

Public Review Draft Encinitas Subarea Plan

**Prepared for
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TABLE OF CONTENTS

<u>SECTION</u>	<u>TITLE</u>	<u>PAGE</u>
	ACRONYMS AND ABBREVIATIONS	a-1
1	INTRODUCTION	1-1
1.1	Purpose and Need	1-1
1.2	Regulatory Compliance of the Plan	1-4
1.2.1	Federal Requirements	1-5
1.2.2	State Requirements	1-5
1.2.3	Subarea Plan Requirements	1-6
2	DESCRIPTION OF THE ENCINITAS SUBAREA	2-1
2.1	Regional Location	2-1
2.2	Land Ownership and Land Uses	2-5
2.2.1	Land Ownerships	2-5
2.2.2	Major Land Uses	2-9
2.2.3	Transportation and Utility Corridors	2-9
2.3	General Plan, Local Zoning, and Ordinances	2-14
2.3.1	City of Encinitas General Plan	2-19
2.3.1.1	General Plan Elements	2-19
2.3.2	City of Encinitas Zoning Ordinance (Municipal Code, Title 30 – Zoning)	2-21
2.3.2.1	Districts and Overlay Zones	2-21
2.3.3	Grading, Erosion, and Sediment Control (Municipal Code Chapter 23.24)	2-22
2.3.3.1	Permit Requirements	2-22
2.3.4	Encinitas Fire Ordinance	2-22
2.3.5	Encinitas Ranch Specific Plan	2-23
2.3.5.1	Land Uses and Resource Preservation	2-23
2.4	Anticipated Public Projects	2-23
3	BIOLOGICAL RESOURCES	3-1
3.1	Existing Information	3-1
3.2	Vegetation Communities and Biological Core and Linkage Areas	3-1

TABLE OF CONTENTS (Continued)

<u>SECTION</u>	<u>TITLE</u>	<u>PAGE</u>
3.2.1	Encinitas North	3-5
3.2.2	Encinitas South	3-6
3.2.3	Encinitas East	3-6
3.2.4	Sphere of Influence	3-9
3.3	Sensitive Species	3-9
3.3.1	Plants	3-10
3.3.1.1	Encinitas North	3-10
3.3.1.2	Encinitas South	3-17
3.3.1.3	Encinitas East	3-17
3.3.1.4	Sphere of Influence	3-18
3.3.2	Wildlife	3-18
3.3.2.1	Encinitas North	3-18
3.3.2.2	Encinitas South	3-19
3.3.2.3	Encinitas East	3-20
3.3.2.4	Sphere of Influence	3-20
4	PRESERVE DESIGN AND LAND USE CONSIDERATIONS	4-1
4.1	Biological Preserve Design	4-1
4.1.1	Habitats Conserved	4-7
4.1.2	Species Conserved	4-10
4.2	Land Uses within and Adjacent to the Preserve	4-11
4.2.1	Land Uses and Public Projects Expected to Impact Habitat within the Preserve	4-12
4.2.2	Land Uses Planned Adjacent to the Preserve	4-13
4.3	Guidelines for Preserve Design (Onsite Conservation) by Area of City	4-16
4.3.1	General Standards	4-17
4.3.1.1	Wetland/Wetland Buffer Policies	4-17
4.3.1.2	Narrow Endemic Species Policies	4-19
4.3.1.3	Critical Location Policy	4-21
4.3.1.4	Other Sensitive Species Policies	4-21
4.3.1.5	Mitigation Policies for Vegetation Communities	4-22
4.3.1.6	Wildlife Corridors	4-22

TABLE OF CONTENTS (Continued)

<u>SECTION</u>	<u>TITLE</u>	<u>PAGE</u>
4.3.1.7	Fire/Brush Management Zones	4-24
4.3.1.8	Steep Slope Policies	4-24
4.3.1.9	Development Setback on Bluffs	4-24
4.3.1.10	Agricultural Conversion to Development	4-24
4.3.2	Site-Specific Standards	4-25
4.3.2.1	Encinitas North	4-25
4.3.2.2	Encinitas South	4-26
4.3.2.3	Encinitas East	4-31
4.3.2.4	Sphere of Influence	4-34
5	PRESERVE ASSEMBLY AND CONSERVATION ACTIONS	5-1
5.1	Components of Habitat Lands in FPA	5-1
5.1.1	Conserved Habitat on Public Lands	5-1
5.1.2	Conserved Habitat on Private Lands	5-1
5.1.3	Potential Habitat Acquisition	5-3
5.2	Funding and Financing of the Plan	5-3
6	PLAN IMPLEMENTATION POLICIES	6-1
6.1	Implementation Policies and Actions	6-1
6.1.1	Cooperative Implementation Structure	6-1
6.1.2	Take Authorizations	6-2
6.1.3	Development Process Assurances	6-3
6.2	Implementing Agreement	6-4
6.2.1	Assurances in the Implementing Agreement	6-4
6.2.2	Changed Circumstances and Unforeseen Circumstances	6-5
6.3	City Implementation Actions and Process	6-7
6.3.1	Conservation Requirements Established in this Plan	6-8
6.3.2	Regulatory Actions	6-9
6.3.3	Interim Resource Protection	6-10
6.3.4	Development Review and Approval Process	6-12
6.3.5	Annual Implementation Coordination Meetings	6-14
6.4	Plan Amendment Process	6-15
6.5	Boundary Adjustments and Equivalency	6-15

TABLE OF CONTENTS (Continued)

<u>SECTION</u>	<u>TITLE</u>	<u>PAGE</u>
6.6	Annexations	6-17
6.7	Process for Adding Species to Covered Species List	6-18
6.8	Permanent Resource Protection	6-19
6.8.1	Local Regulations	6-19
6.8.2	Assurance of Long-term Biological Integrity	6-19
6.9	Relationship of Subarea Plan Approval to MHCP Core Conservation	6-20
6.9.1	Treatment of MHCP Core Conservation Areas in Encinitas Sphere of Influence	6-21
6.10	Cooperative MHCP Implementation Structure	6-21
6.10.1	Introduction and Overview	6-21
6.10.2	MHCP Committee Structure	6-22
6.10.3	MHCP Land Conservancy	6-23
6.10.4	MHCP Preserve Manager	6-23
7	PRESERVE MANAGEMENT	7-1
7.1	Preserve Manager	7-1
7.1.1	Responsibilities on Public Lands	7-2
7.1.2	Responsibilities on Private Lands	7-2
7.2	Framework Management Guidelines	7-3
7.3	Area-Specific Guidelines	7-12
7.3.1	Encinitas North	7-13
7.3.2	Encinitas South	7-17
7.3.3	Encinitas East	7-22
7.3.4	Sphere of Influence	7-24
7.4	Habitat Tracking, Reporting, and Monitoring	7-26
7.4.1	Habitat Tracking and Reporting	7-26
7.4.2	Commitment to Regional Monitoring Program	7-27
8	REFERENCES	8-1

TABLE OF CONTENTS (Continued)

LIST OF FIGURES

<u>NUMBER</u>	<u>TITLE</u>	<u>PAGE</u>
2-1	City of Encinitas Subarea Plan and MHCP Study Area	2-2
2-2	City of Encinitas Subarea Plan Biological Resource Areas	2-3
2-3	City of Encinitas Subarea Plan Generalized Land Ownership	2-7
2-4	City of Encinitas Subarea Plan Generalized Existing Land Use	2-11
2-5	City of Encinitas Subarea Plan Generalized Planned Land Use	2-15
2-6	City of Encinitas Circulation Element	2-17
3-1	City of Encinitas Subarea Plan Vegetation Communities	3-3
3-2	City of Encinitas Subarea Plan Vegetation Communities inside the BCLA	3-7
3-3	City of Encinitas Subarea Plan Endangered, Threatened, and Narrow Endemic Plant Species Locations	3-15
3-4	City of Encinitas Subarea Plan Gnatcatcher Locations	3-21
4-1	City of Encinitas Subarea Plan Focused Planning Area	4-3
4-2	City of Encinitas Subarea Plan Constrained Lands Outside the FPA	4-5
4-3	City of Encinitas Subarea Plan FPA and Softline Properties Requiring Site-Specific Standards	4-27
6-1	Project Review and Approval Process	6-13

TABLE OF CONTENTS (Continued)

LIST OF TABLES

<u>NUMBER</u>	<u>TITLE</u>	<u>PAGE</u>
1-1	Proposed Covered Species for the Encinitas Subarea Plan	1-2
1-2	Mandatory Requirements of an HCP	1-5
2-1	Generalized Land Ownership in Encinitas	2-6
2-2	Encinitas Existing Land Uses	2-10
2-3	Encinitas Planned Land Uses	2-13
2-4	Anticipated Public Improvement Projects	2-24
3-1	Acreage of Encinitas Vegetation Communities within the MHCP Study Area and Biological Core and Linkage Area (BCLA)	3-2
3-2	Sensitive Species Detected or Potentially Occurring in Encinitas	3-11
4-1a	Summary of Vegetation and Biological Core and Linkage Area (BCLA) Conserved within Encinitas	4-8
4-1b	Summary of Vegetation Types Conserved within Encinitas by Management Status	4-9
4-2	Native Landscaping Shrubs Suitable for Use Adjacent to Preserve Areas	4-15
4-3	MHCP Narrow Endemic Species List	4-20
4-4	Mitigation Standards for Impacts to Natural Vegetation and Habitat	4-23
5-1	Target Conservation of Natural Habitat	5-2
7-1	Common Invasive Exotic Plant Species	7-6

ACRONYMS AND ABBREVIATIONS

ACOE	Army Corps of Engineers
AT&SF	Atchison, Topeka, and Santa Fe
BCLA	Biological Core and Linkage Areas
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CNLM	Center for Natural Lands Management
EPA	U.S. Environmental Protection Agency
ESA	Federal Endangered Species Act
FPA	Focused Planning Area
GIS	Geographic Information System
HCP	Habitat Conservation Plan
HOA	homeowners association
I-5	Interstate 5
IA	Implementing Agreement
LCP	Local Coastal Program
LUP	Land Use Plan
MHCP	Multiple Habitat Conservation Program
MSCP	Multiple Species Conservation Program
NCCP	Natural Community Conservation Planning
NEPA	National Environmental Policy Act
Ogden Port	Ogden Environmental and Energy Services Co., Inc. Port of Los Angeles
SANDAG	San Diego Association of Governments
SDG&E	San Diego Gas and Electric Company
TEA-21	Transportation Equity Act for the 21st Century
USFWS	U.S. Fish and Wildlife Service

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SECTION 1 INTRODUCTION

1.1 PURPOSE AND NEED

The Encinitas Subarea Plan comprehensively addresses how the City of Encinitas, California, will conserve natural biotic communities and sensitive plant and wildlife species pursuant to the California Natural Community Conservation Planning (NCCP) Act of 1991 and the California and federal Endangered Species Acts (CESA and ESA). This plan is an NCCP and a Habitat Conservation Plan (HCP) pursuant to Section 10(a) of the ESA (as amended in 1982). Thus, approval and adoption of this plan will result in issuance of federal and state authorizations for the take of listed rare, threatened, or endangered species. These authorizations will be granted to the city by the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG), collectively referred to as the wildlife agencies. The city, in turn, may then authorize the taking of natural habitats or associated species by public or private projects within its jurisdiction as long as those biological resources are adequately conserved by, and the projects are consistent with and covered by, the provisions of this plan. Table 1-1 presents the list of species proposed for coverage under this plan.

Permits issued pursuant to this plan do not include Army Corps of Engineers (ACOE) 404 or CDFG 1601 permits for impacts to wetlands. However, this plan shall largely fulfill the requirements for endangered species consultation relative to wetlands permitting. This plan provides a basis for Section 7 consultation and issuance of a Biological Opinion by the USFWS for ACOE permits within the plan area. It does this by proactively identifying terms and conditions expected to be included in any Biological Opinions issued for ACOE permits within the city. Thus, approval of this plan should streamline the endangered species consultation process for wetland permits.

This plan provides regulatory certainty to landowners within the City of Encinitas and will aid considerably in conserving the region's biodiversity and in enhancing the overall quality of life for residents within this region of southern California. The plan addresses potential impacts to natural habitats and potential endangerment to species due to projects within the City of Encinitas. The plan also institutes a strategy to proactively mitigate these impacts on the city's biological resources. This comprehensive and proactive

Table 1-1

PROPOSED COVERED SPECIES FOR THE ENCINITAS SUBAREA PLAN

Species	Coverage in the Encinitas Subarea Contingent upon approved Subarea Plan in¹:
Plants	
San Diego thornmint	
San Diego ambrosia	Oceanside
Del Mar manzanita	
Encinitas baccharis	
Thread-leaved brodiaea	Carlsbad, San Marcos*
Wart-stemmed ceanothus	
Orcutt's spineflower	
Summer holly	
Del Mar Mesa sand aster	
Blochman's dudleya	Carlsbad, Oceanside
Short-leaved dudleya	
Sticky dudleya	Oceanside
San Diego button-celery	Carlsbad, San Marcos*
Cliff spurge	
San Diego barrel cactus	
Orcutt's hazardia	
San Diego marsh-elder	San Marcos
Nuttall's lotus	
Little mousetail	Carlsbad
Spreading navarretia	Carlsbad, San Marcos*
California Orcutt grass	Carlsbad
Torrey pine	
Nuttall's scrub oak	
Engelmann oak	Escondido
Animals	
Riverside fairy shrimp	Carlsbad, San Marcos*
San Diego fairy shrimp	Carlsbad, San Marcos*
Harbison's dun skipper	Escondido
Salt marsh skipper	
Quino checkerspot	
Western spadefoot toad	
Arroyo southwestern toad	Oceanside
Southwestern pond turtle	Escondido, Oceanside
Orange-throated whiptail	
California brown pelican	
White-faced ibis	
Cooper's hawk	Escondido, San Marcos
Osprey	
Golden eagle	

Table 1-1 (Continued)

PROPOSED COVERED SPECIES FOR THE ENCINITAS SUBAREA PLAN

Species	Coverage in the Encinitas Subarea Contingent upon approved Subarea Plan in ¹ :
Peregrine falcon	
Light-footed clapper rail	
Western snowy plover	
Elegant tern	
California least tern	
Southwestern willow flycatcher	Oceanside
Coastal cactus wren	Escondido
Coastal California gnatcatcher	Carlsbad, Oceanside
Western bluebird	Escondido
Least Bell's vireo	Oceanside
Yellow-breasted chat	Oceanside
Rufous-crowned sparrow	
Belding's Savannah sparrow	
Large-billed Savannah sparrow	
Bell's sage sparrow	Carlsbad, Escondido
Pacific pocket mouse	
Northwestern San Diego pocket mouse	
San Diego black-tailed jackrabbit	Escondido
Mountain lion	Escondido
Southern mule deer	Escondido

¹Coverage for the species within the Encinitas Subarea may be contingent on other MHCP cities that control major/critical locations or the majority of the species or its habitat. The controlling MHCP cities (listed here in the contingency column) must meet all Section 10(a), NCCP, and MHCP criteria within their boundaries in order for the species to be covered within the Encinitas Subarea. If no city is listed as a contingency, then the species will be covered within the Encinitas Subarea when Encinitas meets all Section 10(a), NCCP, and MHCP criteria within its boundaries.

*Assumes conservation of critical locations in major amendment area

approach provides local landowners and agencies greater certainty for economic development and conserves biological resources more effectively than the former piecemeal approach to species protection and mitigation. The plan provides direct economic benefits by eliminating current, unnecessary restrictions to development that result from the uncoordinated application of federal and state resource protection laws on a project-by-project basis.

Encinitas is one of seven cities in northern San Diego County that together comprise an NCCP subregion. As such, the city has been involved in the subregional Multiple Habitat Conservation Program (MHCP) from its inception in 1991. This subarea plan represents the contribution of the City of Encinitas to the MHCP and to regional NCCP conservation goals. The planning process for Encinitas is an outgrowth of the evolving subregional plan and is completely integrated with and consistent with the MHCP.

Preliminary biological analyses and attempts to define regional core areas and linkage areas for the MHCP set the stage for more refined planning within Encinitas. Specifically, MHCP planning suggested that remaining natural areas and open spaces in Encinitas would provide critical contributions to the conservation of some MHCP species. These include federally and state endangered or threatened bird species associated with the lagoons, such as the light-footed clapper rail (*Rallus longirostris levipes*), western snowy plover (*Charadrius alexandrinus nivosus*), California least tern (*Sterna antillarum browni*), and Belding's Savannah sparrow (*Passerculus sandwichensis beldingi*). Also important are the federally threatened coastal California gnatcatcher (*Polioptila californica californica*) in the northeastern portion of the city, and a number of sensitive plant species associated with southern maritime chaparral, such as Del Mar manzanita (*Arctostaphylos glandulosa* ssp. *crassifolia*), Encinitas baccharis (*Baccharis vanessae*), and Orcutt's spineflower (*Chorizanthe orcuttiana*).

