, and occasionally under surface objects like flat rocks and vegetation residue. Habitat preferences include open sandy areas with scattered brush, but also adapts to rocky terrain. Diet consists primarily of desert lizard species. Burrowing capability allows for thermal regulation and predator avoidance in diverse substrate conditions.	Not expected: No suitable habitat is present within the study area.
Southern California legless lizard <i>Anniella stebbinsi</i>	SSC	Distributed throughout Southern California from near sea level to 6,000 feet elevation. Occurs in coastal dune, valley-foothill, chaparral, and coastal scrub habitats. Requires areas with sandy or loose organic soils and abundant leaf litter. Moisture is an essential habitat requirement, with preference for environments providing high humidity and organic ground cover. Habitat adaptability includes coastal zones, desert drainages, and interior foothills.	Low Potential: There is marginally suitable habitat with loose moist soils and leaf litter conditions that are preferred by this species. This species is sometimes found in suburban gardens in Southern California, which is present in the project vicinity and in the surrounding residences.
AMPHIBIANS			
Western spadefoot <i>Spea hammondi</i>	FPT, SSC	Primarily occurs in grassland habitats from low to moderate elevations. Vernal pools are essential for breeding and egg laying. Sometimes found in pools associated with streambeds.	Not expected: No suitable habitat is present within the study area.

Common Name/ Scientific Name	Status*	Habitat Requirements	Occurrence Potential
INSECTS			
Monarch butterfly – California overwintering population <i>Danaus plexippus</i> <i>plexippus</i> pop. 1	SC	Majority of overwintering sites are located within 1.5 miles of the Pacific Ocean at low elevations (below 300 feet above mean sea level), on slopes oriented to the south, southwest, or west, or in shallow canyons or gullies. Requires high levels of humidity and fresh water, as well as an absence of high winds. Trees commonly used for roosting are the nonnative blue gum eucalyptus (<i>Eucalyptus globulus</i>), the native Monterey pine (<i>Pinus radiata</i>), and the Monterey cypress.	Low Potential: Monarch butterfly was not observed on-site. Ornamental flowering plants are present within the study area and could potentially serve as nectar sources for resident individuals. However, the lack of suitable overwintering habitat, such as mature eucalyptus or conifer groves, significantly reduces the potential for monarch butterfly to overwinter within or adjacent to the study area.

* Status Codes:

Federal Status:

FPT = Federally proposed for listing as threatened

FE = Federally listed endangered

FT = Federally listed threatened

California State Status:

SE = California State-listed endangered

SC = State candidate for listing

SSC = CDFW Species of Special Concern

SA = Not formally listed but included in CDFW "Special Animal" List

5.1.1 Torrey Pine

Torrey pine is classified as CRPR 1B.2, indicating that it is a rare, threatened, or endangered species both in California and elsewhere, with a moderate level of threat in California. Additionally, Torrey pine is a protected tree species under the City Municipal Code (Title 23, Chapter 23.50 – Trees).

The first tree is within the southern portion of project parcel, while the second tree is approximately 80 feet southwest of the project site (proposed easement removal area) (see Figure 4).

Since both Torrey pines are outside the area proposed for removal from the existing easement, no direct or indirect impacts to these trees are anticipated from the future landscaping within the modified easement area should it occur.

5.1.2 Monarch Butterfly

The monarch butterfly is a candidate species for listing under the federal ESA, which extends to cover the species "wherever found", including overwintering congregations and individuals documented foraging for nectar and eggs and larvae documented on host plants. The CDFW lists the monarch as a Species of Greatest Conservation Need in the State Wildlife Action Plan (CDFW 2015). Of highest conservation concern are monarch overwintering aggregations, which are documented, mapped, and monitored annually.

Adult monarch females lay eggs on their obligate milkweed host plant (primarily *Asclepias* spp.), which developing monarch larvae use as a primary food source and to sequester cardenolides as defense from predators. In California, as noted by CDFW, there are two distinct groups of monarch butterflies: those engaging in long-distance migration, which use the California coastal groves as overwintering habitat, and resident monarchs that breed year-round and do not engage in migration. Resident monarchs are thought to use the abundance of nonnative tropical milkweed (*Asclepias curassavica*) as an inducement

for winter breeding where historically they only engaged in breeding activity in selective season conditions. Unlike native milkweed hosts plants, tropical milkweed is an evergreen species that does not die back in winter months and can provide a refuge for *Ophyrocystis elektroscirra* (OE), a protozoan parasite with known detrimental effects on monarch vitality and reproduction (CDFW 2024a).

Adult migratory monarchs form overwintering aggregations in large mature tree groves, often nonnative gum (*Eucalyptus* spp.) trees as well as native Monterey cypress and Sargent cypress (*Hesperocyparis sargentii*), Monterey pine (*Pinus radiata*), and, less commonly, other native trees including California [western] sycamore (*Platanus racemosa*) and coast redwood (*Sequoia sempervirens*).

Suitable overwintering sites must contain several specific elements which together form the correct microclimate conditions. According to the Xerces Society (2024), the majority of overwintering sites are at low elevations (less than 200–300 feet above mean sea level), within about 1.5 miles of the ocean, and contain specific microclimate elements such as moderate temperatures, wind protection, dappled shade, high humidity, available fresh water, and fall–winter blooming nectar sources, surrounded or partially enclosed by large tree groves or windrows.

The project area in Del Mar exhibits a low potential for monarch butterfly occurrence, with the possibility of resident populations utilizing available nectar sources during their active seasons. However, there are no overwintering roosts within the project site. The nearest overwintering site (Xerces Society 2024) is located 0.57 miles southeast of the study area, at the three-way intersection of 15th Street, Crest Road, and Avenida Primavera. Monarchs have not been counted at this site since 1997, further suggesting limited current use of this location for overwintering.

Milkweed species, a critical nectar source for monarch butterflies during migration and breeding, were not documented within the project site or the study area. While milkweed absence limits potential use of the site as a critical stopover habitat, monarchs may still utilize ornamental flowering plants in the surrounding areas, where such vegetation is abundant and could provide supplemental nectar resources.

If the proposed Amending Map is approved, overwintering monarch butterflies are not expected to be impacted by future landscaping within the area removed from the existing easement, as this area does not currently support overwintering roosts, breeding habitat, or significant nectar resources. The abundance of ornamental flowering plants in the broader vicinity is expected to remain unaffected, continuing to support occasional use by resident or migrating monarchs.

5.1.3 Southern California Legless Lizard

The southern California legless lizard is listed as a California SSC. This species is a limbless reptile native to the coastal regions of Southern California. It possesses an elongated, cylindrical body covered in smooth scales and is adapted for a subterranean lifestyle. It is often found beneath surface objects such as rocks, boards, driftwood, and logs. It can also be found in suburban gardens in Southern California. It occurs in areas with sparse vegetation in moist loose sandy soils, primarily inhabiting coastal dunes, stabilized dunes, beaches, dry washes, valley–foothill, chaparral, and scrubs, as well as pine, oak, and riparian woodlands.

Southern California legless lizard has a low potential to occur within the project site given that the habitat and habitat conditions present on-site are marginally suitable. If the proposed Amending Map is approved, southern California legless lizard could be impacted by future landscaping within the area removed from the existing easement.

5.1.4 Nesting Birds and Raptors

The project site and adjacent study area contain potentially suitable nesting habitat for birds and raptors, primarily within mature trees and landscape vegetation. However, the project site itself exhibits low potential for raptor nesting, with raptors more likely to utilize the trees within the project site for perching or foraging rather than nesting. Federal and state laws protect active nesting birds (see Section 2.1.1). The list of migratory birds includes nearly all bird species native to the United States. The statute was extended in 1974 to include parts of birds, as well as eggs and nests. The Migratory Bird Treaty Reform Act of 2004 further defined species protected under the act and excluded all nonnative species. Thus, it is illegal under the MBTA to directly kill, or destroy a nest of, nearly any native bird species.

5.2 Protected Aquatic Resources

No potentially jurisdictional aquatic resource was identified and mapped within the project site (Table 4; see Figure 4).

5.3 Wildlife Movement

The project site does not support the movement of wildlife on a regional level, nor is it recognized as a vital corridor for dispersal or seasonal migration. However, the site may provide refuge for transitory and migrating bird species, and the large network of street trees in the nearby area may enhance migration to open space areas, particularly to the San Dieguito Lagoon located approximately 0.20 miles northeast of the project site. The project site does not contain on-site drainage courses that would provide migratory fish movement since the drainage feature recorded on-site is not connected to other surface drainages, nor did it contain flowing water at the time of observation. If the proposed Amending Map is approved, no impacts to wildlife movement are anticipated from future landscaping within the area removed from the existing easement.