1.2 REGULATORY COMPLIANCE OF THE PLAN

This plan was crafted to meet requirements of various state and federal regulations and to be consistent with local planning and zoning requirements of the City of Encinitas, as described below.

1.2.1 Federal Requirements

This subarea plan, in concert with the subregional MHCP Plan, completely fulfills the mandatory requirements of an HCP pursuant to Section 10(a)(1)(B) of the ESA, as amended in 1982. Section 10(a) allows the issuance of permits for the incidental take of threatened or endangered species and allows the inclusion of nonlisted species in the permit so long as conservation actions for these species treat them as if they were listed. The mandatory requirements of an HCP are listed in Table 1-2, along with information on where these requirements are specifically addressed by this plan.

1.2.2 State Requirements

This plan is a subarea plan under the subregional umbrella of the MHCP in northern San Diego County. As such, its objectives and policies are fully consistent with those of the MHCP and the NCCP Act of 1991. This subarea plan was also prepared in full compliance with all applicable standards and guidelines of the NCCP Act, including the NCCP Process and Conservation Guidelines (November 1993) for the southern California coastal sage scrub NCCP region.

Table 1-2

MANDATORY REQUIREMENTS OF AN HCP

Requirement:	Where Addressed:
1. Impacts likely to result from the proposed taking of one or more listed wildlife species	NEPA/CEQA* document
2. Measures the applicant will undertake to monitor, minimize, and mitigate such impacts	Sections 3, 4, 5, 6, and 7 of MHCP Plan; the NEPA/CEQA* document
3. Funding that will be made available to undertake such measures	Section 7 of MHCP Plan; Section 5 of this subarea plan
4. Procedures to deal with unforeseen circumstances	Implementing Agreement; Section 6 of this subarea plan
5. Alternative actions the applicant considered that would not result in take, and the reasons why such alternatives are not being used	NEPA/CEQA* document
6. Additional measures the USFWS may require as necessary or appropriate for purposes of the plan	Implementing Agreement

*NEPA/CEQA = National Environmental Policy Act/California Environmental Quality Act

Take authorizations for state-listed species can be granted by the CDFG under Section 2081 of the State Fish and Game Code for listed species and under Section 2835 for listed and nonlisted species conserved under an NCCP plan. The City of Encinitas can be issued take authorizations under Section 2835 for those species considered adequately conserved by this NCCP plan.

1.2.3 Subarea Plan Requirements

In addition to requirements described above, the City of Encinitas NCCP Subarea Plan incorporates the following elements:

1. Description and mapping of the subarea and subarea plan's preserve, and demonstration of how the subarea plan's preserve achieves the biological conservation goals of the MHCP (Section 4);
2. Proposed covered species list (Table 1-1);
3. Description of how the subarea plan will be implemented and funded (Section 5);
4. Commitment to participate in developing a funding source for MHCP implementation (Section 5);
5. Description of how local regulations will implement the subarea plan (Section 6);
and
6. Framework habitat management plan (Section 7).

SECTION 2

DESCRIPTION OF THE ENCINITAS SUBAREA

2.1 REGIONAL LOCATION

The City of Encinitas is located in north coastal San Diego County, in the southwestern portion of the MHCP subregion (Figure 2-1). The city is bounded on the north by Carlsbad, on the south by Solana Beach, and to the east by unincorporated lands in the County of San Diego. The Encinitas subarea encompasses 12,080 acres within the MHCP study area.^{1,2}

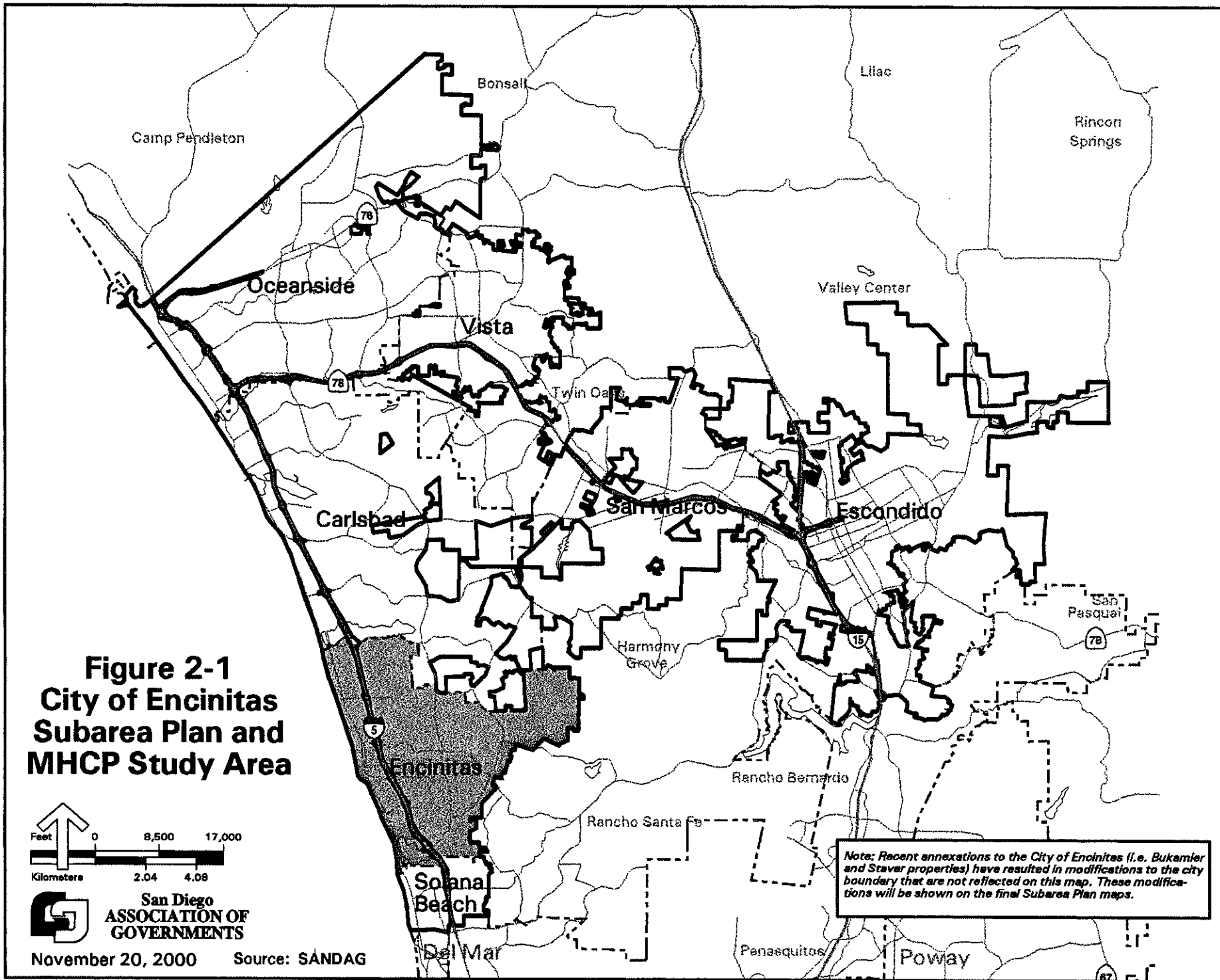
The City of Encinitas was incorporated in 1986 and encompasses an area of approximately 19.56 square miles (12,516 acres). The city's Sphere of Influence area, located just east of the existing incorporated boundary, includes approximately 830 acres. The city has an estimated population of 60,426 and 23,156 housing units (California State Department of Finance, January 1, 1999). The expected population at mid-range buildout is approximately 65,126 (City of Encinitas 1989, amended 1995).

The city supports regionally important biological resources along the coast (Batiqitos and San Elijo Lagoons) and in riparian and upland habitats (e.g., southern maritime chaparral, coastal sage scrub). Because the city is largely built out, remaining native habitat areas are restricted primarily to coastal lagoons and upland habitats along the city's periphery.

For the purpose of this document, the Encinitas subarea is divided into four primary areas (north, south, east, and Sphere of Influence) that correspond to those locations in which the majority of biological resources are found (Figure 2-2). The "northern area" (hereafter referred to as Encinitas North) encompasses the small portion of Batiqitos Lagoon that falls within the study area, as well as lands south and southeast of the lagoon, including Indian Head Canyon, Magdalena Ecke Park, the slopes above Green Valley, and habitat north of Encinitas Boulevard between El Camino Real and Rancho Santa Fe

¹ Acreage values may vary between text and tables due to the use of multiple data sources.

² Recent annexations to the City of Encinitas (i.e., Bukamier and Staver properties) have resulted in modifications to the acreage values presented in this text; these modifications are not included at this time, but will be incorporated into the final Subarea Plan.



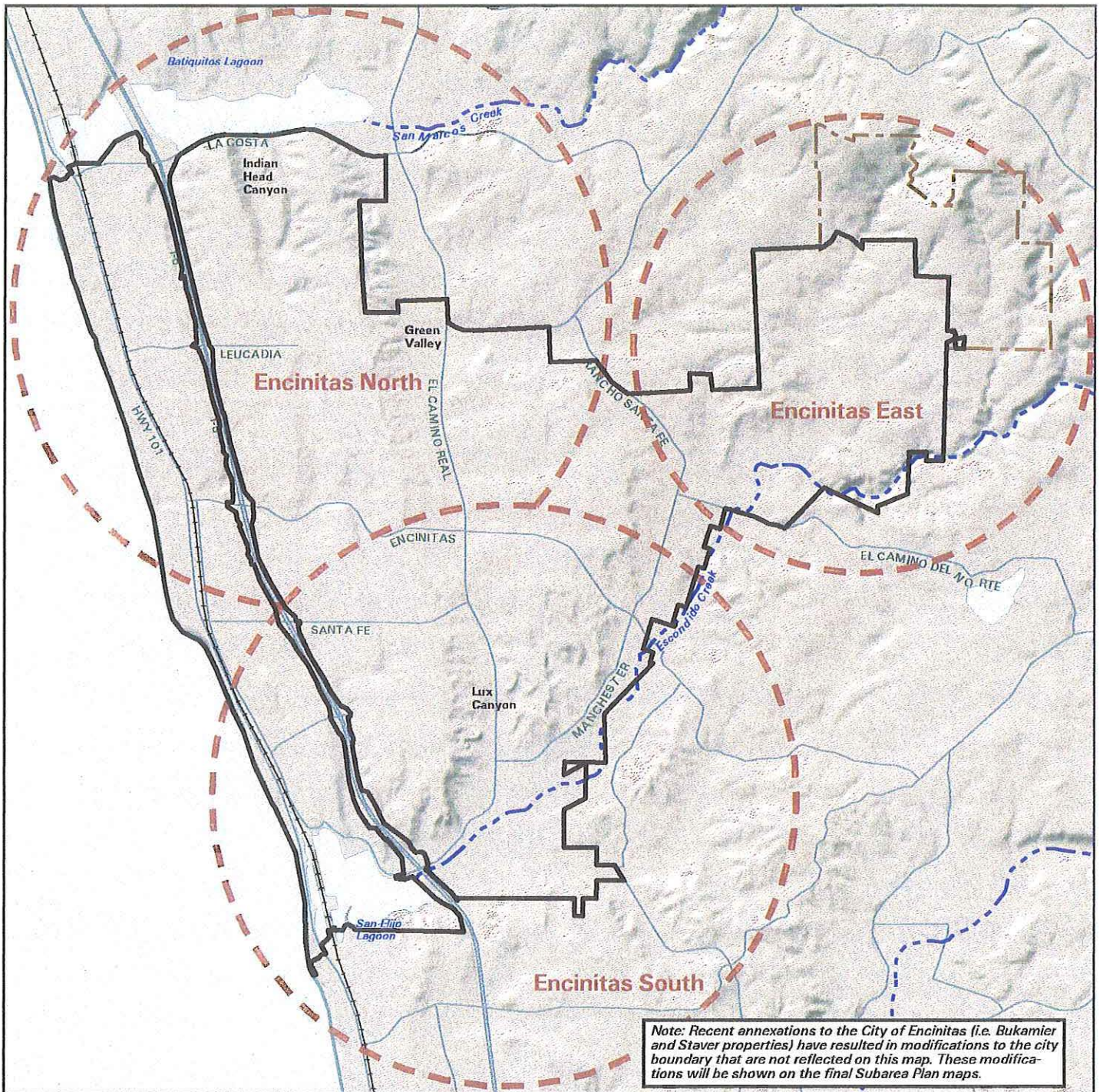

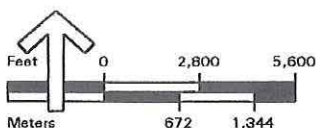


Figure 2-2.
City of Encinitas Subarea Plan
Biological Resource Areas

 Sphere of Influence



Road. Encinitas North also includes Quail Botanical Gardens, which is disjunct from the above-mentioned areas.

The “southern area” (Encinitas South) consists of San Elijo Lagoon and adjacent slopes to the north and south, Escondido Creek to El Camino del Norte, and upland habitat in the vicinity of Lux Canyon (i.e., east and west of El Camino Real). Encinitas South also includes Oak Crest Park.

The “eastern area” (Encinitas East) includes those lands in the northeastern corner of the study area, east of Rancho Santa Fe Road and north of El Camino del Norte.

The Sphere of Influence area includes approximately 830 acres of land located north and east of the easternmost boundary of the incorporated area. Development of lands within this area must be consistent with the City of Encinitas Subarea Plan (if annexed to the city) or the County of San Diego North County Plan.

These four areas will be used throughout this plan to describe and discuss biological resources, as appropriate. Note that smaller areas of natural habitat occur between these main blocks (e.g., finger canyons, parks, open space associated with residential development). For the most part, these small areas are considered less valuable to the overall preserve design than larger blocks of habitat that have some contiguity with resources inside or outside the MHCP.

2.2 LAND OWNERSHIP AND LAND USES

The majority of land in Encinitas is privately owned and currently used or zoned for residential, commercial and office, industrial, and agricultural land uses. The following sections detail patterns of land ownership and use relevant to conservation planning in the city.

2.2.1 Land Ownerships

Table 2-1 and Figure 2-3 illustrate land ownership patterns throughout the city. Approximately 75 percent of the land in the incorporated city (9,022 acres) is privately

Table 2-1
GENERALIZED LAND OWNERSHIP IN ENCINITAS

Ownership Classification	Natural Habitats (acres)	Eucalyptus Woodlands (acres)	Disturbed Land (acres)	Agriculture (acres)	Developed (acres)	Total Acreage ^{1,2,3}	Percent of Total
Road Right-of-Way ⁴	53	6	6	69	1,417	1,551	12.8
City	67	4	---	3	69	143	1.2
County	551	14	33	1	36	635	5.3
School Districts	24	---	---	4	186	213	1.8
Water & Other Special Districts	29	---	1	6	95	131	1.1
State (Fish and Game)	274	31	---	---	4	309	2.6
Other State	6	---	---	---	62	68	0.6
Federal	---	---	---	---	1	1	0.0
Private	1,636	34	44	1,027	6,281	9,022	74.7
Total	2,640	89	83	1,111	8,151	12,074	100

¹ Numbers in columns may not sum to total due to rounding.

² Total acreage values may vary slightly between tables due to the use of multiple data sources.

³ Recent annexations to the City of Encinitas (i.e., Bukamier and Staver properties) have resulted in modifications to the acreage values presented in this table; these modifications are not included here, but will be incorporated into the final Subarea Plan.

⁴ Does not include Caltrans right-of-way, which is not part of the Encinitas Subarea Plan.

Source: SANDAG Generalized Land Ownership Database, 1995.

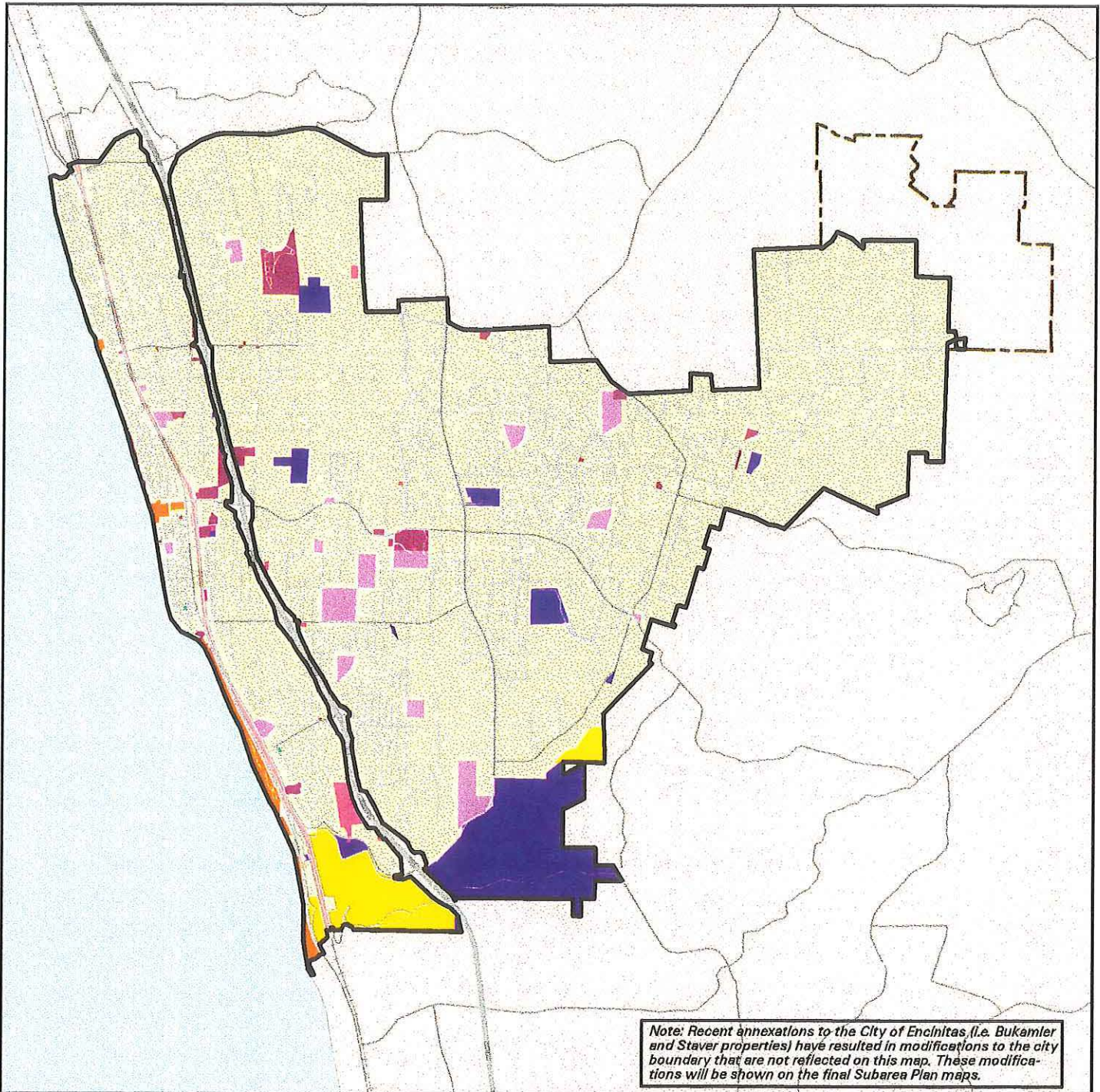
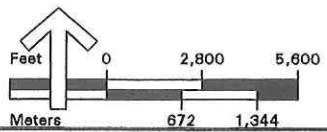


Figure 2-3
City of Encinitas Subarea Plan
Generalized Land Ownership

- | | | | |
|------------------|--|-----------------------|---------------------|
| City | Water and Sanitation Districts | Other State Lands | Sphere of Influence |
| County | Other Local Lands | Other Federal Lands | |
| School Districts | California Department of Fish and Game | Privately Owned Lands | |



owned. The remaining 25 percent (3,052 acres) of the incorporated city's land area is owned by various public agencies.

Approximately 70 percent (2,741 acres) of undeveloped lands are privately owned. These privately owned lands include the majority of remaining natural habitats (1,636 acres) in the city. Undeveloped lands include natural habitats, eucalyptus woodlands, disturbed land, and agriculture.

An additional 74 acres are in city ownership, and most of this is natural habitats. The County of San Diego owns 599 acres of the undeveloped lands in Encinitas, while the CDFG owns 305 acres of the undeveloped lands. Federal, state, and other public agencies own the remaining undeveloped land (204 acres). The amount of disturbed land in the city is relatively low, constituting only about 2 percent (83 acres) of all undeveloped lands.

2.2.2 Major Land Uses

Existing (1995) land uses (Table 2-2; Figure 2-4) in Encinitas are dominated by residential, recreational, and agricultural land uses, and public facilities. The majority of the city has been built-out.

Planned (1995) land uses (Table 2-3; Figure 2-5) in Encinitas are dominated by residential uses, public facilities, and parks and open space.

2.2.3 Transportation and Utility Corridors

Figure 2-6 illustrates major transportation corridors and roads that are relevant to conservation planning in the city. Several prime or major arterial roadways within Encinitas are key landscape features relevant to preserve planning. The Interstate 5 (I-5)-Manchester Avenue interchange is associated with San Elijo Lagoon, while the I-5-La Costa Avenue interchange is associated with Batiquitos Lagoon. Manchester Avenue runs along the northern boundary of San Elijo Lagoon, and South Coast Highway 101 forms the western boundary of the lagoon. La Costa Avenue is situated along the southern edge of Batiquitos Lagoon. Manchester Avenue and La Costa Avenue are prime and major arterials, respectively, and their presence may inhibit wildlife

Table 2-2
ENCINITAS EXISTING LAND USES

General Land Use Description	Total Acres^{1,2}	Percent of Total
Residential		
Rural Residential	836	6.9
Single-Family Residential	3,364	27.9
Mobile Home Parks	52	0.4
Multi-Family Residential	473	3.9
<i>Subtotal, Residential</i>	<i>4,725</i>	<i>39</i>
Commercial & Office		
Shopping Center	49	0.4
Commercial & Office	296	2.5
<i>Subtotal, Commercial & Office</i>	<i>345</i>	<i>2.9</i>
Industrial		
Light Industry	21	0.2
Public Facilities		
Transportation, Communication, & Utilities ³	1,702	14.1
Educational	177	1.5
Institutional	138	1.1
<i>Subtotal, Public Facilities</i>	<i>2,017</i>	<i>16.7</i>
Parks & Recreation		
Commercial Recreation	201	1.7
Parks	1,620	13.4
<i>Subtotal, Parks & Recreation</i>	<i>1,821</i>	<i>15.1</i>
Agriculture		
Intensive Agriculture	920	7.6
Extensive Agriculture	412	3.4
<i>Subtotal, Agriculture</i>	<i>1,332</i>	<i>11.0</i>
Undeveloped		
Undeveloped	1,582	13.1
Water	231	1.9
<i>Subtotal, Undeveloped</i>	<i>1,813</i>	<i>15.0</i>
Total	12,074	100

¹ Total acreage values may vary slightly between tables due to the use of multiple data sources.

² Recent annexations to the City of Encinitas (i.e., Bukamier and Staver properties) have resulted in modifications to the acreage values presented in this table; these modifications are not included here, but will be incorporated into the final Subarea Plan.

³ Includes 1,551 acres due to road rights-of-way (excludes Caltrans right-of-way, which is not part of the Encinitas Subarea Plan).

Source: SANDAG Existing Generalized Land Use Database, 1995.

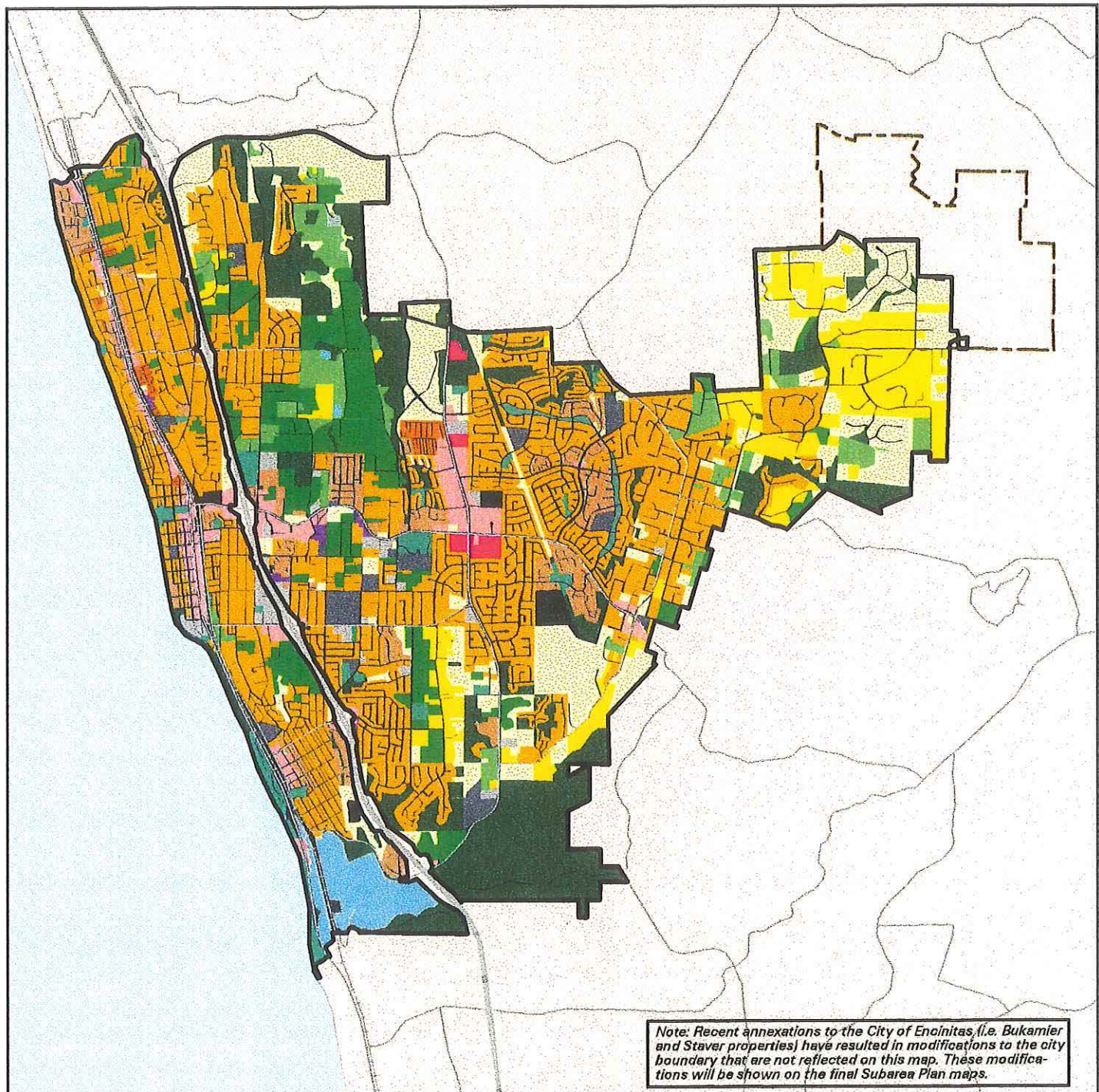


Figure 2-4
City of Encinitas Subarea Plan
Generalized Existing Land Use

- | | | | | |
|-------------------|------------------------|-----------------------|-----------------------|---------------------|
| Rural Residential | Shopping Centers | Education | Intensive Agriculture | Sphere of Influence |
| Single Family | Commercial & Office | Institutions | Extensive Agriculture | |
| Mobile Homes | Light Industry | Commercial Recreation | Water | |
| Multiple Family | Trans/Commun/Utilities | Parks | Undeveloped | |

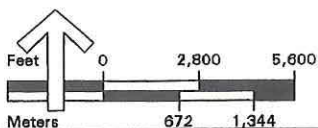


Table 2-3
ENCINITAS PLANNED LAND USES

General Land Use Description	Natural Habitats (acres)	Eucalyptus Woodlands (acres)	Disturbed Land (acres)	Agriculture (acres)	Developed (acres)	Total Acres ^{1,2,3}	Percent of Total
Residential							
Rural Residential	1,259	22	28	592	1,774	3,675	30.4
Single-Family Residential	473	17	8	427	3,881	4,805	39.8
Mobile Home Parks	---	---	---	---	43	43	0.4
Multi-Family Residential	5	---	---	1	133	139	1.2
<i>Subtotal, Residential</i>	<i>1,738</i>	<i>39</i>	<i>36</i>	<i>1,019</i>	<i>5,831</i>	<i>8,662</i>	<i>71.7</i>
Commercial & Office	8	---	5	5	347	364	3.0
Industrial	0	---	---	---	24	25	0.2
Public Facilities							
Transportation, Communications, & Utilities ⁴	72	6	7	75	1,483	1,643	13.6
Educational & Institutional	44	2	33	10	304	393	3.3
<i>Subtotal, Public Facilities</i>	<i>116</i>	<i>8</i>	<i>39</i>	<i>85</i>	<i>1,788</i>	<i>2,036</i>	<i>16.9</i>
Parks & Open Space	778	42	3	2	161	986	8.2
Total	2,640	89	83	1,111	8,151	12,074	100

¹ Numbers in columns may not sum to total due to rounding.

² Total acreage values may vary slightly between tables due to the use of multiple data sources.

³ Recent annexations to the City of Encinitas (i.e., Bukamier and Staver properties) have resulted in modifications to the acreage values presented in this table; these modifications are not included here, but will be incorporated into the final Subarea Plan.

⁴ Includes 1,551 acres due to road rights-of-way (excludes Caltrans right-of-way, which is not part of the Encinitas Subarea Plan).

Source: SANDAG Existing Generalized Land Use Database, 1995.

movements between lagoon and upland habitats. The recent extension of Leucadia Boulevard eastward through Encinitas Ranch bisects valuable southern maritime chaparral habitat on the slopes above Green Valley. This road extension incorporates a wildlife corridor at the Green Valley bluff, as well as a bridge over Encinitas Creek to minimize wetland impacts.

Major utilities in the City of Encinitas include several transmission line systems, such as power lines and pipelines. San Diego Gas and Electric Company (SDG&E) maintains a 150-foot-wide power line easement that traverses the city from north to south. This easement passes through the Manchester Mitigation Bank in the south and natural habitat east of El Camino Real and just south of Olivenhain Road in the north. In addition to electric lines, this easement also carries a gas main and a major pipeline. A second major power line easement traverses the northeastern corner of the city, from northwest to southeast. Both major powerline easements have a zoning designation of Ecological Resource/Open Space/Park (City of Encinitas 1989, amended 1995).

Another major pipeline is located within the Atchison, Topeka, and Santa Fe (AT&SF) railway line along San Elijo Avenue and Vulcan Avenue and is used for transporting natural gas. This line traverses sensitive habitats associated with San Elijo Lagoon. A smaller, high-pressure line connects with this major pipeline and extends eastward along Encinitas Boulevard (City of Encinitas 1989, amended 1995).

2.3 GENERAL PLAN, LOCAL ZONING, AND ORDINANCES

Existing city documents, codes, and policies contain numerous references to conservation and preservation of open space in the City of Encinitas. Most notable are the city's General Plan and Local Coastal Program Land Use Plan, Zoning Ordinance, and the Encinitas Ranch Specific Plan. Policies and regulations are also found in various ordinances, including the Grading, Erosion and Sediment Control ordinance. Implementation of the goals, objectives, and policies contained in the documents may occur through discretionary or ministerial permit review, or through realization of city public works projects.