5.4 Locally Protected Resources

5.4.1 City of Del Mar Municipal Code – Chapter 23.50, Trees

The City's community plan references the preservation of natural vegetation, including tree species on private as well as public property. Torrey pine, Monterey cypress, and all species of trees within the Central Commercial zone and the environmentally sensitive Open Space Overlay zone are of particular significance to the City and are considered protected trees under the Municipal Code. Two Torrey pine trees were identified—one within the project site and one outside of the project site within the study area. The study area is within the Bluff Slope and Canyon Overlay Zone (BSC-OZ). The Torrey pines are subject to protection under the Tree Protection Section of the Municipal Code. If the proposed Amending Map is approved, impacts to protected trees are not anticipated from future development within the area removed from the existing easement.

5.4.2 City of Del Mar Municipal Code – Chapter 30.52, Bluff Slope and Canyon Overlay Zone (BSC-OZ)

The BSC Overlay Zone is designed to protect the health, safety, and general welfare, and to control the development of properties within the designated zone in order to preserve the scenic sandstone bluffs and related canyons and steep slopes which characterize the area within the zone. The overlay zone is also

intended to protect downstream resources from the adverse impacts of erosion and sedimentation. Unless otherwise exempted by this Title no lot may be cleared of vegetation until a Conditional Use Permit and Coastal Development Permit are first obtained in accordance with the procedures set forth in the Code. There are some allowable uses that could involve landscaping in the BSC Overlay Zone subject to the regulations and restrictions of the underlying zone and of Chapter 30.52. The City's Director of Planning and Community Development will have to review the landscape plans proposed for the project site and issue either a Conditional Use Permit or a determination of compliance with Chapter 30.52.

5.4.3 San Diego Multiple Species Conservation Program

The study area falls within the San Diego MSCP, a comprehensive, habitat conservation planning program for the San Diego region consisting of 11 planning subareas. However, no MSCP subarea plan or draft subarea plan has been prepared for the City nor are there any other approved local, regional, or state habitat conservation plans for the City. If the proposed Amending Map is approved, no impacts are anticipated from future development within the area removed from the existing easement.

6 CONCLUSIONS AND RECOMMENDATIONS

This section describes the anticipated direct and indirect impacts to biological resources at the project site that may result if the proposed Amending Map is approved, and the recommended measures pertinent to specific resource types are discussed below. The action of approval of the amended map will not result in impacts to sensitive biological resources; however, this may allow future development in the previously protected portion of the parcel.

Potential impacts to sensitive biological resources may occur and mitigation measures for each specific sensitive species or other sensitive biological resource are detailed below.

6.1 Special-Status Species

In accordance with Appendix G of the State CEQA Guidelines, the proposed project would have a significant effect on biological resources if it would:

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

Two species, the southern California legless lizard and monarch butterfly, were identified as having low potential to occur within the study area. One special-status plant species, Torrey pine, was observed during the survey. One Torrey pine tree occurs within the project site, and one occurs within the study area buffer; no impacts are expected as a result of approval of the amended parcel map. The project does not have the potential to directly impact potentially suitable overwintering roost trees that may be used by monarch butterfly and habitat for southern California legless lizard.

6.1.1 Torrey Pine

Two Torrey pine trees were documented within the study area. Both trees are situated beyond the area proposed to be removed from the easement (the project site). Therefore, the planned development activities are not expected to affect these trees, and no impacts to this sensitive species are anticipated to result from the proposed project implementation.

6.1.2 Monarch Butterfly

Approval of the amended parcel map would not result in the creation or disturbance of monarch butterfly overwintering habitat within the project area. While there is one known and currently monitored overwintering grove in the vicinity, monarch butterflies have not been counted at this site since 1997, indicating that the location has not served as a significant overwintering site in recent years. Additionally, the CNDDB record for the monarch butterfly within 1 mile of the project site indicates that the species is documented as "Possibly Extirpated" in this area, indicating the probable absence of viable overwintering habitat in the immediate region.

As a result, no impacts to monarch butterfly overwintering habitat are anticipated from the proposed parcel map amendment.

6.1.3 Southern California Legless Lizard

Approval of the amended parcel map could result in impacts to southern California legless lizard habitat in the area removed from the existing easement. SWCA recommends the following mitigation measure:

MM BIO-1: Prior to vegetation removal and/or development of the area proposed to be removed from the easement, a preconstruction survey shall be required no more than 14 days prior to soil disturbance. The survey shall be conducted when soil temperatures are between 60- and 70-degrees Fahrenheit. If southern California legless lizards are identified, a qualified biologist with an appropriate Scientific Collecting Permit shall relocate individuals to suitable habitat outside of the project footprint.

6.1.4 Nesting Birds and Raptors

Approval of the amended parcel map could result in direct and indirect impacts to birds nesting in the project site by impacting vegetation supporting nests or by construction noise causing active nests to fail. SWCA recommends the following mitigation measure:

MM BIO-2: Nesting Birds. Prior to vegetation removal and/or landscaping of the area proposed to be removed from the easement the following nesting bird mitigation requirements shall be implemented:

- a. If possible, site disturbance and landscaping activity shall not occur during the nesting bird breeding season (February 1 through August 31; January 1 through June 30 for raptors).
- b. If activities associated with vegetation removal, construction, or grading must be conducted during the bird nesting/breeding season (February 1 through August 31; January 1 through June 30 for raptors), a qualified biologist shall conduct surveys for active nests. Preconstruction nesting bird surveys shall be conducted no more than 3 days prior to the start of clearance/construction work. If ground-disturbing activities are delayed, additional preconstruction surveys should be conducted such that no more than 3 days have elapsed between the survey and ground-disturbing activities.
- c. If active nests are discovered during the nest survey, those nests shall be avoided until the young have fledged. The qualified biologist shall recommend appropriate nest avoidance buffers to be implemented during construction that are based on the species of bird and applicability of noise attenuation measures, the topography between the nest and the proposed disturbance activity, and the surrounding vegetation. Installation of the exclusionary material may be completed by construction personnel under the supervision of a qualified biologist prior to initiation of construction activities. The buffer zone shall remain intact and

maintained while the nest is active (i.e., occupied or being constructed by at least one adult bird) and until young birds have fledged and no continued use of the nest is observed, as determined by a qualified biologist. The barrier shall be removed by construction personnel only at the direction of the biologist.

6.2 Riparian Habitats or Sensitive Natural Communities

In accordance with Appendix G of the State CEQA Guidelines, the proposed project would have a significant effect on riparian habitats or other sensitive communities if it would:

- b) Have a substantial adverse effect on any riparian habitat or other Sensitive Natural Community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS.

The project site does not support any riparian habitat or other sensitive natural communities.

6.3 Protected Aquatic Resources

In accordance with Appendix G of the State CEQA Guidelines, the proposed project would have a significant effect on aquatic resources if it would:

- c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption or other means.

No direct impacts are anticipated.

6.4 Wildlife Movement

In accordance with Appendix G of the State CEQA Guidelines, the proposed project would have a significant effect on wildlife movement if it would:

- d) Interfere substantially with the movement of any resident or migratory wildlife corridors or impede the use of wildlife nursery sites.

The project site does not support the movement of wildlife on a regional level, nor is it recognized as a vital corridor for dispersal or seasonal migration or a wildlife nursery site. For these reasons, no impacts would result to wildlife corridors or nursery sites as a result of the project.

6.5 Compliance with Local Regulations

In accordance with Appendix G of the State CEQA Guidelines, the proposed project would have a significant effect on wildlife movement if it would:

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Torrey pine is a protected tree species under the City Municipal Code (Title 23, Chapter 23.50 – Trees). There is one Torrey Pine within the southern portion of project parcel and one Torrey Pine approximately 80 feet southwest of the project site (proposed easement removal area. Approval of the amended map could result in impacts to protected trees. SWCA recommends the following mitigation measure:

MM BIO-3: Protected Trees. Two Torrey pine trees were documented within the study area. Currently, both Torrey pines are outside the area proposed for removal from the existing easement. The applicant shall ensure that landscaping planned for the area proposed to be removed from the easement does not encroach on the Torrey Pines and stays within the proposed limits of disturbance.

6.6 Consistency with Habitat Conservation Plans

In accordance with Appendix G of the State CEQA Guidelines, the proposed project would have a significant effect on wildlife movement if it would:

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

No MSCP subarea plan or draft subarea plan has been prepared for the City, nor are there any other approved local, regional, or state habitat conservation plans for the City. If the proposed Amending Map is approved, no impacts are anticipated from future landscaping within the area removed from the existing easement.

This page intentionally left blank.