The following sections describe the various documents or procedures and the city's ability to apply them in implementing an NCCP subarea plan. The city will use or, in

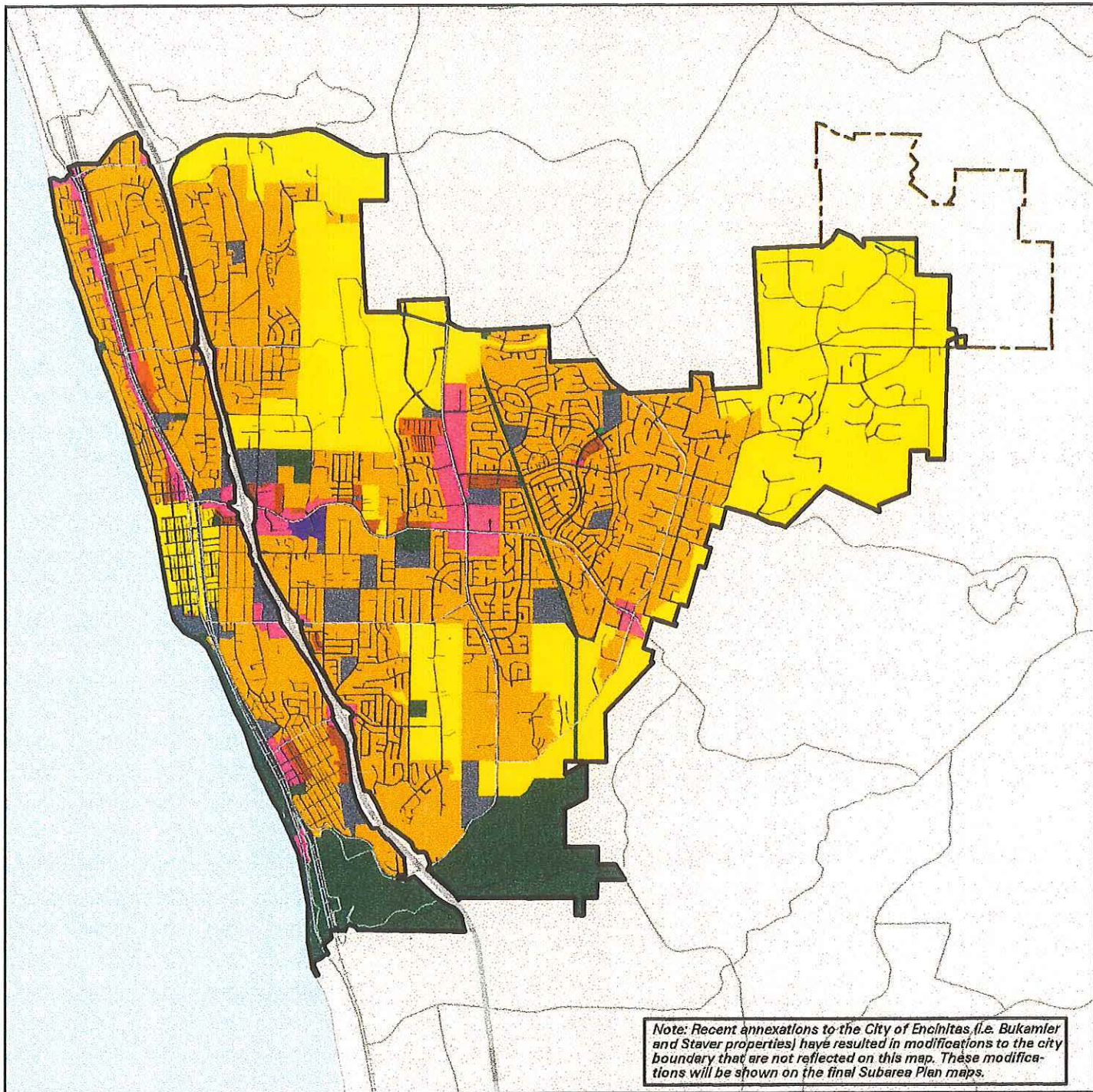
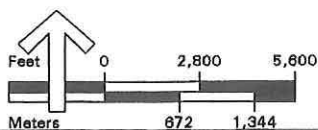


Figure 2-5
City of Encinitas Subarea Plan
Generalized Planned Land Use

- | | | | |
|---------------|--------------------------|---|---------------------|
| Spaced Rural | Multiple Family | Transportation, Communication and Utilities | Sphere of Influence |
| Single Family | Commercial and Office | Education & Institutions | |
| Mobile Homes | Heavy and Light Industry | Parks/Open Space | |



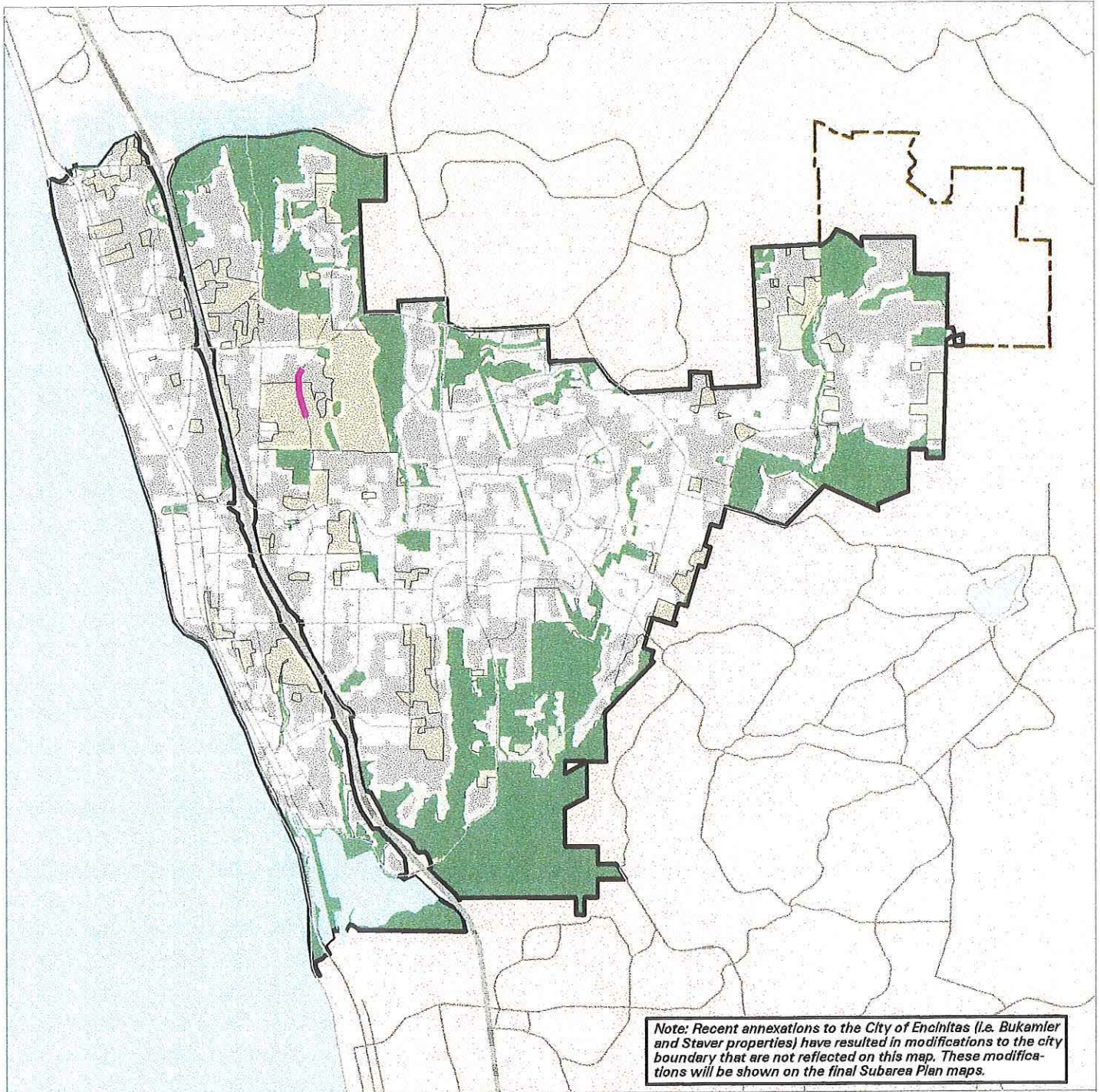
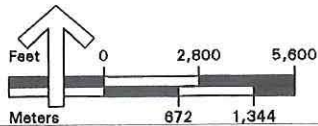


Figure 2-6
City of Encinitas Subarea Plan
Circulation Element

- | | | | |
|------------------------------|----------------|------------------------------|---------------------|
| Natural Habitats | Freeway | Local Collector | Sphere of Influence |
| Agricultural Land | Prime Arterial | Rural Collector | |
| Developed and Disturbed Land | Major | Local | |
| Focused Planning Area | Collector | Existing roads shown in grey | |



some instances, must amend or supplement the basic tools described below in order to implement the subarea plan. The actions the city will take to assure plan implementation are discussed in Section 6.3.2.

2.3.1 City of Encinitas General Plan

The City of Encinitas General Plan is the long-range, public policy document guiding the private and public development of lands within Encinitas. The General Plan acknowledges that Encinitas is at a critical juncture in its history where decisions made about development need to address the maintenance of natural resources and other amenities that have made it a desirable community. As a majority of the city is located within the California Coastal Zone, issues and policies related to requirements of the California Coastal Act are included within the General Plan. The policies are combined to create the General Plan and Local Coastal Program Land Use Plan (LCP) for the City of Encinitas. Therefore, the term “General Plan” is used to refer to both the city’s General Plan and Local Coastal Program Land Use Plan (LCP-LUP).

2.3.1.1 General Plan Elements

The General Plan document contains vision statements, goals, and policies for various issues affecting the natural and built environment. The following elements are particularly applicable to conservation and open space.

Land Use Element. This element contains general policies regarding development of sensitive lands and slopes. Goal 8 states that environmentally and topographically constrained areas within the city shall be preserved to the greatest extent possible to minimize risk associated with development. The preservation of natural open spaces, slopes, bluffs, and lagoon areas, as well as the maintenance of view corridors, are discussed in more detail in Goal 9. Subsequent policies focus on preserving the rich natural resources found within the city. Specific studies and identification of mitigation measures are required prior to considering development on steep slopes (over 25 percent). Uses are limited in coastal and floodplain areas. Lot area averaging and Planned Residential Developments are permitted to compensate for required lower densities on sensitive lands. Policies also discuss the creation of Special Study Overlay designations that would be applied to lands that, due to their sensitive nature, should only

be developed with consideration of specific constraints and features. The overlay zones are described in the Zoning Ordinance.

The designation of Ecological Reserve/Open Space/Parks is applied to both active and passive parklands, lagoons, wetland habitat areas and their adjacent buffers, and other areas of significant environmental quality or public resource value. Lands other than public parks and similar active recreation areas are limited to activities related to habitat enhancement, educational and scientific nature study, passive recreation, and aquaculture with no adverse impacts on visual quality, natural processes, or scientific quality. Buffers adjacent to saltwater wetlands and freshwater riparian areas are generally a minimum 100 and 50 feet wide, respectively, unless smaller buffers are approved after consultation with the wildlife agencies.

Public Safety Element. This element identifies goals and policies to minimize risks associated with natural and man-made hazards. Many of the policies echo those of the Land Use element with respect to limiting development in sensitive areas such as steep slopes and bluffs. Hazard areas associated with risk of fire and flood are also identified.

Resource Management Element. This element combines the Conservation and Open Space elements of the General Plan. The document provides an evaluation of the environment and a program for planned management, wise utilization, and preservation of natural resources. Goals and policies describe preservation of water quality and groundwater resources, trees, habitat areas, community views and aesthetic amenities, air quality, cultural resources, coastal areas, plant resources, and environmentally sensitive areas. All new development is to be consistent with the multi-species and multi-habitat preservation goals and requirements as established in the statewide NCCP Act. Coordination with state and federal agencies is required. The element specifically states the need for management of wetland resources at San Elijo Lagoon, Batiquitos Lagoon, Escondido and Encinitas Creeks, and their significant upstream feeder creeks (Policy 10.9).

The Resource Management element includes the “Resource Management Plan.” Areas of the city are identified as areas of Low, Moderate, or High Sensitivity for impacts to natural, visual, and cultural resources. Implementation of the General Plan goals and

policies is accomplished through development review and future studies at a project level.

Recreation Element. This element is closely tied to the Land Use and Resource Management elements. Many of the goals and policies of the three elements overlap and support one another. Specifically, the maintenance and preservation of open space resources are adopted goals of the Recreation Element (Goals 1 and 2). The “Park and Recreation Plan” includes a discussion of regional parks including Quail Botanical Gardens and San Elijo Lagoon Regional Park. Batiquitos Lagoon is set aside as a protected reserve. This element does not provide specific standards to this category of facilities other than to recognize their unique function in preserving significant natural ecological areas.

2.3.2 City of Encinitas Zoning Ordinance (Municipal Code, Title 30 - Zoning)

The stated purpose of the Zoning Ordinance is to regulate the use of property so as to protect, promote, and enhance public safety, health, and welfare. As a regulatory document, the Zoning Ordinance and California Environmental Quality Act (CEQA) require environmental review for all discretionary actions.

2.3.2.1 Districts and Overlay Zones

Specific districts are established by the Zoning Ordinance, including the Ecological Resource/Open Space/Parks zone, which provides for land that is ecologically significant and has been set aside for preservation as open space, or land that has been set aside for the public’s use. This district permits limited use of land while protecting and conserving open space as a limited and valuable resource. Permitted uses include agriculture, minor utilities, and one single-family residence per site. Conditional uses include park and recreational facilities, camps, equestrian facilities, theaters, educational facilities, museums, land reclamation projects, and major utilities.

Overlay zones are established that implement the Special Purpose Overlay policies of the General Plan. The Coastal Bluff, Hillside/Inland Bluff, Floodplain, and Cultural/Natural Resources Overlay zones each address specific development regulations for sensitive features. In all instances, discretionary approvals are required prior to development and

must be based on various technical studies, reports, and mitigation measures prepared for the projects. Encroachment for development in steep slope areas is limited to between 10 and 20 percent depending on the amount of a parcel containing slopes greater or equal to 25 percent grade. While the Cultural/Natural Resources Overlay zone requires study and mitigation for impacts to biotic resources, no specific development standards, encroachments, or mitigation ratios are provided.

2.3.3 Grading, Erosion, and Sediment Control (Municipal Code Chapter 23.24)

This chapter of the Municipal Code is also known as the City of Encinitas Grading, Erosion, and Sediment Control ordinance. Its stated purpose is to establish minimum requirements for grading to provide for the issuance of grading permits that promote health, safety, and welfare and maintain the natural scenic character of the city. Other objectives of this ordinance are to ensure that soil erosion, sedimentation, and increased rates of runoff and related environmental damage are controlled and that direct take of sensitive species during the breeding season is avoided.

2.3.3.1 Permit Requirements

General exemptions from a grading permit can be granted for minor activities including those that disturb 10,000 square feet of land or less, and that include natural and finished slopes of 10 percent or less. The ordinance describes permit application requirements including soils and engineering reports, where required, final erosion and sediment control plans, and environmental review. Permits can be denied or revoked for hazardous grading activities, geologic hazards, flood hazards, or failure to comply with permit requirements. Violations result in double permit fees, notices of grading violations, and possible actions taken against the securities that must be posted with each permit.

2.3.4 Encinitas Fire Ordinance

The city implements the current version of the Wildland/Urban Interface Development Standards developed by the San Diego County Wildland/Urban Interface Task Force and last modified in August 1997.

2.3.5 Encinitas Ranch Specific Plan

The Encinitas Ranch Specific Plan was adopted in 1994 and was most recently amended in March 1998 (T & B Planning Consultants, Inc. 1994, amended 1998). The specific plan covers a total of approximately 853 acres in the west-central portion of the city. The specific plan area lies approximately 1 mile south of La Costa Avenue and 0.5 mile north of Encinitas Boulevard, between I-5 and El Camino Real.

2.3.5.1 Land Uses and Resource Preservation

A variety of land uses are provided in the specific plan, including open space, golf course, agricultural, commercial, and residential uses. Sensitive resources onsite include sensitive vegetation communities (e.g., Diegan coastal sage scrub, southern maritime chaparral, riparian scrub, freshwater marsh, and existing ponds/reservoirs), slopes greater than 25 percent, blueline streams, and a 100-year floodplain. Much of the steep slope and biological habitat areas are preserved in open space. The floodplain is an approximately 26-acre linear greenbelt that supports a hiking trail while also managing storm water flows and detention, sedimentation, and urban runoff. A habitat linkage connects open space areas to the west (e.g., Indian Head Canyon, Magdalena Ecke Park, and open space easements adjacent to Saxony Road) and the open space preserved along the inland bluff on the Encinitas Ranch. A minimum 25- to 50-foot-wide landscape buffer is required between natural open space areas and development in the Specific Plan Area. The document does not directly reference the NCCP program or the MHCP.

2.4 ANTICIPATED PUBLIC PROJECTS

Table 2-4 presents a list of anticipated public projects in the City of Encinitas.