7 LITERATURE CITED

- Calflora. 2024. Calflora database. Available at: <http://www.calflora.org>. Accessed November 2024.
- California Coastal Commission. 2019. Coastal Zone Boundary Maps. Available at: <https://www.coastal.ca.gov/maps/czb/>. Accessed November 2024.
- California Department of Fish and Wildlife (CDFW). 2015. *California State Wildlife Action Plan*. Available at: <https://wildlife.ca.gov/SWAP>. Accessed November 2024.
- . 2024a. California Natural Diversity Database RAREFIND 5 database ver.5.2.14. Available at: www.wildlife.ca.gov/Data/CNDDDB/Maps-and-Data. Accessed November 2024.
- . 2024b. Special Animals. California Department of Fish and Wildlife Natural Diversity Data Base. July. Available at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109406&inline>. Accessed November 2024.
- . 2024c. Special Vascular Plants, Bryophytes, and Lichens List. California Department of Fish and Wildlife Natural Diversity Data Base. July. Available at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109383&inline>. Accessed November 2024.
- California Native Plant Society (CNPS). 2024. Rare Plant Inventory, version 9.5. Available at: www.rareplants.cnps.org. Accessed November 2024.
- City of Del Mar. 1976. *The Community Plan for the City of Del Mar*. As amended, 1985 and 2002. March 1976. Available at: <https://www.delmar.ca.us/DocumentCenter/View/622/Community-Plan-1976?bidId=>. Accessed December 2024.
- . 1993. *Local Coastal Program, Land Use Plan*. As amended through October 12, 2023. Available at: <https://www.delmar.ca.us/DocumentCenter/View/9114/LCP-Land-Use-Plan-Complete-Rev-1-2024>. Accessed December 2024.
- . 2001. *Local Coastal Program, Implementing Ordinances*. September 11. <https://www.delmar.ca.us/DocumentCenter/View/262/Local-Coastal-Plan-Implementing?bidId=>. Accessed December 2024.
- . 2024. Municipal Code, through Ordinance No. 1004, adopted January 8, 2024. (Supplement 8). Updated April 3, 2024. Available at: https://library.municode.com/ca/del_mar/codes/municipal_code. Accessed December 2024.
- . 2024b. City of Del Mar public GIS map viewer. Available at: <https://delmar.geoviewer.io/>. Accessed November 2024.
- Consortium of California Herbaria (CCH). 2024. Consortium of California Herbaria (CCH). Available at: <https://ucjeps.berkeley.edu/consortium/>. Accessed November 2024.
- County of San Diego. 2024. Multiple Species Conservation Program. Available at: <https://www.sdparks.org/content/sdparks/en/AboutUs/Plans/MSCP.html>. Accessed December 2024.

- Google Earth. 2024. Aerial imagery. Available at: https://earth.google.com/web/@38.95938957,-95.26548319,11001309.18715044a,0d,35y,-0h,0t,0r?utm_source=earth7&utm_campaign=vine&hl=en. Accessed November 2024.
- Jepson Flora Project. 2024. Jepson Herbarium eFlora. Available at: <https://ucjeps.berkeley.edu/eflora/>. Accessed November 2024.
- Natural Resources Conservation Service (NRCS). 2024. USDA Web Soil Survey. Available at <https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>. Accessed November 2024.
- Oberbauer, T., M. Kelly, and J. Buegge. 2008. *Draft Vegetation Communities of San Diego County*. Based on Preliminary Descriptions of the Terrestrial Natural Communities of California by Robert F. Holland, Ph.D., October 1986.
- San Diego Association of Governments (SANDAG). 2024. Geographic Information Systems interactive tool. Available at: <https://www.sandag.org/data-and-research/geographic-information-systems>. Accessed November 2024.
- U.S. Fish and Wildlife Service (USFWS). 2024. USFWS Threatened & Endangered Species Active Critical Habitat Report. Available at: <https://ecos.fws.gov/ecp/report/table/critical-habitat.html>. Accessed November 2024.
- U.S. Fish and Wildlife Service (USFWS). 2024. National Wetland Inventory, Wetland Geodatabase. Available at: <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>. Accessed November 2024.
- Western Monarch Count. 2024. Find an Overwintering Site. Interactive map. Available at: <https://westernmonarchcount.org/map-of-overwintering-sites/>. Accessed December 2024.
- Xerces Society for Invertebrate Conservation (Xerces Society). 2024. The Xerces Society. Available at: www.xerces.org. Accessed December 2024.

APPENDIX A

Site Photographs



Photograph A-1. Overview of existing conditions in the eastern portion of the project site, facing southwest (photograph taken 11/25/2024).



Photograph A-2. Overview of existing conditions in the eastern portion of the project site, facing west (photograph taken 11/25/2024).



Photograph A-3. Overview of existing conditions in the eastern portion of the project site, facing northwest (photograph taken 11/25/2024).



Photograph A-4. Overview of existing conditions in the western and central portions of the project site, facing northwest (photograph taken 11/25/2024).



Photograph A-5. Overview of existing conditions in the eastern portion of the project site, facing southeast (photograph taken 11/25/2024).



Photograph A-6. Overview of existing conditions in the southern and central portion of the project site, facing north (photograph taken 11/25/2024).



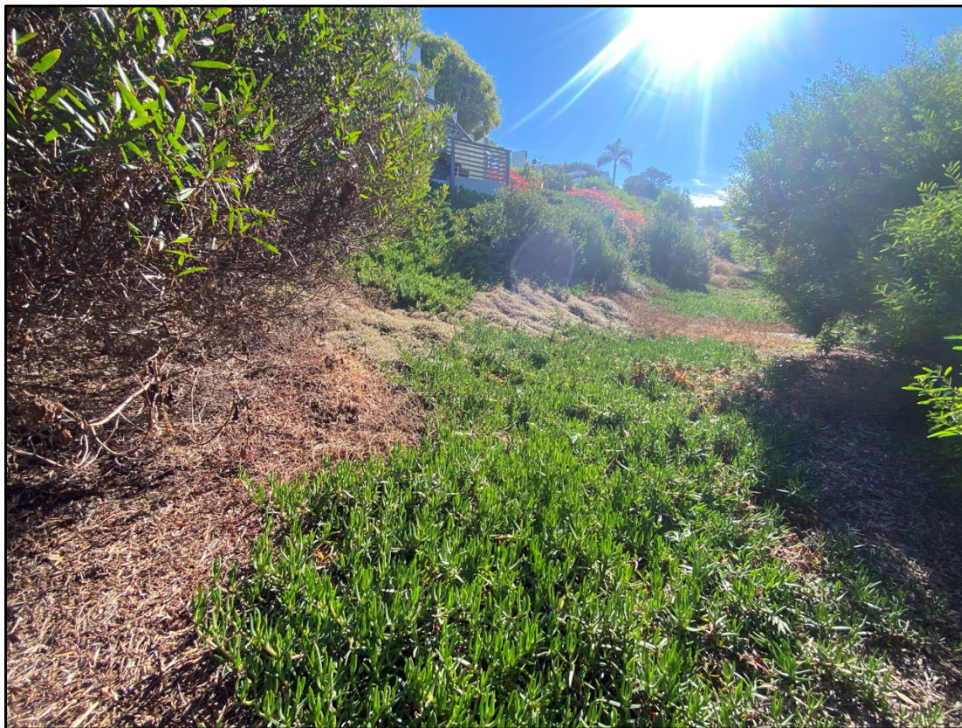
Photograph A-7. Overview of existing conditions in the southern and western portion of the project site, facing west (photograph taken 11/25/2024).



Photograph A-8. Overview of existing conditions in the southern and central portion of the project site, facing west (photograph taken 11/25/2024).



Photograph A-9. Overview of existing conditions in the northern portion of the project site, facing northeast (photograph taken 11/25/2024).



Photograph A-10. Overview of existing conditions in the central portion of the project site, facing southeast (photograph taken 11/25/2024).



Photograph A-11. Overview of existing conditions in the northern portion of the project site, facing south (photograph taken 11/25/2024).

APPENDIX B

Flora Observed

Table B-1. Plant Species Observed during Field Survey, November 25, 2024

Common Name	Scientific Name
Bladderpod	<i>Peritoma arborea</i>
Bougainvillea*	<i>Bougainvillea</i> sp.
China rose*	<i>Rosa chinensis</i>
Chinese banyan*	<i>Ficus microcarpa</i>
Chinese hibiscus*	<i>Hibiscus rosa-sinensis</i>
Common sow thistle*	<i>Sonchus oleraceus</i>
Cristaline iceplant*	<i>Mesembryanthemum crystallinum</i>
Brome grasses	<i>Bromus</i> spp.
Heart leaf iceplant*	<i>Mesembryanthemum cordifolia</i>
Ice plant*	<i>Carpobrotus edulis</i>
Indian Hawthorne*	<i>Raphiolepis indica</i>
Lemonade berry	<i>Rhus integrifolia</i>
Long leaf wattle*	<i>Acacia longifolia</i>
Mexican fan palm	<i>Washingtonia robusta</i>
New gold lantana*	<i>Lantana camara</i>
Pampas grass*	<i>Cortaderia selloana</i>
Prickly Russian thistle*	<i>Salsola tragus</i>
Spineless yucca	<i>Yucca elephantipes</i>
Strawberry tree*	<i>Arbutus unedo</i>
Tarragon*	<i>Artemisia dracunculus</i>
Torrey pine	<i>Pinus torreyana</i>
Wattle*	<i>Acacia</i> sp.
Weeping fig*	<i>Ficus benjamina</i>
Western coastal wattle*	<i>Acacia cyclops</i>

* = nonnative species

Appendix C
Fauna Observed

Table C-1. Faunal Species Observed during Field Survey, November 25, 2024

Common Name	Scientific Name
Birds	
Bushtit	<i>Psaltiriparus minimus</i>
Mourning dove	<i>Zenaida macroura</i>
California towhee	<i>Melospiza crissalis</i>
Western gull	<i>Larus occidentalis</i>

Appendix B: Tribal AB 52 Noticing and Response

This page is intentionally blank.

END



July 19, 2024

San Pasqual Band of Diegueno Mission Indians
Allen Lawson, Chairperson
PO Box 365
Valley Center, CA 92082

RE: Notification and Offer for Tribal Consultation Pursuant to CEQA and AB52

In response to the implementation of Assembly Bill 52, the City of Del Mar is notifying Native American tribes of a project application submittal. The City of Del Mar is in receipt of the project described herein and, pursuant to stipulations of the California Environmental Quality Act (CEQA), begun the process of preparing an initial study to analyze its potential for impacts to the environment.

Qualantone Amending Map Project:

The proposed project involves a request to amend the TM-78-02 Final Map to reduce the area of the Open Space Easement (OSE) located to the southeast of the existing residence (about 2,777.41 sq. ft.) while adding a portion to the easement at the northwest corner of the property (about 317.81 sq. ft.). The property is 19,268.76 sq. ft. in area and is currently developed with a one-story, single-unit dwelling with attached garage approximately 2,072 sq. ft, accessed from Heather Ln, a private street. The applicant proposes no new structures due to additional development restrictions.

To ensure that this process and document adequately incorporate any concerns from your tribe, the City of Del Mar is hereby providing formal notification, and an offer for consultation. Should your tribe desire consultation in accordance with AB 52, please provide a formal request and information for a lead contact person within 30 days. If we have not heard from you within thirty (30) days from the receipt of this letter, we will assume that you have no comments.

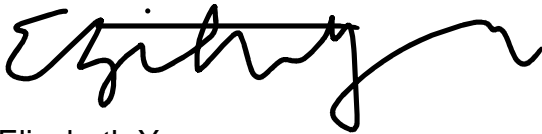
Qualantone, AB52

Page 2 of 2

For any questions about the subject project, please contact me at the information below:

City of Del Mar
Elizabeth Yee, Associate Planner
1050 Camino Del Mar
Del Mar, CA 92014
(858) 793-6144 direct line/ eyee@delmar.ca.us

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Yee', with a long, sweeping horizontal line extending to the right.

Elizabeth Yee
Associate Planner



July 19, 2024

EWIIAAPAAYP TRIBAL OFFICE
ROBERT PINTO SR., CHAIRPERSON
4054 WILLOWS RD
ALPINE CA 91901

RE: Notification and Offer for Tribal Consultation Pursuant to CEQA and AB52

In response to the implementation of Assembly Bill 52, the City of Del Mar is notifying Native American tribes of a project application submittal. The City of Del Mar is in receipt of the project described herein and, pursuant to stipulations of the California Environmental Quality Act (CEQA), begun the process of preparing an initial study to analyze its potential for impacts to the environment.

Qualantone Amending Map Project:

The proposed project involves a request to amend the TM-78-02 Final Map to reduce the area of the Open Space Easement (OSE) located to the southeast of the existing residence (about 2,777.41 sq. ft.) while adding a portion to the easement at the northwest corner of the property (about 317.81 sq. ft.). The property is 19,268.76 sq. ft. in area and is currently developed with a one-story, single-unit dwelling with attached garage approximately 2,072 sq. ft, accessed from Heather Ln, a private street. The applicant proposes no new structures due to additional development restrictions.

To ensure that this process and document adequately incorporate any concerns from your tribe, the City of Del Mar is hereby providing formal notification, and an offer for consultation. Should your tribe desire consultation in accordance with AB 52, please provide a formal request and information for a lead contact person within 30 days. If we have not heard from you within thirty (30) days from the receipt of this letter, we will assume that you have no comments.

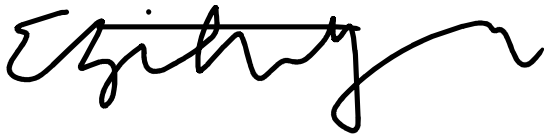
Qualantone, AB52

Page 2 of 2

For any questions about the subject project, please contact me at the information below:

City of Del Mar
Elizabeth Yee, Associate Planner
1050 Camino Del Mar
Del Mar, CA 92014
(858) 793-6144 direct line/ eyee@delmar.ca.us

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Yee', with a long, sweeping horizontal line extending to the right.

Elizabeth Yee
Associate Planner



July 19, 2024

CAMPO BAND OF MISSION INDIANS
RALPH GOFF, CHAIRPERSON
36190 CHURCH RD SUITE 1
CAMPO CA 91903

RE: Notification and Offer for Tribal Consultation Pursuant to CEQA and AB52

In response to the implementation of Assembly Bill 52, the City of Del Mar is notifying Native American tribes of a project application submittal. The City of Del Mar is in receipt of the project described herein and, pursuant to stipulations of the California Environmental Quality Act (CEQA), begun the process of preparing an initial study to analyze its potential for impacts to the environment.

Qualantone Amending Map Project:

The proposed project involves a request to amend the TM-78-02 Final Map to reduce the area of the Open Space Easement (OSE) located to the southeast of the existing residence (about 2,777.41 sq. ft.) while adding a portion to the easement at the northwest corner of the property (about 317.81 sq. ft.). The property is 19,268.76 sq. ft. in area and is currently developed with a one-story, single-unit dwelling with attached garage approximately 2,072 sq. ft, accessed from Heather Ln, a private street. The applicant proposes no new structures due to additional development restrictions.

To ensure that this process and document adequately incorporate any concerns from your tribe, the City of Del Mar is hereby providing formal notification, and an offer for consultation. Should your tribe desire consultation in accordance with AB 52, please provide a formal request and information for a lead contact person within 30 days. If we have not heard from you within thirty (30) days from the receipt of this letter, we will assume that you have no comments.

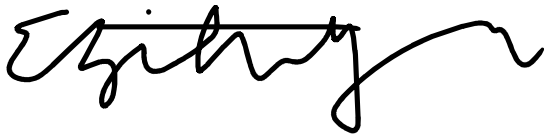
Qualantone, AB52

Page 2 of 2

For any questions about the subject project, please contact me at the information below:

City of Del Mar
Elizabeth Yee, Associate Planner
1050 Camino Del Mar
Del Mar, CA 92014
(858) 793-6144 direct line/ eyee@delmar.ca.us

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Yee', with a long, sweeping horizontal line extending to the right.

Elizabeth Yee
Associate Planner



July 19, 2024

LA POSTA BAND OF MISSION INDIANS
GWENDOLYN PARADA, CHAIRPERSON
8 CRESTWOOD RD
BOULEVARD CA 91905

RE: Notification and Offer for Tribal Consultation Pursuant to CEQA and AB52

In response to the implementation of Assembly Bill 52, the City of Del Mar is notifying Native American tribes of a project application submittal. The City of Del Mar is in receipt of the project described herein and, pursuant to stipulations of the California Environmental Quality Act (CEQA), begun the process of preparing an initial study to analyze its potential for impacts to the environment.

Qualantone Amending Map Project:

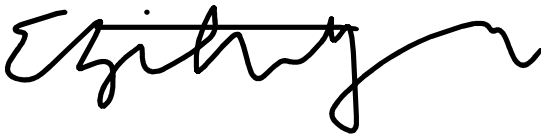
The proposed project involves a request to amend the TM-78-02 Final Map to reduce the area of the Open Space Easement (OSE) located to the southeast of the existing residence (about 2,777.41 sq. ft.) while adding a portion to the easement at the northwest corner of the property (about 317.81 sq. ft.). The property is 19,268.76 sq. ft. in area and is currently developed with a one-story, single-unit dwelling with attached garage approximately 2,072 sq. ft, accessed from Heather Ln, a private street. The applicant proposes no new structures due to additional development restrictions.

To ensure that this process and document adequately incorporate any concerns from your tribe, the City of Del Mar is hereby providing formal notification, and an offer for consultation. Should your tribe desire consultation in accordance with AB 52, please provide a formal request and information for a lead contact person within 30 days. If we have not heard from you within thirty (30) days from the receipt of this letter, we will assume that you have no comments.

For any questions about the subject project, please contact me at the information below:

City of Del Mar
Elizabeth Yee, Associate Planner
1050 Camino Del Mar
Del Mar, CA 92014
(858) 793-6144 direct line/ eyee@delmar.ca.us

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Yee', with a long, sweeping horizontal line extending to the right.