Table 2-4
ANTICIPATED PUBLIC IMPROVEMENT PROJECTS

Public Project	Estimated Impact (acres) ¹
Citywide Plans	
Recreation Trails Master Plan Implementation*	TBD
General Plan Circulation Element Implementation*	TBD
Bikeway Master Plan Implementation	TBD
Safe Route to School Program Implementation	TBD
Water Master Plan Implementation*	TBD
Drainage Projects	
Leucadia Nuisance Water Collection System	1-3
Manchester Avenue/Lux Canyon Culvert*	1-3
Cottonwood Creek Restoration*	5-10
Encinitas Boulevard Drainage Improvements	<1
Neptune Avenue Storm Drain	1-3
Wastewater Projects	
SEJPA Outfall Regulator	TBD
Olivenhain Trunk Sewer Monitoring, Rehabilitation, and Easement Access*	5-20
SEJPA Plant Capital Improvements (Various)	TBD
Bumann Road (Thornburgh) Sewer Extension	TBD
Moonlight Beach Force Main Rehabilitation	1-3
Parallel Olivenhain Transfer Sewer Line (Manchester Road)	TBD
Public Facilities	
Library	TBD
Public Works Yard	TBD
Parks and Beaches	
Manchester Sports Park Development*	2-3
Community/Senior Center	<1
Encinitas Sanitary District (ESD) Site Development*	3-5
Sand Retention/Beach Nourishment Program	TBD
Sun Vista Park Development*	<1
Cardiff Sports Park Expansion Development	TBD
Indian Head Canyon Park Development*	10-15
Moonlight Beach Park Master Plan Improvements*	2-3
Quail Gardens Drive Park Development	1-3
San Elijo Bluff Parcels Improvements	1-2
Hawkview Park Expansion*	1-2

Table 2-4 (Continued)
ANTICIPATED PUBLIC IMPROVEMENT PROJECTS

Public Project	Estimated Impact (acres)¹
Streets and Roads	
Coast Highway 101 Beautification Project	TBD
Coast Highway 101 Protection Study	TBD
South Coast Highway 101 Bicycle and Pedestrian Improvements	TBD
South Coast Highway 101/San Elijo Lagoon Mouth Restoration*	TBD
I-5 Interchange at Manchester Avenue Reconstruction*	5-7
I-5 Interchange at Encinitas Boulevard Reconstruction	3-5
Manchester Avenue Improvements (I-5 to El Camino Real)*	3-5
Manchester Avenue Improvements (El Camino Real to "Four Corners")*	3-5
La Costa Avenue/Vulcan Avenue/North Coast Highway 101 Intersection Improvements	1-2
La Costa Avenue Improvements (I-5 to North Coast Highway 101)	1-3
Santa Fe Drive Improvements (I-5 to El Camino Real)	1-3
Realignment of Rancho Santa Fe Road at Encinitas Boulevard	1-2
Rancho Santa Fe Road Improvements	3-5
Rancho Santa Fe Road Bike and Pedestrian Improvements	1-2
Quail Gardens Drive Extension and Widening	5-7
Coastal Rail Trail	TBD
San Elijo Bridge Relocation Study	TBD
Miscellaneous Pavement Reconstruction/Drainage Improvements (citywide)	TBD
Various Sidewalk Improvements (citywide)	TBD
Various Overhead Utility Undergrounding	TBD
Water Projects	
Various Water Distribution Line and Valve Improvements (citywide)	TBD
ESD Park Site Water Improvements	1-2

¹Approximate acreage of impact anticipated from the implementation of the public project. TBD indicates that the estimated impact acreage is unknown at this time.

*Denotes public projects that could directly impact the Focused Planning Area (FPA)

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SECTION 3 BIOLOGICAL RESOURCES

3.1 EXISTING INFORMATION

Two primary sources of information were used to describe the existing biological conditions in Encinitas: (1) the regional MHCP digital database, developed by Ogden Environmental and Energy Services Co., Inc. (Ogden) and the San Diego Association of Governments (SANDAG) and (2) environmental documents provided by the City of Encinitas. The regional database included the following data layers: vegetation communities, sensitive species locations (primarily sightings from 1985 through 1994), roads and parcel boundaries, and topographic and other features. This database was updated in 1998 using recent limited field verifications and environmental documents provided by the city. Documents included environmental impact reports, biological technical reports, letter reports detailing results of biological surveys, mitigation plans, and habitat management plans that provided sensitive species locations and vegetation maps.

3.2 VEGETATION COMMUNITIES AND BIOLOGICAL CORE AND LINKAGE AREAS

An estimated 2,634 acres of natural habitat remain in Encinitas (Table 3-1; Figure 3-1). Much of this acreage occurs in relatively large blocks of habitat adjacent to developed areas. The most abundant vegetation community in Encinitas is coastal sage scrub (852 acres), followed by southern maritime chaparral (561 acres). Wetland habitats (832 acres) are also important in Encinitas, nearly equaling coastal sage scrub in acreage when considered without regard to type. Important wetland habitats include marshes, estuaries, and riparian scrub. Refer to the MHCP Goals, Standards, and Guidelines (Ogden 1998) for definitions of major stands and critical locations of specific vegetation communities.

Sensitive habitats that are subject to environmental regulations or support sensitive species within the planning area include coastal sage scrub, alkali marsh, freshwater marsh, riparian habitats, and other habitats known to support species listed under the ESA and CESA. The MHCP habitat evaluation model map, along with the MHCP database of target species information, vegetation communities, and basic tenets of preserve design,

Table 3-1

**ACREAGE OF ENCINITAS VEGETATION COMMUNITIES
WITHIN THE MHCP STUDY AREA AND BIOLOGICAL CORE
AND LINKAGE AREAS (BCLA)**

Vegetation Type	Total Encinitas MHCP Study Area (acres) ^{1,2,3}	BCLA Habitat in Encinitas MHCP Study Area (acres [%]) ^{1,4}
Southern Coastal Bluff Scrub	-	-
Maritime Succulent Scrub	-	-
Coastal Sage Scrub	852	811 (95%)
Chaparral	198	197 (100%)
Southern Maritime Chaparral	561	519 (93%)
Coastal Sage/Chaparral Mix	-	-
Grassland	185	152 (82%)
Southern Coastal Salt Marsh	119	119 (100%)
Alkali Marsh	141	141 (100%)
Freshwater Marsh	116	116 (100%)
Riparian Forest	3	3 (100%)
Riparian Woodland	48	48 (100%)
Riparian Scrub	223	205 (92%)
Engelmann Oak Woodland	-	-
Coast Live Oak Woodland	-	-
Other Oak Woodlands	-	-
Freshwater	6	3 (54%)
Estuarine	161	161 (100%)
Disturbed Wetland	12	6 (48%)
Natural Floodchannel/Streambed	-	-
Beach	5	5 (100%)
Saltpan/Mudflats	3	3 (100%)
NATURAL HABITATS	2,634	2,490 (95%)
Agriculture (type unknown)	75	27
Orchards, Vineyards	3	-
Intensive Agriculture	588	21
Field & Pasture Agriculture	452	132
AGRICULTURE	1,118	180
Eucalyptus Woodland	88	NA
Disturbed Land	83	NA
Urban/Developed	8,156	NA
NON-NATURAL HABITATS	8,327	NA
TOTAL	12,080	

¹ Numbers may not sum to totals as shown, due to rounding.

² Total acreage values may vary slightly between tables due to the use of multiple data sources.

³ Recent annexations to the City of Encinitas (i.e., Bukamier and Staver properties) have resulted in modifications to the acreage values presented in this table; these modifications are not included here, but will be incorporated into the final Subarea Plan.

⁴ Percent (%) shown is the percent of total habitat in Encinitas that is included within the BCLA.

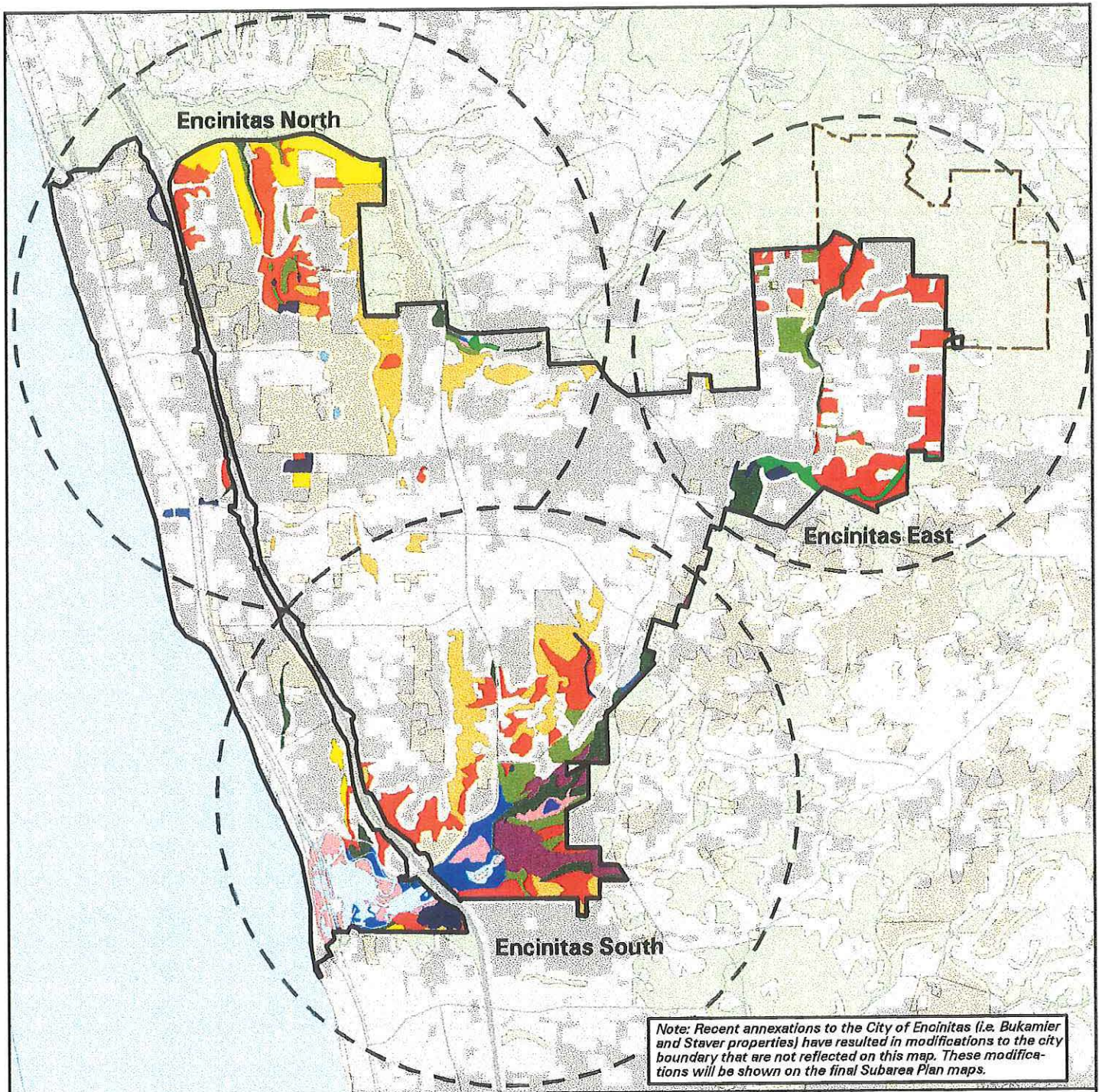
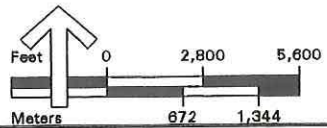


Figure 3-1.
City of Encinitas Subarea Plan
Vegetation Communities

- | | | | | | |
|-----------------------|----------------------|---------------------|----------------------|---------------------------------------|---------------------|
| Coastal Sage Scrub | S. Coastal Saltmarsh | Riparian Woodland | Freshwater | Disturbed Land | Sphere of Influence |
| Chaparral | Alkali Marsh | Riparian Scrub | Disturbed Wetland | Agriculture | |
| S. Maritime Chaparral | Freshwater Marsh | Eucalyptus Woodland | Beach | Urban/Developed | |
| Grassland | Riparian Forest | Estuarine | Saltpan and Mudflats | Natural Habitats Outside of Encinitas | |
| | | | | | |



were used to develop the Biological Core and Linkage Areas (BCLA) for the MHCP planning area. The regional BCLA was used without revision for the Encinitas Subarea Plan because it was found to be an adequate representation of important biological areas for subarea planning as well (Figure 3-2). The BCLA serves as the "best case" conservation alternative because it identifies all large contiguous areas of habitat and all important functional linkages and movement corridors between them. Due to the high degree of urbanization within Encinitas, large blocks of natural habitats remaining in the city occur primarily along its perimeter. Many of these areas were identified as biological core areas under the MHCP. These core areas also contribute to or function as regional landscape linkages that connect coastal and inland habitats within and beyond the boundaries of the MHCP. Core and linkage areas in the Encinitas subarea planning area are described below with respect to their contributions as part of a regional linkage or wildlife movement corridor. Table 3-1 summarizes acreages of vegetation communities in the BCLA.

3.2.1 Encinitas North

This area supports coastal sage scrub, southern maritime chaparral, southern mixed chaparral, grassland, and riparian communities (Figure 3-1). Within this area, coastal sage scrub south of Batiquitos Lagoon has been identified as both a major stand and critical location for conservation of this vegetation community in the MHCP. Major stands and critical locations of southern maritime chaparral occur on the slopes above Green Valley and east and west of El Camino Real between Olivenhain Road and Willow Springs Road (Ogden 1998).

The majority of natural habitats in this area are included in the BCLA. The presence of key biological resources and sensitive and unique vegetation communities makes the northern core a particularly valuable component of the Encinitas Subarea Plan and the MHCP. The large size and proximity to Batiquitos Lagoon provide significant opportunities for local wildlife movements, and a relatively high number of MHCP plant species (8) occur in the upland habitats. Habitat on slopes above Batiquitos Lagoon is contiguous with wetland and upland habitat around the lagoon in Carlsbad, while habitat in the eastern portion of this area may function as a stepping-stone linkage along Encinitas Creek to core gnatcatcher habitat in southeastern Carlsbad.

3.2.2 Encinitas South

This area is notable for wetland habitats associated with San Elijo Lagoon and Escondido Creek, as well as coastal sage scrub and southern maritime chaparral in upland areas (Figure 3-1). A major stand and critical location of salt marsh occurs at San Elijo Lagoon, while other wetland habitats (e.g., alkali marsh, freshwater marsh, riparian scrub) identified as major stands and critical locations occur east of the lagoon (Ogden 1998). Estuarine habitat at San Elijo Lagoon is also considered a critical location for conservation. Major stands and critical locations of coastal sage scrub occur north of San Elijo Lagoon and east of Lux Canyon. For southern maritime chaparral, major stands and critical locations occur in the Lux Canyon area and east and west of El Camino Real between Cerro Street and Manchester Avenue (Ogden 1998).

The majority of natural habitats in this area are included in the BCLA. Habitat in Encinitas South is an extremely valuable component of the Encinitas Subarea Plan and MHCP. San Elijo Lagoon is a significant wildlife resource, supporting a high number (8) of obligate wetland animal species. Escondido Creek functions as an important corridor for local and regional wildlife movements between coastal and inland areas. This linkage is important to maintaining the ecological balance in the lagoon and marsh ecosystem by allowing access for larger predators that help control populations of smaller predators that otherwise prey on rare birds, mammals, and reptiles. Upland habitat in the vicinity of Lux Canyon functions as a core area for MHCP plant species associated with southern maritime chaparral and sandstone soils. A high number of MHCP plant species (12) occur in upland habitats, and half of these are narrow endemics. Although conserved habitat at Oak Crest Park is relatively small and isolated, it supports two federally and state endangered plant species (Del Mar manzanita and Orcutt's spineflower), both of which are considered narrow endemics.

3.2.3 Encinitas East

Vegetation in this area is primarily coastal sage scrub and grassland in upland areas and riparian woodland and scrub along drainages (i.e., Escondido Creek, Encinitas Creek). Although major stands or critical locations of vegetation have not been specifically identified in this area, existing habitats function as important linkages between coastal and inland communities.

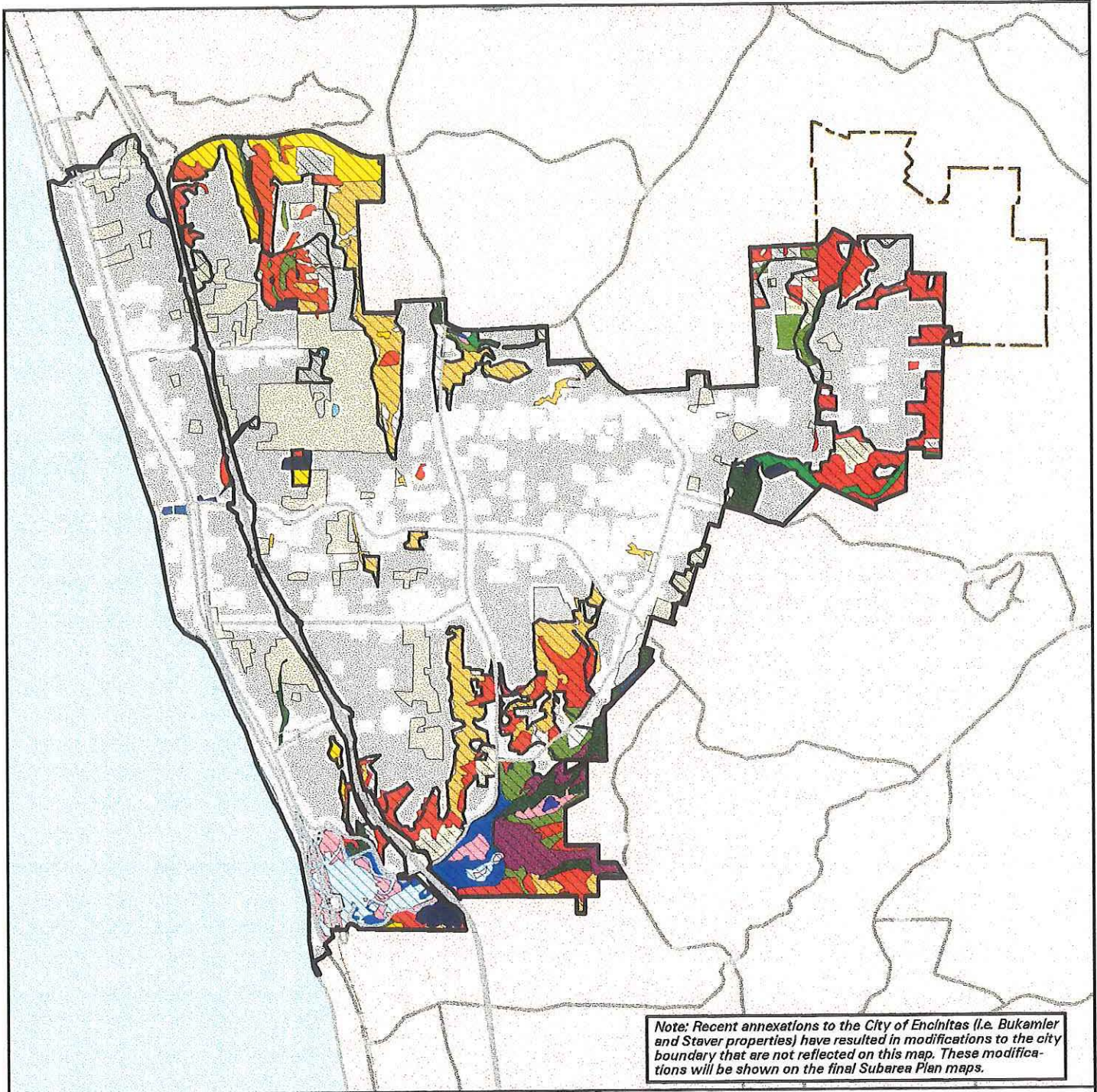
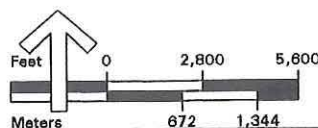


Figure 3-2.
City of Encinitas Subarea Plan
Vegetation Communities Inside the Biological Core & Linkage Area (BCLA)

- | | | | | |
|-----------------------|----------------------|---------------------|----------------------|---------------------|
| Coastal Sage Scrub | S. Coastal Saltmarsh | Riparian Woodland | Freshwater | Disturbed Land |
| Chaparral | Alkali Marsh | Riparian Scrub | Disturbed Wetland | Agriculture |
| S. Maritime Chaparral | Freshwater Marsh | Eucalyptus Woodland | Beach | Urban/Developed |
| Grassland | Riparian Forest | Estuarine | Saltpan and Mudflats | Inside the BCLA |
| | | | | Sphere of Influence |



The majority of natural habitats in this area are included in the BCLA and are considered part of the core gnatcatcher breeding area to the east (i.e., in unincorporated lands in the city's Sphere of Influence and in eastern Carlsbad). Like the city's Sphere of Influence (Section 3.2.4), this area also functions as a critical link between conserved lands outside the MHCP (unincorporated county lands in the Lake Hodges Reservoir area) and core habitat in eastern Carlsbad. This linkage is considered essential for maintaining natural genetic exchange and population connectivity between populations of gnatcatchers. In addition, Escondido Creek functions as a wildlife linkage between coastal habitat in Encinitas South and conserved habitat east of Encinitas, in the city's Sphere of Influence. Copper Creek also provides a north-south connection that links scrub habitat in the city to a core gnatcatcher area to the north in eastern Carlsbad and in unincorporated lands in the County of San Diego.

3.2.4 Sphere of Influence

The City of Encinitas Sphere of Influence occupies about 830 acres within the unincorporated area of the County of San Diego. Vegetation in this area is largely high quality coastal sage scrub, with patches of grassland and chaparral. Riparian vegetation borders a channel (Copper Creek) that drains to Escondido Creek. The area was burned in the recent Harmony Grove fire. While most of this area has not been surveyed for gnatcatchers or other sensitive species, it is part of a larger sage scrub core between Lake Hodges and southeast Carlsbad, and thus is considered a critical location for gnatcatchers and other sage scrub species. It also likely functions as a multi-species corridor between the Lake Hodges core area within the MSCP study area and the coastal sage scrub in the MHCP study area, as described above.

3.3 SENSITIVE SPECIES

A total of 75 MHCP species have been documented (44) or are considered potentially occurring (31) in the City of Encinitas (Table 3-2). Volume II of the MHCP Plan identifies major and critical populations of MHCP species within the study area. Major populations of plants are those considered sufficiently large to be self-sustaining with a minimum of active or intensive management intervention, and hence are important to preserve design. Major populations of animals are those that support enough breeding individuals to contribute reliably to the overall metapopulation stability of the species.

Critical locations are those that must be substantially conserved for that species to be considered conserved by the MHCP or a subarea plan and included as a covered species for take authorizations. The MHCP also identifies certain species as narrow endemics. Narrow endemic species are those that are highly restricted by their habitat affinities, edaphic requirements, or other ecological factors, and that have limited but important populations within the MHCP area, such that substantial loss of these populations or their habitat within the MHCP area might jeopardize the continued existence or recovery of those species. Finally, obligate wetland species are also identified within the study area. Wetland obligates are those species for which all life requisites provided in the MHCP area are expected to be within open water or wetland vegetation communities. Refer to the MHCP Plan Volume II for more complete definitions of these categories.

3.3.1 Plants

Of the 29 plant species being considered for coverage under the MHCP, 28 are being evaluated as part of the Encinitas Subarea Plan. Each of these species is described in the MHCP Plan Volume II and listed in Table 3-2. Of the species being evaluated for coverage, 13 have been documented as occurring within the city. The remaining 15 species are considered potentially occurring based on known ranges and habitat affinities.

3.3.1.1 Encinitas North

A total of 8 MHCP plant species have been documented in this area, including 4 species listed as federally or state endangered or threatened. Of the 8 documented species, 5 are considered narrow endemics, and 7 of the 8 species occur in major populations and/or critical locations for conservation. Refer to Figure 3-3 for locations of MHCP plant species in Encinitas that are federally or state endangered or threatened, or that are narrow endemics.

A major population of Del Mar Mesa sand aster (*Corethrogyne filaginifolia* var. *linifolia*) occurs along the southwestern edge of Batiquitos Lagoon, and a major population and critical location of San Diego thorn-mint (*Acanthomintha ilicifolia*) has been documented at Quail Botanical Gardens. The slopes above Green Valley and habitat in the general vicinity of this area support major populations and critical locations of Del Mar manzanita, Encinitas baccharis, and Nuttall's scrub oak (*Quercus dumosa*). Also present

Table 3-2

SENSITIVE SPECIES DETECTED OR POTENTIALLY OCCURRING IN ENCINITAS

Scientific Name	Common Name	Status ¹	CNPS, RED List, Code ²	Habitat ³
Plants				
<i>Acanthomintha ilicifolia</i>	San Diego thorn-mint	FT/CE	1B, 2-3-2	G, CSS
<i>Ambrosia pumila</i>	San Diego ambrosia	PE/	1B, 3-3-2	CSS
<i>Aphanisma blitoides</i>	Aphanisma	FSC */	1B, 2-2-2	MSS
<i>Arctostaphylos glandulosa</i> ssp. <i>crassifolia</i>	Del Mar manzanita	FE/	1B, 3-3-2	SMC
<i>Baccharis vanessae</i>	Encinitas baccharis	FT/CE	1B, 2-3-3	CHP
<i>Brodiaea filifolia</i>	Thread-leaved brodiaea	FT/CE	1B, 3-3-3	VP, G, seeps, wet meadows
<i>Brodiaea orcuttii</i>	Orcutt's brodiaea	FSC */	1B, 1-3-2	VP, G, seeps, wet meadows
<i>Ceanothus verrucosus</i>	Wart-stemmed ceanothus	FSC */	2, 1-2-1	CHP, SMC
<i>Chorizanthe orcuttiana</i>	Orcutt's spineflower	FE/CE	1B, 3-3-3	SMC
<i>Comarostaphylis diversifolia</i> ssp. <i>diversifolia</i>	Summer holly	FSC */	1B, 2-2-2	CHP
<i>Corethrogyne filaginifolia</i> var. <i>linifolia</i>	Del Mar Mesa sand aster	FSC †/	1B, 3-2-3	CSS, CHP (openings), SMC
<i>Dudleya blochmaniae</i> ssp. <i>blochmaniae</i>	Blochman's dudleya	FSC */	1B, 2-2-2	CBS
<i>Dudleya blochmaniae</i> ssp. <i>brevifolia</i>	Short-leaved dudleya	FSC †/CE	1B, 3-3-3	SMC
<i>Dudleya variegata</i>	Variiegated dudleya	FSC */	1B, 2-2-2	CSS
<i>Dudleya viscida</i>	Sticky dudleya	FSC */	1B, 3-2-3	CSS, CHP
<i>Eryngium aristulatum</i> var. <i>parishii</i>	San Diego button-celery	FE/CE	1B, 2-3-2	VP (clay)
<i>Euphorbia misera</i>	Cliff spurge	None	2, 2-2-1	MSS, CBS
<i>Ferocactus viridescens</i>	San Diego barrel cactus	FSC */	2, 1-3-1	CSS, CHP, MSS
<i>Hazardia orcuttii</i>	Orcutt's hazardia	FSC */	1B, 3-3-2	CHP
<i>Iva hayesiana</i>	San Diego marsh-elder	FSC */	2, 2-2-1	AM, RP
<i>Lotus nuttallianus</i>	Nuttall's lotus	FSC */	1B, 3-3-2	Coastal strand/dune
<i>Muilla clevelandii</i>	San Diego goldenstar	FSC */	1B, 2-2-2	G, CHP, CSS (openings)
<i>Myosurus minimus</i> ssp. <i>apus</i>	Little mousetail	FSC */	3, 2-3-2	VP, AM
<i>Navarretia fossalis</i>	Spreading navarretia	PT/	1B, 2-3-2	VP
<i>Orcuttia californica</i>	California Orcutt grass	FE/CE	1B, 3-3-2	VP
<i>Pinus torreyana</i> ssp. <i>torreyana</i>	Torrey pine	FSC */	1B, 3-2-3	SMC, Torrey pine forest
<i>Quercus dumosa</i>	Nuttall's scrub oak	FSC */	1B, 2-3-2	SMC
<i>Quercus engelmannii</i>	Engelmann oak	None	4, 1-2-2	CHP, CLOW, G
Invertebrates				
<i>Streptocephalus woottoni</i>	Riverside fairy shrimp	FE/		VP
<i>Branchinecta sandiegoensis</i>	San Diego fairy shrimp	FE/		VP
<i>Cicindela hirticollis gravida</i>	Sandy beach tiger beetle	FSC */		Sandy beaches

Table 3-2 (Continued)

SENSITIVE SPECIES DETECTED OR POTENTIALLY OCCURRING IN ENCINITAS

Scientific Name	Common Name	Status ¹	CNPS, RED List, Code ²	Habitat ³
Invertebrates (continued)				
<i>Cicindela latesignata obliviosa</i>	Oblivious tiger beetle	FSC */		Mudflats
<i>Coelus globosus</i>	Globose dune beetle	FSC */		Coastal dunes
<i>Euphyes vestris harbisoni</i>	Harbison's dun skipper	FSC */		RW, RS, OW (rip)
<i>Panoquina errans</i>	Salt marsh skipper	FSC */		SM
<i>Lycaena hermes</i>	Hermes copper	FSC */		CSS, CHP
<i>Euphydryas editha quino</i>	Quino checkerspot	FE/		CSS, VP, NG
Amphibians and Reptiles				
<i>Scaphiopus hammondii</i>	Western spadefoot toad	/CSC		Aquatic, G
<i>Bufo microscaphus californicus</i>	Arroyo southwestern toad	FE/CSC		CSS, CHP (along streams)
<i>Rana aurora draytonii</i>	California red-legged frog	FT/CSC		Aquatic, RP
<i>Clemmys marmorata pallida</i>	Southwestern pond turtle	FSC */CSC		Aquatic, RP
<i>Phrynosoma coronatum blainvillei</i>	San Diego horned lizard	FSC */CSC		CSS, CHP
<i>Cnemidophorus hyperythrus beldingi</i>	Orange-throated whiptail	FSC */CSC		CSS, CHP, G
Birds				
<i>Pelecanus occidentalis californicus</i>	California brown pelican	FE/CE		Open water
<i>Plegadis chihi</i>	White-faced ibis	FSC */CSC		FWM, estuaries, SM
<i>Circus cyaneus</i>	Northern harrier	/CSC		G, SM, FWM, AG, open CSS
<i>Accipiter cooperii</i>	Cooper's hawk	/CSC		RW, OW (breeding)
<i>Pandion haliaetus</i>	Osprey	/CSC		Open water, wetland
<i>Aquila chrysaetos</i>	Golden eagle	BEPA/CSC		CSS, CHP, G
<i>Falco peregrinus anatum</i>	Peregrine falcon	/CE		G, AG fields, cliffs, coastal RP
<i>Rallus longirostris levipes</i>	Light-footed clapper rail	FE/CE		SM
<i>Charadrius alexandrinus nivosus</i>	Western snowy plover	FT/CSC		Saltflats, mudflats, sandy beach, dunes
<i>Numenius americanus</i>	Long-billed curlew	FSC */CSC		SM, mudflats, G, fallow AG
<i>Sterna elegans</i>	Elegant tern	FSC */CSC		SM, shoreline, estuarine/intertidal
<i>Sterna antillarum browni</i>	California least tern	FE/CE		Coastal strand, mudflats, saltflats
<i>Speotyto cunicularia hypugaea</i>	Burrowing owl	FSC */CSC		G, coastal strand, AG
<i>Empidonax traillii extimus</i>	Southwestern willow flycatcher	FE/CE		RW
<i>Campylorhynchus brunneicapillus cousei</i>	Coastal cactus wren	FSC */CSC		CSS, cactus patches

Table 3-2 (Continued)

SENSITIVE SPECIES DETECTED OR POTENTIALLY OCCURRING IN ENCINITAS

¹Status (Federal/State)

- FE = Federally endangered
- PE = Proposed for federal listing as endangered
- FT = Federally threatened
- PT = Proposed for federal listing as threatened
- C = Candidate for federal listing
- BEPA = Bald Eagle Protection Act
- CE = State endangered
- CT = State threatened
- CSC = State Species of Special Concern
- FSC * = Federal Species of Concern; formerly Category 2 or Category 3 candidate or proposed for federal listing
- FSC † = Federal Species of Concern; proposed rule to list as endangered or threatened has been withdrawn
- protected = moratorium on hunting
- none = no federal or state status

²California Native Plant Society (CNPS) Status

List of Species Designation

- 1B = Rare or endangered in California and elsewhere (meets CDFG criteria for rare or endangered listing)
- 2 = Rare or endangered in California, more common elsewhere
- 3 = Plants about which more information is needed
- 4 = Plants of limited distribution

R-E-D Code

R - Rarity

- 1 = Rare, but found in sufficient numbers and distributed widely enough that the potential for extinction or extirpation is low
- 2 = Occurrences confined to several populations or one extended population
- 3 = Occurrence limited to one or a few highly restricted populations, or present in such small numbers that it is seldom reported