Elizabeth Yee
Associate Planner



July 19, 2024

JAMUL INDIAN VILLAGE
RAYMOND HUNTER, CHAIRPERSON
PO BOX 612
JAMUL CA 91935

RE: Notification and Offer for Tribal Consultation Pursuant to CEQA and AB52

In response to the implementation of Assembly Bill 52, the City of Del Mar is notifying Native American tribes of a project application submittal. The City of Del Mar is in receipt of the project described herein and, pursuant to stipulations of the California Environmental Quality Act (CEQA), begun the process of preparing an initial study to analyze its potential for impacts to the environment.

Qualantone Amending Map Project:

The proposed project involves a request to amend the TM-78-02 Final Map to reduce the area of the Open Space Easement (OSE) located to the southeast of the existing residence (about 2,777.41 sq. ft.) while adding a portion to the easement at the northwest corner of the property (about 317.81 sq. ft.). The property is 19,268.76 sq. ft. in area and is currently developed with a one-story, single-unit dwelling with attached garage approximately 2,072 sq. ft, accessed from Heather Ln, a private street. The applicant proposes no new structures due to additional development restrictions.

To ensure that this process and document adequately incorporate any concerns from your tribe, the City of Del Mar is hereby providing formal notification, and an offer for consultation. Should your tribe desire consultation in accordance with AB 52, please provide a formal request and information for a lead contact person within 30 days. If we have not heard from you within thirty (30) days from the receipt of this letter, we will assume that you have no comments.

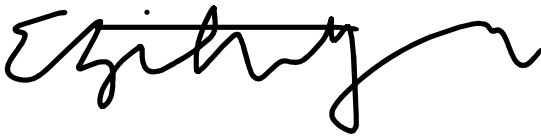
Qualantone, AB52

Page 2 of 2

For any questions about the subject project, please contact me at the information below:

City of Del Mar
Elizabeth Yee, Associate Planner
1050 Camino Del Mar
Del Mar, CA 92014
(858) 793-6144 direct line/ eyee@delmar.ca.us

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Yee', with a long, sweeping horizontal line extending to the right.

Elizabeth Yee
Associate Planner



July 19, 2024

MANZANITA BAND OF KUMEYAAY NATION
ANGELA ELLIOTT SANTOS, CHAIRPERSON
PO BOX 1302
BOULEVARD CA 91905

RE: Notification and Offer for Tribal Consultation Pursuant to CEQA and AB52

In response to the implementation of Assembly Bill 52, the City of Del Mar is notifying Native American tribes of a project application submittal. The City of Del Mar is in receipt of the project described herein and, pursuant to stipulations of the California Environmental Quality Act (CEQA), begun the process of preparing an initial study to analyze its potential for impacts to the environment.

Qualantone Amending Map Project:

The proposed project involves a request to amend the TM-78-02 Final Map to reduce the area of the Open Space Easement (OSE) located to the southeast of the existing residence (about 2,777.41 sq. ft.) while adding a portion to the easement at the northwest corner of the property (about 317.81 sq. ft.). The property is 19,268.76 sq. ft. in area and is currently developed with a one-story, single-unit dwelling with attached garage approximately 2,072 sq. ft, accessed from Heather Ln, a private street. The applicant proposes no new structures due to additional development restrictions.

To ensure that this process and document adequately incorporate any concerns from your tribe, the City of Del Mar is hereby providing formal notification, and an offer for consultation. Should your tribe desire consultation in accordance with AB 52, please provide a formal request and information for a lead contact person within 30 days. If we have not heard from you within thirty (30) days from the receipt of this letter, we will assume that you have no comments.

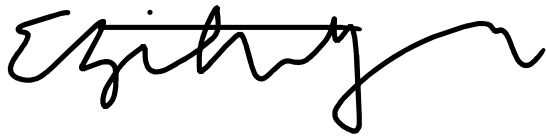
Qualantone, AB52

Page 2 of 2

For any questions about the subject project, please contact me at the information below:

City of Del Mar
Elizabeth Yee, Associate Planner
1050 Camino Del Mar
Del Mar, CA 92014
(858) 793-6144 direct line/ eyee@delmar.ca.us

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Yee', with a long, sweeping horizontal line extending to the right.

Elizabeth Yee
Associate Planner



July 19, 2024

KWAAYMII LAGUNA BAND OF MISSION INDIANS
CARMEN LUCAS
PO BOX 775
PINE VALLEY CA 91962

RE: Notification and Offer for Tribal Consultation Pursuant to CEQA and AB52

In response to the implementation of Assembly Bill 52, the City of Del Mar is notifying Native American tribes of a project application submittal. The City of Del Mar is in receipt of the project described herein and, pursuant to stipulations of the California Environmental Quality Act (CEQA), begun the process of preparing an initial study to analyze its potential for impacts to the environment.

Qualantone Amending Map Project:

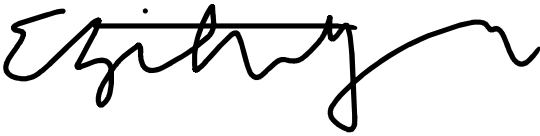
The proposed project involves a request to amend the TM-78-02 Final Map to reduce the area of the Open Space Easement (OSE) located to the southeast of the existing residence (about 2,777.41 sq. ft.) while adding a portion to the easement at the northwest corner of the property (about 317.81 sq. ft.). The property is 19,268.76 sq. ft. in area and is currently developed with a one-story, single-unit dwelling with attached garage approximately 2,072 sq. ft, accessed from Heather Ln, a private street. The applicant proposes no new structures due to additional development restrictions.

To ensure that this process and document adequately incorporate any concerns from your tribe, the City of Del Mar is hereby providing formal notification, and an offer for consultation. Should your tribe desire consultation in accordance with AB 52, please provide a formal request and information for a lead contact person within 30 days. If we have not heard from you within thirty (30) days from the receipt of this letter, we will assume that you have no comments.

For any questions about the subject project, please contact me at the information below:

City of Del Mar
Elizabeth Yee, Associate Planner
1050 Camino Del Mar
Del Mar, CA 92014
(858) 793-6144 direct line/ eyee@delmar.ca.us

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Yee', with a long horizontal line extending from the end of the signature.

Elizabeth Yee
Associate Planner



July 16, 2024

SYCUAN BAND OF THE KUMEYAAY NATION
CODY J. MARTINEZ, CHAIRPERSON
1 KWAAYPAAY COURT
EL CAJON CA 92019

RE: Notification and Offer for Tribal Consultation Pursuant to CEQA and AB52

In response to the implementation of Assembly Bill 52, the City of Del Mar is notifying Native American tribes of a project application submittal. The City of Del Mar is in receipt of the project described herein and, pursuant to stipulations of the California Environmental Quality Act (CEQA), begun the process of preparing an initial study to analyze its potential for impacts to the environment.

Qualantone Amending Map Project:

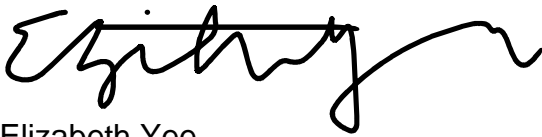
The proposed project involves a request to amend the TM-78-02 Final Map to reduce the area of the Open Space Easement (OSE) located to the southeast of the existing residence (about 2,777.41 sq. ft.) while adding a portion to the easement at the northwest corner of the property (about 317.81 sq. ft.). The property is 19,268.76 sq. ft. in area and is currently developed with a one-story, single-unit dwelling with attached garage approximately 2,072 sq. ft, accessed from Heather Ln, a private street. The applicant proposes no new structures due to additional development restrictions.

To ensure that this process and document adequately incorporate any concerns from your tribe, the City of Del Mar is hereby providing formal notification, and an offer for consultation. Should your tribe desire consultation in accordance with AB 52, please provide a formal request and information for a lead contact person within 30 days. If we have not heard from you within thirty (30) days from the receipt of this letter, we will assume that you have no comments.

For any questions about the subject project, please contact me at the information below:

City of Del Mar
Elizabeth Yee, Associate Planner
1050 Camino Del Mar
Del Mar, CA 92014
(858) 793-6144 direct line/ eyee@delmar.ca.us

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Yee', with a long, sweeping horizontal line extending to the right.

Elizabeth Yee
Associate Planner



July 16, 2024

LIPAY NATION OF SANTA YSABEL
CLINT LINTON, DIRECTOR OF CULTURAL RESOURCES
PO BOX 507
SANTA YSABEL CA 92070

RE: Notification and Offer for Tribal Consultation Pursuant to CEQA and AB52

In response to the implementation of Assembly Bill 52, the City of Del Mar is notifying Native American tribes of a project application submittal. The City of Del Mar is in receipt of the project described herein and, pursuant to stipulations of the California Environmental Quality Act (CEQA), begun the process of preparing an initial study to analyze its potential for impacts to the environment.

Qualantone Amending Map Project:

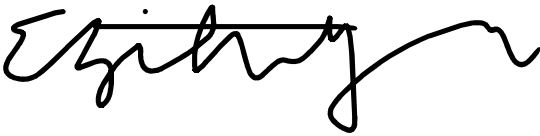
The proposed project involves a request to amend the TM-78-02 Final Map to reduce the area of the Open Space Easement (OSE) located to the southeast of the existing residence (about 2,777.41 sq. ft.) while adding a portion to the easement at the northwest corner of the property (about 317.81 sq. ft.). The property is 19,268.76 sq. ft. in area and is currently developed with a one-story, single-unit dwelling with attached garage approximately 2,072 sq. ft, accessed from Heather Ln, a private street. The applicant proposes no new structures due to additional development restrictions.

To ensure that this process and document adequately incorporate any concerns from your tribe, the City of Del Mar is hereby providing formal notification, and an offer for consultation. Should your tribe desire consultation in accordance with AB 52, please provide a formal request and information for a lead contact person within 30 days. If we have not heard from you within thirty (30) days from the receipt of this letter, we will assume that you have no comments.

For any questions about the subject project, please contact me at the information below:

City of Del Mar
Elizabeth Yee, Associate Planner
1050 Camino Del Mar
Del Mar, CA 92014
(858) 793-6144 direct line/ eyee@delmar.ca.us

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Yee', with a long horizontal line extending from the end of the signature.

Elizabeth Yee
Associate Planner



July 19, 2024

VIEJAS BAND OF KUMEYAAY INDIANS
ANTHONY R. PICO, CHAIRPERSON
PO BOX 908
ALPINE CA 91903

RE: Notification and Offer for Tribal Consultation Pursuant to CEQA and AB52

In response to the implementation of Assembly Bill 52, the City of Del Mar is notifying Native American tribes of a project application submittal. The City of Del Mar is in receipt of the project described herein and, pursuant to stipulations of the California Environmental Quality Act (CEQA), begun the process of preparing an initial study to analyze its potential for impacts to the environment.

Qualantone Amending Map Project:

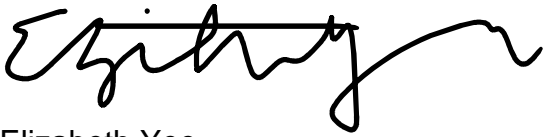
The proposed project involves a request to amend the TM-78-02 Final Map to reduce the area of the Open Space Easement (OSE) located to the southeast of the existing residence (about 2,777.41 sq. ft.) while adding a portion to the easement at the northwest corner of the property (about 317.81 sq. ft.). The property is 19,268.76 sq. ft. in area and is currently developed with a one-story, single-unit dwelling with attached garage approximately 2,072 sq. ft, accessed from Heather Ln, a private street. The applicant proposes no new structures due to additional development restrictions.

To ensure that this process and document adequately incorporate any concerns from your tribe, the City of Del Mar is hereby providing formal notification, and an offer for consultation. Should your tribe desire consultation in accordance with AB 52, please provide a formal request and information for a lead contact person within 30 days. If we have not heard from you within thirty (30) days from the receipt of this letter, we will assume that you have no comments.

For any questions about the subject project, please contact me at the information below:

City of Del Mar
Elizabeth Yee, Associate Planner
1050 Camino Del Mar
Del Mar, CA 92014
(858) 793-6144 direct line/ eyee@delmar.ca.us

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Yee', with a long, sweeping horizontal line extending to the right.

Elizabeth Yee
Associate Planner



July 19, 2024

LIPAY NATION OF SANTA YSABEL
VIRGIL PEREZ, CHAIRPERSON
PO BOX 130
SANTA YSABEL CA 92070

RE: Notification and Offer for Tribal Consultation Pursuant to CEQA and AB52

In response to the implementation of Assembly Bill 52, the City of Del Mar is notifying Native American tribes of a project application submittal. The City of Del Mar is in receipt of the project described herein and, pursuant to stipulations of the California Environmental Quality Act (CEQA), begun the process of preparing an initial study to analyze its potential for impacts to the environment.

Qualantone Amending Map Project:

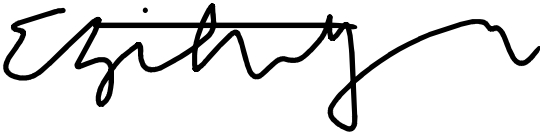
The proposed project involves a request to amend the TM-78-02 Final Map to reduce the area of the Open Space Easement (OSE) located to the southeast of the existing residence (about 2,777.41 sq. ft.) while adding a portion to the easement at the northwest corner of the property (about 317.81 sq. ft.). The property is 19,268.76 sq. ft. in area and is currently developed with a one-story, single-unit dwelling with attached garage approximately 2,072 sq. ft, accessed from Heather Ln, a private street. The applicant proposes no new structures due to additional development restrictions.

To ensure that this process and document adequately incorporate any concerns from your tribe, the City of Del Mar is hereby providing formal notification, and an offer for consultation. Should your tribe desire consultation in accordance with AB 52, please provide a formal request and information for a lead contact person within 30 days. If we have not heard from you within thirty (30) days from the receipt of this letter, we will assume that you have no comments.

For any questions about the subject project, please contact me at the information below:

City of Del Mar
Elizabeth Yee, Associate Planner
1050 Camino Del Mar
Del Mar, CA 92014
(858) 793-6144 direct line/ eyee@delmar.ca.us

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Yee', with a long, sweeping horizontal line extending to the right.

Elizabeth Yee
Associate Planner



July 19, 2024

EWIIAAPAAYP TRIBAL OFFICE
MICHEAL GARCIA, VICE CHAIRPERSON
4054 WILLOWS RD
ALPINE CA 91901

RE: Notification and Offer for Tribal Consultation Pursuant to CEQA and AB52

In response to the implementation of Assembly Bill 52, the City of Del Mar is notifying Native American tribes of a project application submittal. The City of Del Mar is in receipt of the project described herein and, pursuant to stipulations of the California Environmental Quality Act (CEQA), begun the process of preparing an initial study to analyze its potential for impacts to the environment.

Qualantone Amending Map Project:

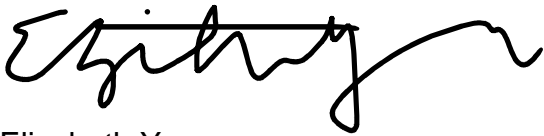
The proposed project involves a request to amend the TM-78-02 Final Map to reduce the area of the Open Space Easement (OSE) located to the southeast of the existing residence (about 2,777.41 sq. ft.) while adding a portion to the easement at the northwest corner of the property (about 317.81 sq. ft.). The property is 19,268.76 sq. ft. in area and is currently developed with a one-story, single-unit dwelling with attached garage approximately 2,072 sq. ft, accessed from Heather Ln, a private street. The applicant proposes no new structures due to additional development restrictions.

To ensure that this process and document adequately incorporate any concerns from your tribe, the City of Del Mar is hereby providing formal notification, and an offer for consultation. Should your tribe desire consultation in accordance with AB 52, please provide a formal request and information for a lead contact person within 30 days. If we have not heard from you within thirty (30) days from the receipt of this letter, we will assume that you have no comments.

For any questions about the subject project, please contact me at the information below:

City of Del Mar
Elizabeth Yee, Associate Planner
1050 Camino Del Mar
Del Mar, CA 92014
(858) 793-6144 direct line/ eyee@delmar.ca.us

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Yee', with a long horizontal line extending from the end of the signature.

Elizabeth Yee
Associate Planner



July 19, 2024

Barona Group of the Capitan Grande
Edwin Romero, Chairperson
1095 Barona Road
Lakeside, Ca 92040

RE: Notification and Offer for Tribal Consultation Pursuant to CEQA and AB52

In response to the implementation of Assembly Bill 52, the City of Del Mar is notifying Native American tribes of a project application submittal. The City of Del Mar is in receipt of the project described herein and, pursuant to stipulations of the California Environmental Quality Act (CEQA), begun the process of preparing an initial study to analyze its potential for impacts to the environment.

Qualantone Amending Map Project:

The proposed project involves a request to amend the TM-78-02 Final Map to reduce the area of the Open Space Easement (OSE) located to the southeast of the existing residence (about 2,777.41 sq. ft.) while adding a portion to the easement at the northwest corner of the property (about 317.81 sq. ft.). The property is 19,268.76 sq. ft. in area and is currently developed with a one-story, single-unit dwelling with attached garage approximately 2,072 sq. ft, accessed from Heather Ln, a private street. The applicant proposes no new structures due to additional development restrictions.