³Habitat (Holland 1986)

- AG = Agriculture
- AM = Alkali marsh
- CB = Coastal bluff scrub
- CHP = Chaparral
- CLOW = Coast live oak woodland
- CSS = Coastal sage scrub
- FWM = Freshwater marsh
- G = Grassland
- MSS = Maritime succulent scrub
- OW = Oak woodland
- RF = Riparian forest
- RP = Riparian
- RS = Riparian scrub
- RW = Riparian woodland
- SM = Saltmarsh
- SMC = Southern maritime chaparral
- VP = Vernal pool

E - Endangerment

- 1 = Not endangered
- 2 = Endangered in a portion of its range
- 3 = Endangered throughout its range

D - Distribution

- 1 = More or less widespread outside California
- 2 = Rare outside California
- 3 = Endemic to California

Table 3-2 (Continued)

SENSITIVE SPECIES DETECTED OR POTENTIALLY OCCURRING IN ENCINITAS

Scientific Name	Common Name	Status ¹	CNPS, RED List, Code ²	Habitat ³
Birds (continued)				
<i>Poliotilta californica californica</i>	Coastal California gnatcatcher	FT/CSC		CSS
<i>Sialia mexicana</i>	Western bluebird	None		OW (edges), G
<i>Vireo bellii pusillus</i>	Least Bell's vireo	FE/CE		RW
<i>Icteria virens</i>	Yellow-breasted chat	/CSC		RW
<i>Aimophila ruficeps canescens</i>	Rufous-crowned sparrow	FSC */CSC		CSS
<i>Passerculus sandwichensis beldingi</i>	Belding's Savannah sparrow	FSC */CE		SM
<i>Passerculus sandwichensis rostratus</i>	Large-billed Savannah sparrow	FSC */CSC		SM
<i>Amphispiza belli belli</i>	Bell's sage sparrow	FSC */CSC		CSS, CHP
<i>Ammodramus savannarum</i>	Grasshopper sparrow	None		G
<i>Agelaius tricolor</i>	Tricolored blackbird	FSC */CSC		FWM, G, AG
Mammals				
<i>Corynorhinus townsendii pallescens</i>	Townsend's Western big-eared bat	FSC */CSC		Caves, mines, buildings, OW, RW, CHP
<i>Eumops perotis californicus</i>	California mastiff bat	FSC */CSC		Cliffs, crevices, CHP, G, CSS
<i>Perognathus longimembris pacificus</i>	Pacific pocket mouse	FE/CSC		Sparse CSS, G, ruderal
<i>Chaetodipus fallax fallax</i>	Northwestern San Diego pocket mouse	FSC */CSC		CSS, CHP, G
<i>Lepus californicus bennettii</i>	San Diego black-tailed jackrabbit	FSC */CSC		CSS, G, CHP
<i>Felis concolor</i>	Mountain lion	CA protected	CSS, CHP, RW	
<i>Odocoileus hemionus fuliginata</i>	Southern mule deer	CA game species	CHP, CSS, RW	

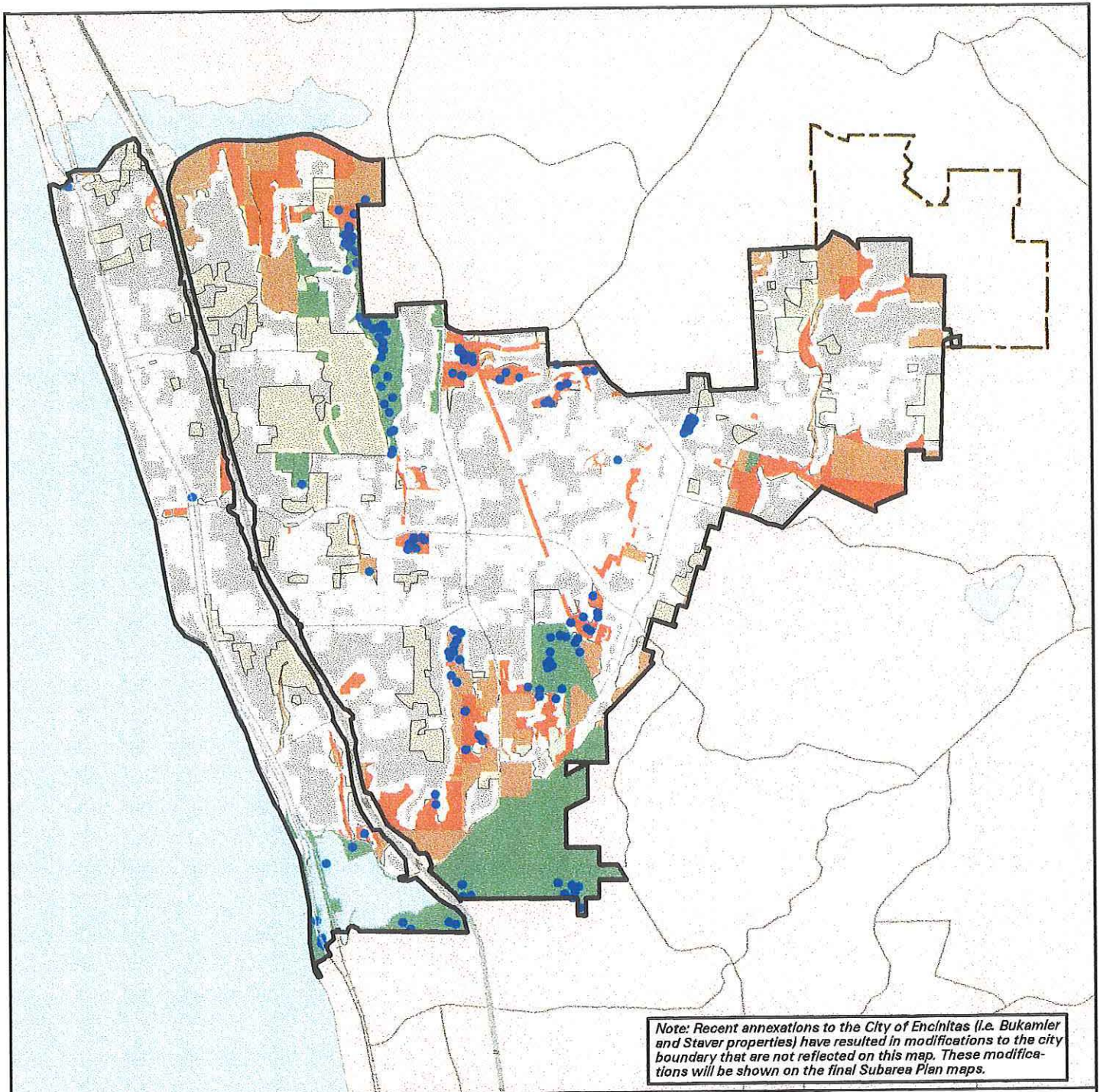
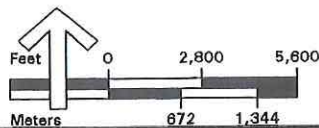


Figure 3-3
City of Encinitas Subarea Plan
Endangered, Threatened, and Narrow Endemic Plant Locations

- | | | |
|------------------------------|---|--|
| Natural Habitats | Hardline Focused Planning Area | Endangered, Threatened, and Narrow Endemic Plant locations |
| Agricultural Land | Existing Homeowners' Association Open Space | Sphere of Influence |
| Developed and Disturbed Land | Softline Focused Planning Area | |



in this area are major populations of wart-stemmed ceanothus (*Ceanothus verrucosus*), summer holly (*Comarostaphylis diversifolia* ssp. *diversifolia*), and Del Mar Mesa sand aster. Scattered Torrey pines (*Pinus torreyana*) occur here as well, but do not constitute either major populations or critical locations for conservation.

3.3.1.2 Encinitas South

The Encinitas South area supports 12 MHCP plant species, including 3 species listed as federally endangered or threatened. Of the 12 known species, 6 are considered narrow endemics, and 10 of the 12 species occur in major populations and/or critical locations for conservation. Refer to Figure 3-3 for locations of MHCP plant species in Encinitas that are federally or state endangered or threatened, or that are narrow endemics.

Habitat in the vicinity of San Elijo Lagoon supports major populations and critical locations of Del Mar Mesa sand aster and Nuttall's lotus (*Lotus nuttallianus*). Smaller stands of San Diego marsh-elder (*Iva hayesiana*) and Torrey pine occur at the edge of the lagoon or in adjacent upland habitat, but do not constitute either major populations or critical locations for conservation.

Major populations and critical locations of San Diego thorn-mint, Del Mar manzanita, San Diego barrel cactus (*Ferocactus viridescens*), Orcutt's hazardia (*Hazardia orcuttii*), and Nuttall's scrub oak occur in the vicinity of Lux Canyon. This location comprises the only known locality for Orcutt's hazardia in the United States. Major populations of wart-stemmed ceanothus, summer holly, and Del Mar Mesa sand aster also occur in this area, and a critical location for Encinitas baccharis has been documented here. Torrey pines in the Lux Canyon area are scattered and do not constitute either a major population or a critical location for conservation.

Oak Crest Park supports major populations and critical locations of Del Mar manzanita and Orcutt's spineflower (*Chorizanthe orcuttiana*). This location represents the only documented, extant occurrence of Orcutt's spineflower in the MHCP study area.

3.3.1.3 Encinitas East

No MHCP plant species have been documented as occurring in this area.

3.3.1.4 Sphere of Influence

The city's Sphere of Influence has not been surveyed for sensitive plant species, with the exception of the two properties recently annexed to the City of Encinitas. Wart-stemmed ceanothus was detected on the Staver property (PSBS 1990). Other MHCP plants with the potential to occur in the Sphere of Influence include Orcutt's brodiaea (*Brodiaea orcuttii*), summer holly, Del Mar manzanita, and San Diego marsh elder.

3.3.2 Wildlife

Of the 48 animal species being considered for coverage under the MHCP, 47 are being evaluated as part of the Encinitas Subarea Plan. Each of these species is described in the MHCP Biological Goals, Standards, and Guidelines (Ogden 1998) and listed in Table 3-2. Of the species being evaluated for coverage, 31 have been documented as occurring within the city. The remaining 16 species are considered potentially occurring based on known ranges and habitat affinities.

3.3.2.1 Encinitas North

Important wildlife habitat in this area includes Batiquitos Lagoon and adjacent uplands to the south. Only a very small portion of the lagoon adjacent to Highway 101 occurs in the city. However, a number of MHCP animal species are associated with the lagoon and could potentially use habitat in the study area. Of the 23 detected or potentially occurring MHCP animal species in the Encinitas North area, 18 species are associated with the lagoon and marsh ecological community, including 6 species listed as federally or state endangered or threatened and 7 species listed as wetland obligates. Refer to Volume II of the MHCP Plan for a more complete discussion of species occurrences within the MHCP study area.

Major populations and/or critical locations have been designated for the following 10 species at Batiquitos Lagoon: salt marsh skipper (*Panoquina errans*), light-footed clapper rail, Belding's Savannah sparrow, western snowy plover, California brown pelican (*Pelecanus occidentalis californicus*), white-faced ibis (*Plegadis chihi*), osprey (*Pandion haliaetus*), American peregrine falcon (*Falco peregrinus anatum*), California least tern, and large-billed Savannah sparrow (*Passerculus sandwichensis rostratus*).

Upland habitat south of Batiquitos Lagoon supports the federally threatened coastal California gnatcatcher (Figure 3-4) and the orange-throated whiptail (*Cnemidophorus hyperythrus beldingi*). These species have been documented on slopes directly south of the lagoon, in the vicinity of Indian Head Canyon, and on slopes west and southwest of Green Valley. Additional gnatcatcher territories are known to occur in Carlsbad on the north side of the lagoon (CDFG pers. comm.). Collectively, these birds provide an important contribution to the species, particularly to maintaining an adequate population within the Encinitas North region.

3.3.2.2 Encinitas South

San Elijo Lagoon and adjacent wetland habitats to the east comprise important wildlife habitat in the subarea. MHCP animal species are also found in upland habitats in this portion of the city. At least 28 MHCP animal species have been detected or are considered potentially occurring in the lagoon and marsh ecological community in Encinitas South, including 6 species listed as federally or state endangered or threatened and 8 species considered wetland obligates. Of those sensitive animals actually documented within the city, major populations or critical locations have been designated for the following species: southwestern pond turtle (*Clemmys marmorata pallida*), California brown pelican, white-faced ibis, northern harrier, osprey, American peregrine falcon, light-footed clapper rail, western snowy plover, California least tern, and Belding's Savannah sparrow. San Elijo Lagoon has been designated as a critical location for the oblivious tiger beetle (*Cicendela latesignata obliviosa*) and large-billed Savannah sparrow (*Passerculus sandwichensis rostratus*) and is assumed to support a major population and function as a critical location for the salt marsh skipper. None of the latter 3 species has been documented in the MHCP database as occurring in Encinitas.

At least 8 MHCP animal species have been documented and another 3 species are considered potentially occurring in upland habitat in this area. Figure 3-4 depicts locations of the California gnatcatcher in this area. No major populations of upland animal species have been identified in this area to date. Grasslands in Encinitas South are considered a critical location for the grasshopper sparrow (*Ammodramus savannarum*).

3.3.2.3 Encinitas East

Riparian habitat in Encinitas, Escondido, and Copper Creeks and coastal sage scrub and grassland in upland areas are the primary wildlife habitats in this portion of the subarea. At least 16 MHCP animal species have been documented or are considered potentially occurring in Encinitas East, including 2 species listed as federally and state endangered: least Bell's vireo and southwestern willow flycatcher. No major populations of MHCP animal species have been identified in this area to date. Scrub habitat in this area is considered a critical foraging area for the golden eagle (*Aquila chrysaetos*). Figure 3-4 depicts locations of the California gnatcatcher in this area.

3.3.2.4 Sphere of Influence

The city's Sphere of Influence has not been surveyed for sensitive wildlife species, with the exception of the two properties recently annexed to the City of Encinitas. Coast horned lizards (*Phrynosoma coronatum blainvillei*) and California gnatcatchers (5 individuals) were detected on the Staver property (PSBS 1990) and are expected to occur throughout the Sphere of Influence, along with orange-throated whiptails and other coastal sage scrub species.