To ensure that this process and document adequately incorporate any concerns from your tribe, the City of Del Mar is hereby providing formal notification, and an offer for consultation. Should your tribe desire consultation in accordance with AB 52, please provide a formal request and information for a lead contact person within 30 days. If we have not heard from you within thirty (30) days from the receipt of this letter, we will assume that you have no comments.

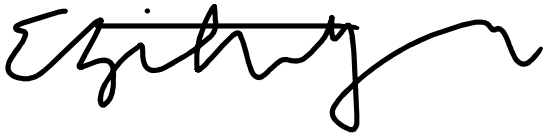
Qualantone, AB52

Page 2 of 2

For any questions about the subject project, please contact me at the information below:

City of Del Mar
Elizabeth Yee, Associate Planner
1050 Camino Del Mar
Del Mar, CA 92014
(858) 793-6144 direct line/ eyee@delmar.ca.us

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Yee', with a long horizontal line extending from the end of the signature.

Elizabeth Yee
Associate Planner



July 19, 2024

Inaja-Cosmit Band of Indians
Rebecca Osuna, Chairperson
2005 S. Escondido Blvd
Escondido, CA 92025

RE: Notification and Offer for Tribal Consultation Pursuant to CEQA and AB52

In response to the implementation of Assembly Bill 52, the City of Del Mar is notifying Native American tribes of a project application submittal. The City of Del Mar is in receipt of the project described herein and, pursuant to stipulations of the California Environmental Quality Act (CEQA), begun the process of preparing an initial study to analyze its potential for impacts to the environment.

Qualantone Amending Map Project:

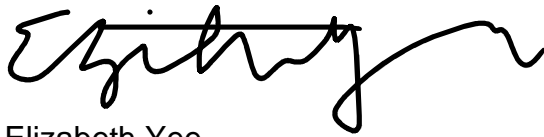
The proposed project involves a request to amend the TM-78-02 Final Map to reduce the area of the Open Space Easement (OSE) located to the southeast of the existing residence (about 2,777.41 sq. ft.) while adding a portion to the easement at the northwest corner of the property (about 317.81 sq. ft.). The property is 19,268.76 sq. ft. in area and is currently developed with a one-story, single-unit dwelling with attached garage approximately 2,072 sq. ft, accessed from Heather Ln, a private street. The applicant proposes no new structures due to additional development restrictions.

To ensure that this process and document adequately incorporate any concerns from your tribe, the City of Del Mar is hereby providing formal notification, and an offer for consultation. Should your tribe desire consultation in accordance with AB 52, please provide a formal request and information for a lead contact person within 30 days. If we have not heard from you within thirty (30) days from the receipt of this letter, we will assume that you have no comments.

For any questions about the subject project, please contact me at the information below:

City of Del Mar
Elizabeth Yee, Associate Planner
1050 Camino Del Mar
Del Mar, CA 92014
(858) 793-6144 direct line/ eyee@delmar.ca.us

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Yee', with a long, sweeping horizontal line extending to the right.

Elizabeth Yee
Associate Planner



July 19, 2024

Mesa Grande Band of Diegueno Mission Indians
Michael Linton, Chairperson
PO Box 270
Santa Ysabel, CA 92070

RE: Notification and Offer for Tribal Consultation Pursuant to CEQA and AB52

In response to the implementation of Assembly Bill 52, the City of Del Mar is notifying Native American tribes of a project application submittal. The City of Del Mar is in receipt of the project described herein and, pursuant to stipulations of the California Environmental Quality Act (CEQA), begun the process of preparing an initial study to analyze its potential for impacts to the environment.

Qualantone Amending Map Project:

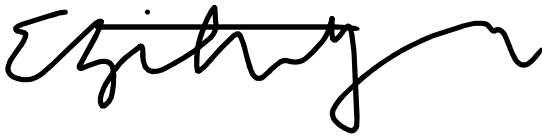
The proposed project involves a request to amend the TM-78-02 Final Map to reduce the area of the Open Space Easement (OSE) located to the southeast of the existing residence (about 2,777.41 sq. ft.) while adding a portion to the easement at the northwest corner of the property (about 317.81 sq. ft.). The property is 19,268.76 sq. ft. in area and is currently developed with a one-story, single-unit dwelling with attached garage approximately 2,072 sq. ft, accessed from Heather Ln, a private street. The applicant proposes no new structures due to additional development restrictions.

To ensure that this process and document adequately incorporate any concerns from your tribe, the City of Del Mar is hereby providing formal notification, and an offer for consultation. Should your tribe desire consultation in accordance with AB 52, please provide a formal request and information for a lead contact person within 30 days. If we have not heard from you within thirty (30) days from the receipt of this letter, we will assume that you have no comments.

For any questions about the subject project, please contact me at the information below:

City of Del Mar
Elizabeth Yee, Associate Planner
1050 Camino Del Mar
Del Mar, CA 92014
(858) 793-6144 direct line/ eyee@delmar.ca.us

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Yee', with a long, sweeping horizontal line extending to the right.

Elizabeth Yee
Associate Planner

Elizabeth Yee

From: Elizabeth Yee
Sent: Wednesday, July 17, 2024 2:02 PM
To: nahc@nahc.ca.gov
Subject: City of Del Mar_Request for Sacred Lands File_Qualantone Amending Map project
Attachments: Sacred Lands File Request_Del Mar_5-1-24.pdf; AB52 Qualantone Amending Map.pdf

To Whom it May Concern,

The City of Del Mar is preparing an Initial Study for the Qualantone Amending Map project, located at 2112 Heather Lane in Del Mar. Pursuant to AB52 and CEQA, we are requesting a Sacred Lands File, to assist with our project review. I've attached the request form and a location map of the project site. Please contact me if you have any questions. Thank you!

Best Regards,

Elizabeth Yee | Contract Planner

City of Del Mar | Community Development Department

1050 Camino del Mar, Del Mar, CA 92014

858-793-6144 | eyee@delmar.ca.us



CITY OF DEL MAR

Sacred Lands File & Native American Contacts List Request

Native American Heritage Commission

1550 Harbor Blvd, Suite 100

West Sacramento, CA 95691

916-373-3710

916-373-5471 – Fax

nahc@nahc.ca.gov

Information Below is Required for a Sacred Lands File Search

Project: Qualantone Amending Map Project (2112 Heather Drive, Del Mar, 92014)

County: San Diego

USGS Quadrangle Name: Del Mar OE W

Township: 14 South **Range:** 4 West **Section(s):** 11

Company/Firm/Agency: City of Del Mar, Planning Department

Street Address: 1050 Camino Del Mar

City: Del Mar **Zip:** 92014

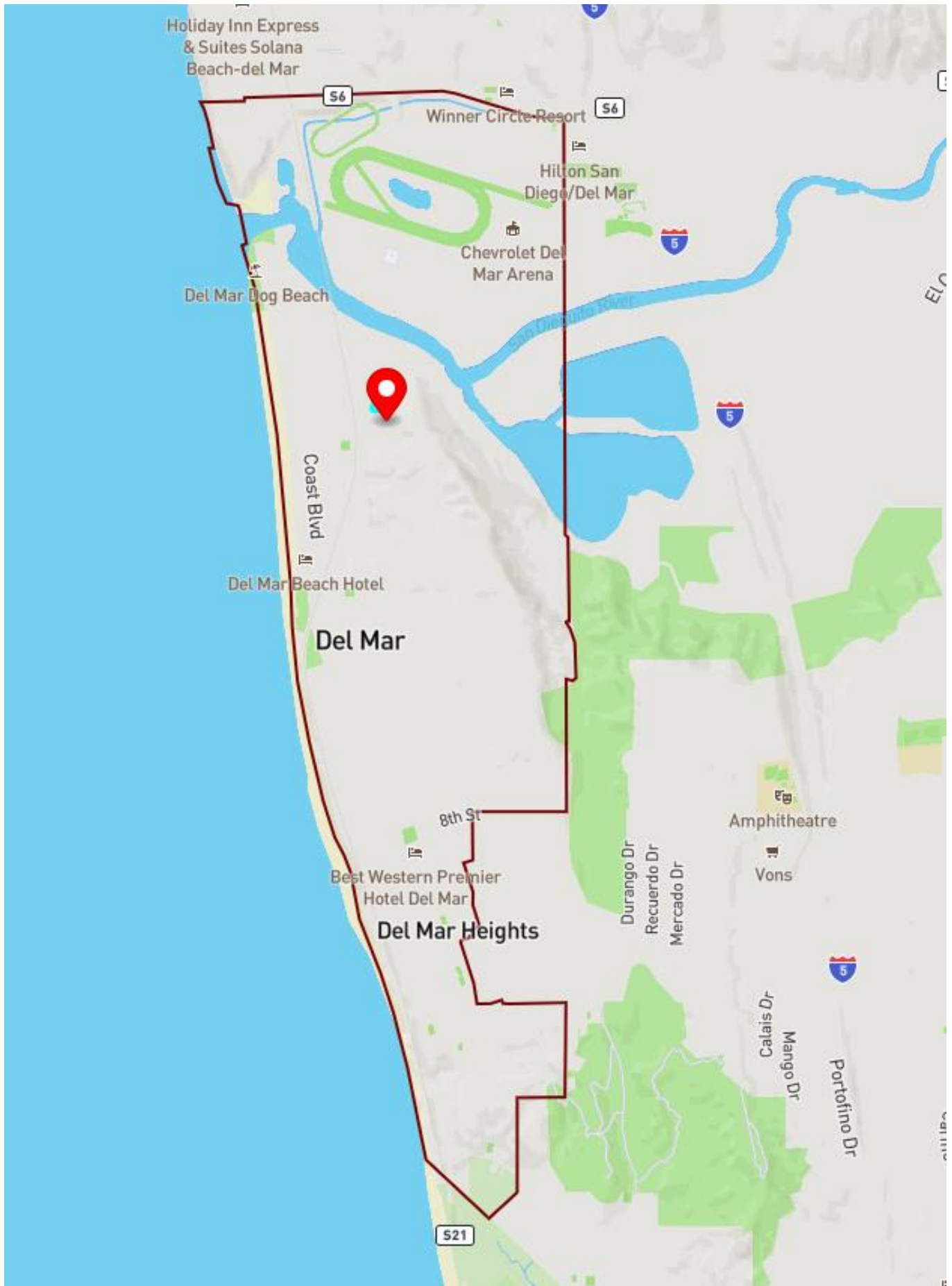
Phone: (858) 793-6144

Fax:

Email: eyee@delmar.ca.us

Project Description:

Applicant proposes to amend the TM-78-02 Final Map to reduce the area of the Open Space Easement (OSE) located to the southeast of the existing residence (about 2,777.41 sq. ft.) while adding a portion to the easement at the northwest corner of the property (about 317.81 sq. ft.). The property is 19,268.76 sq. ft. in area and is currently developed with a one-story, single-unit dwelling with attached garage approximately 2,072 sq. ft, accessed from Heather Ln, a private street. The applicant proposes no new structures due to additional development restrictions.





NATIVE AMERICAN HERITAGE COMMISSION

August 9, 2024

Elizabeth Yee
City of Del Mar

Via Email to: eyee@delmar.ca.us

CHAIRPERSON
Reginald Pagaling
Chumash

VICE-CHAIRPERSON
Buffy McQuillen
Yokayo Pomo, Yuki,
Nomlaki

SECRETARY
Sara Dutschke
Miwok

PARLIAMENTARIAN
Wayne Nelson
Luiseño

COMMISSIONER
Isaac Bojorquez
Ohlone-Costanoan

COMMISSIONER
Stanley Rodriguez
Kumeyaay

COMMISSIONER
Laurena Bolden
Serrano

COMMISSIONER
Reid Milanovich
Cahuilla

COMMISSIONER
Bennae Calac
Pauma-Yuima Band of
Luiseño Indians

EXECUTIVE SECRETARY
**Raymond C.
Hitchcock**
Miwok, Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710

Re: Qualantone Amending Map Project, San Diego County

Dear Ms. Yee:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: Pricilla.Torres-Fuentes@nahc.ca.gov.

Sincerely,

Pricilla Torres-Fuentes

Pricilla Torres-Fuentes
Cultural Resources Analyst

Attachment

Native American Heritage Commission
Native American Contact List
San Diego County
8/9/2024

County	Tribe Name	Fed (F) Non-Fed (N)	Contact Person	Contact Address	Phone #	Fax #	Email Address	Cultural Affiliation	Counties	Last Updated
San Diego	Barona Group of the Capitan Grande	F	Art Bunce, Attorney		(760) 489-0329		buncelaw@aol.com	Diegueno	Imperial, San Diego	7/25/2023
	Campo Band of Diegueno Mission Indians	F	Ben Dyche, Vice Chairperson	36190 Church Road, Suite 1 Campo, CA, 91906	(619) 478-9046		bdyche@campo-nsn.gov	Diegueno	Imperial, San Diego	5/24/2024
	Campo Band of Diegueno Mission Indians	F	Marcus Cuero, Chairperson	36190 Church Road, Suite 1 Campo, CA, 91906	(619) 478-9046		marcuscuero@campo-nsn.gov	Diegueno	Imperial, San Diego	5/15/2024
	Campo Band of Diegueno Mission Indians	F	Daniel Tsosie, THPO	36190 Church Road, Suite 1 Campo, CA, 91906	(619) 760-6480		dtosie@campo-nsn.gov	Diegueno	Imperial, San Diego	5/24/2024
	Ewilaapaayp Band of Kumeyaay Indians	F	Michael Garcia, Vice Chairperson	4054 Willows Road Alpine, CA, 91901	(619) 933-2200	(619) 445-9126	michaelg@leaningrock.net	Diegueno	Imperial, San Diego	
	Ewilaapaayp Band of Kumeyaay Indians	F	Robert Pinto, Chairperson	4054 Willows Road Alpine, CA, 91901	(619) 368-4382	(619) 445-9126	ceo@ebki-nsn.gov	Diegueno	Imperial, San Diego	
	Iipay Nation of Santa Ysabel	F	Clint Linton, Director of Cultural Resources	P.O. Box 507 Santa Ysabel, CA, 92070	(760) 803-5694		clinton@redtailenvironmental.com	Diegueno	Imperial, San Diego	11/30/2023
	Inaja-Cosmit Band of Indians	F	Rebecca Osuna, Chairperson	2005 S. Escondido Blvd. Escondido, CA, 92025	(760) 737-7628	(760) 747-8568		Diegueno	Imperial, San Diego	
	Jamul Indian Village	F	Lisa Cumper, Tribal Historic Preservation Officer	P.O. Box 612 Jamul, CA, 91935	(619) 669-4855		lcumper@jiv-nsn.gov	Diegueno	Imperial, San Diego	9/5/2018
	Jamul Indian Village	F	Erica Pinto, Chairperson	P.O. Box 612 Jamul, CA, 91935	(619) 669-4785	(619) 669-4817	epinto@jiv-nsn.gov	Diegueno	Imperial, San Diego	
	La Posta Band of Diegueno Mission Indians	F	Gwendolyn Parada, Chairperson	8 Crestwood Road Boulevard, CA, 91905	(619) 478-2113	(619) 478-2125	LP13boots@aol.com	Diegueno	Imperial, San Diego	
	Manzanita Band of Kumeyaay Nation	F	Angela Elliott Santos, Chairperson	P.O. Box 1302 Boulevard, CA, 91905	(619) 766-4930	(619) 766-4957		Diegueno	Imperial, San Diego	
	Mesa Grande Band of Diegueno Mission Indians	F	Michael Linton, Chairperson	P.O. Box 270 Santa Ysabel, CA, 92070	(760) 782-3818	(760) 782-9092	mesagrandeband@msn.com	Diegueno	Imperial, San Diego	
	San Pasqual Band of Diegueno Mission Indians	F	John Flores, Environmental Coordinator	P. O. Box 365 Valley Center, CA, 92082	(760) 749-3200	(760) 749-3876	johnf@sanpasqualtribe.org	Diegueno	Imperial, San Diego	8/16/2016

Native American Heritage Commission
Native American Contact List
San Diego County
8/9/2024

San Pasqual Band of Diegueno Mission Indians	F	Allen Lawson, Chairperson	P.O. Box 365 Valley Center, CA, 92082	(760) 749-3200	(760) 749-3876	allenl@sanpasqualtribe.org	Diegueno	Imperial, San Diego	
Sycuan Band of the Kumeyaay Nation	F	Cody Martinez, Chairman	Sycuan Tribal Office: 1 Kwaaypaay Court El Cajon, CA, 92019	(619) 445-2613		cmartinez@sycuan-nsn.gov	Kumeyaay	Imperial, San Diego	8/7/2023
Sycuan Band of the Kumeyaay Nation	F	Bernice Paipa, Cultural Resource Specialist	Sycuan Cultural Center: 910 Willow Glen Drive El Cajon, CA, 92019	(619) 445-6917		bpaipa2@sycuan-nsn.gov	Kumeyaay	Imperial, San Diego	8/7/2023
Viejas Band of Kumeyaay Indians	F	Ernest Pingleton, THPO	1 Viejas Grade Road Alpine, CA, 91901	(619) 445-3810		epingleton@viejas-nsn.gov	Kumeyaay	Imperial, San Diego	6/29/2023
Viejas Band of Kumeyaay Indians	F	Ray Teran, Resource Management Director	1 Viejas Grade Road Alpine, CA, 91901	(619) 659-2312		rteran@viejas-nsn.gov	Kumeyaay	Imperial, San Diego	6/29/2023

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Qualantone Amending Map Project, San Diego County.

Record: PROJ-2024-004041
Report Type: List of Tribes
Counties: San Diego
NAHC Group: All