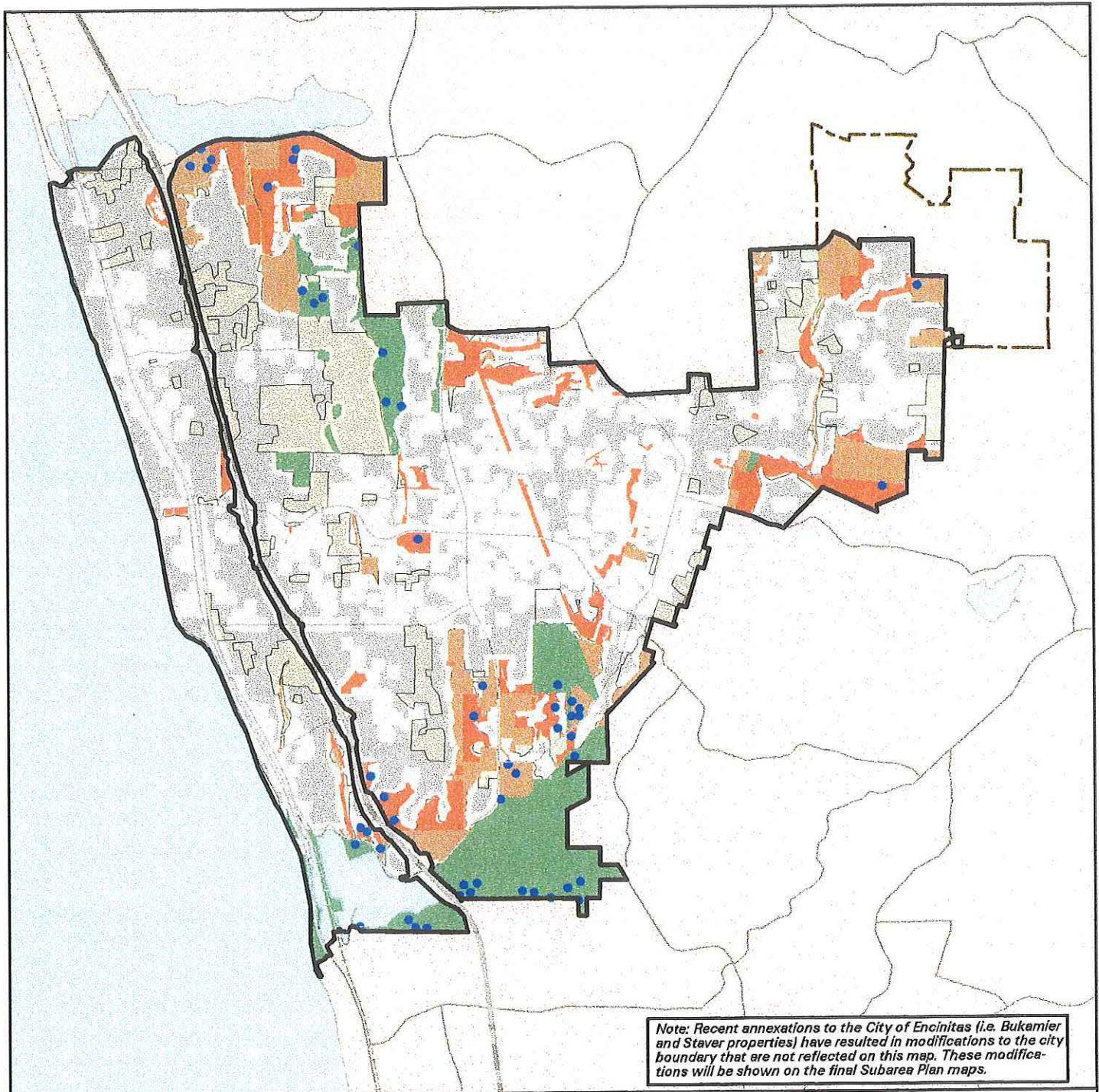


Figure 3-4
City of Encinitas Subarea Plan
Gnatcatcher Locations

- Natural Habitats
- Agricultural Land
- Developed and Disturbed Land
- Hardline Focused Planning Area
- Existing Homeowners' Association Open Space
- Softline Focused Planning Area
- California Gnatcatcher
- Sphere of Influence

SECTION 4 PRESERVE DESIGN AND LAND USE CONSIDERATIONS

The Encinitas Subarea Plan is designed to promote conservation of biodiversity and ecosystem function in the City of Encinitas and the surrounding region, while allowing for continued economic development and wise land use in Encinitas. Consequently, designing the preserve system involves balancing two sets of goals, which may be considered competing:

1. Biological conservation goals (as defined in Volume II of the MHCP Plan).
2. Property development, property rights, and economic goals.

The approach taken for designing a functional preserve system in Encinitas was to identify those properties where conservation would best achieve biological goals with the least detrimental effects on other land use, property rights, or economic goals. This approach involved careful examination of opportunities and constraints relative to incorporating biologically valuable lands into the preserve system.

4.1 BIOLOGICAL PRESERVE DESIGN

The City of Encinitas has cooperatively designed the city's Focused Planning Area (FPA) in partnership with the USFWS and CDFG and property owners. The FPA is the area in which the permanent Encinitas preserve will be assembled and managed for its biological resources. The FPA is defined by its mapped boundaries, as shown in Figure 4-1, and is also defined by quantitative thresholds for conservation of vegetation communities and species and goals and criteria for preserve design.

Hardlined and Softlined Areas

The preserve is comprised of "hardlined" and "softlined" areas. Hardlined areas include properties that have approved development agreements showing designated development and biological open space areas. For these properties, the area that has been developed or is approved for development is outside the preserve, while the open space area is in the preserve (i.e., 100 percent conserved). These areas will be conserved, managed, and

monitored pursuant to the guidelines in this subarea plan. Open space areas associated with existing residential developments and governed by homeowners' associations (HOAs) will be maintained according to HOA guidelines. The HOAs will be responsible for controlling trash, fire, and illegal encampments. HOA open space areas may receive active biological monitoring and management pursuant to this subarea plan if there is a regional funding source for biological management activities and if there are no legal (i.e., HOA) impediments. New HOA open space conserved after the subarea plan is adopted will be managed and monitored according to the specifications in this subarea plan.

For softlined areas, which do not have development approvals, development and conservation standards and criteria will be applied to achieve the projected conservation. Conservation targets in upland areas within these softlined areas will vary based on the mitigation ratio to be applied to each vegetation community type (see Section 4.3.1.5). For example, if a 2:1 (conservation:take) ratio applies to a vegetation community type, conservation of that community is calculated at 67 percent of its total mapped acreage on the property (i.e., 2 out of every 3 acres will be conserved). This approach requires that onsite and offsite mitigation is balanced among all the ratio areas within the city (i.e., mitigation is generally required to be within the Encinitas Subarea; see Section 4.3.1.5). Conservation of wetland communities will be at 100 percent in softlined areas, and narrow endemics will be conserved at 95 percent in these areas. Natural habitat lands outside the preserve that will be protected pursuant to city General Plan policies and federal wetland permitting requirements are categorized as "Constrained Lands" and are defined below.

Constrained Lands Outside the FPA

Some natural habitat areas outside the FPA may be retained over time but will not be part of the FPA and managed preserve system. These Constrained Lands include steep slope areas greater than 25 percent gradient that are protected pursuant to city General Plan policies and Zoning Ordinance standards (i.e., Hillside/Inland Bluff Overlay Zone protection guidelines) and wetlands regulated by ACOE federal wetland permitting requirements and the MHCP "no net loss of wetlands" policy (Figure 4-2).

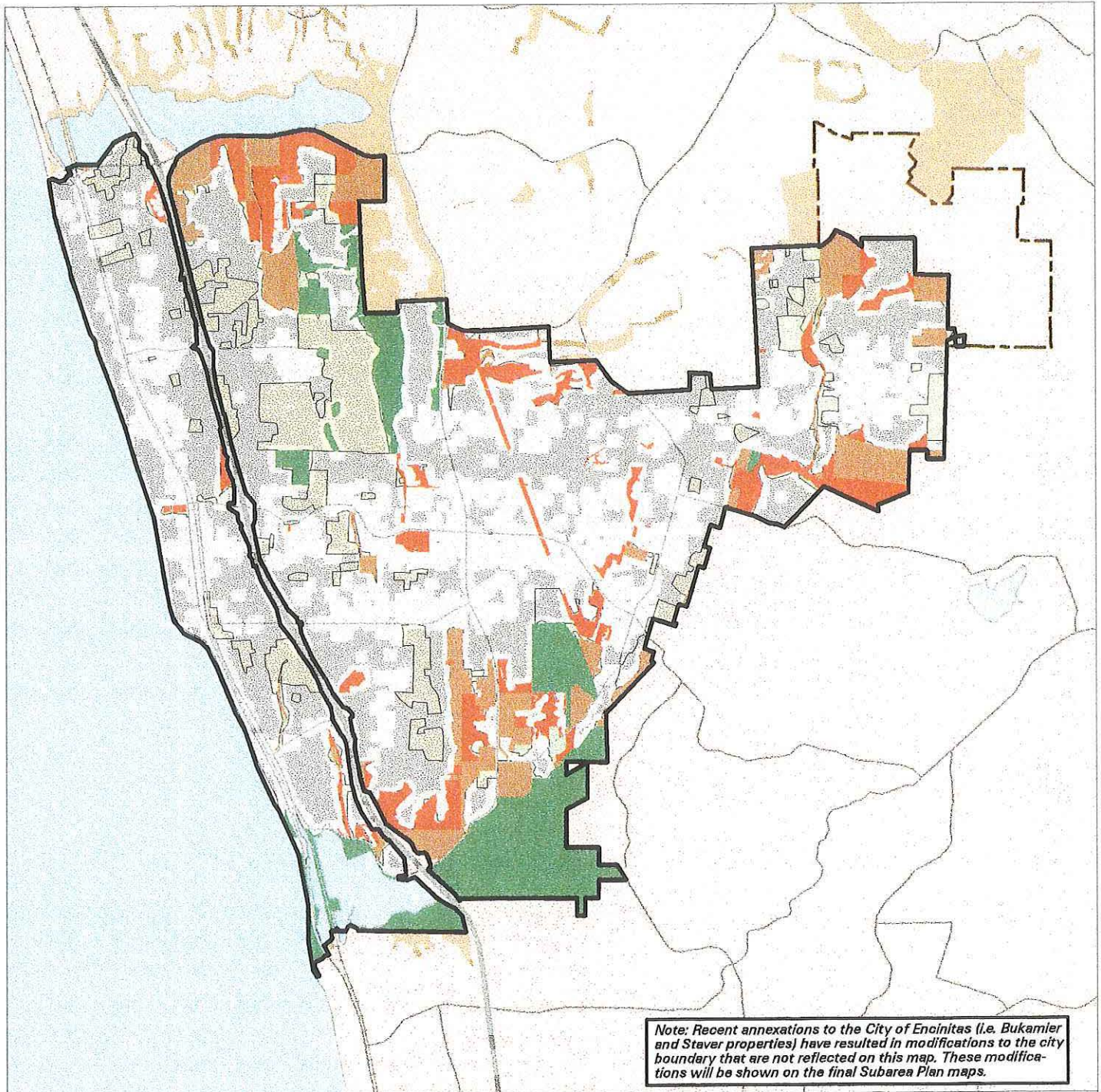
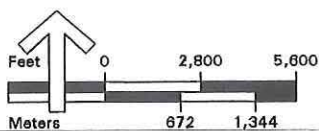


Figure 4-1
City of Encinitas Subarea Plan
Focused Planning Area

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



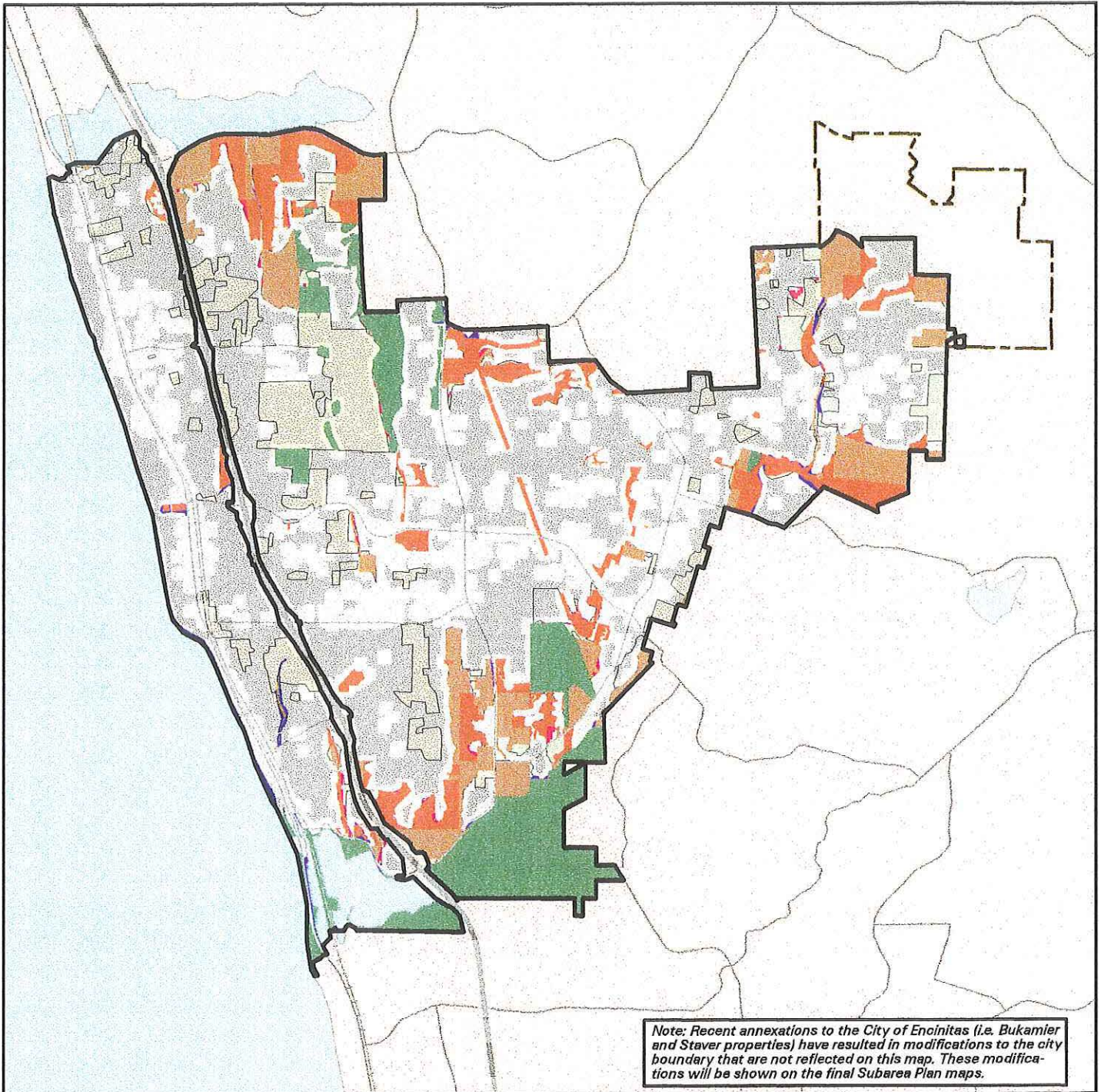
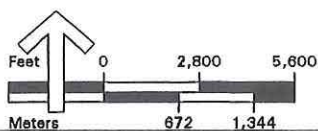


Figure 4-2
City of Encinitas Subarea Plan
Constrained Lands Outside the FPA

- | | | | |
|------------------------------|---|---|---------------------|
| Natural Habitats | Hardline Focused Planning Area | Constrained Lands (Wetlands) Outside the FPA | Sphere of Influence |
| Agricultural Land | Existing Homeowners' Association Open Space | Constrained Land (Slopes > 25%) Outside the FPA | |
| Developed and Disturbed Land | Softline Focused Planning Area | | |



In the case of the steep slope areas, the city General Plan and Zoning Ordinance prohibits development, although nonintensive agriculture may occur. Some impacts to wetlands are expected outside the FPA. For example, flood control channel segments with wetland habitat that traverse developed portions of the city (e.g., the El Camino Real Creek corridor draining into Encinitas Creek) are expected to require channel reconfiguration or periodic maintenance over time. The total wetland acreage and habitat values will be retained pursuant to the ACOE and MHCP no net loss policies, although mitigation may require revegetation of temporary impacts onsite or revegetation of replacement habitat offsite (i.e., within or near the city limits).

4.1.1 Habitats Conserved

Table 4-1a estimates acreages and proportions of vegetation communities to be conserved within the city and within the BCLA. These habitat conservation acreages are based on preserve design goals and criteria established within the FPA. This subarea plan and its implementing agreement demonstrate how these conservation thresholds will be achieved through development regulations, mitigation requirements, and acquisition from willing sellers (Sections 4 and 5). Table 4-1b summarizes the management status for conserved lands within the subarea, by vegetation community. About 70 percent (1,524 acres) of the conserved lands will be managed and monitored pursuant to the guidelines in this subarea plan. Approximately 599 acres of existing HOA open space will be managed according to existing HOA guidelines. HOA open space areas may receive active biological monitoring and management pursuant to this subarea plan if there is a regional funding source for biological management activities and if there are no legal constraints to monitoring these lands. An additional 50 acres of wetlands will be conserved outside the FPA but will not be managed for biological resources, unless specified by a development mitigation agreement. Minimal additional habitat acreage associated with steep slopes may be conserved but will not be managed for biological resources, unless specified by a development mitigation agreement.

The Encinitas Subarea Plan conserves a total of 2,123 acres of natural habitats within the proposed preserve, which is 81 percent of the natural habitats in the study area. An additional 50 acres of wetlands are expected to remain undeveloped outside the preserve. The preserve retains important sensitive vegetation communities in the subregion, including 100 percent of wetlands, 86 percent of southern maritime chaparral, and

Table 4-1a

**SUMMARY OF VEGETATION AND BIOLOGICAL CORE AND LINKAGE
AREA (BCLA) CONSERVED WITHIN ENCINITAS**

Vegetation Type	Total in Study Area acres ¹	Total Inside FPA acres ²	Total Outside FPA acres ³	Net Conservation acres ⁴ (%)	Conservation in BCLA acres (%)
Southern Coastal Bluff Scrub	-	-	-	-	-
Maritime Succulent Scrub	-	-	-	-	-
Coastal Sage Scrub	852	727	125	608 (71%)	582 (72%)
Chaparral	198	187	11	149 (75%)	148 (75%)
Southern Maritime Chaparral	561	521	40	481 (86%)	455 (88%)
Coastal Sage/Chaparral Mix	-	-	-	-	-
Grassland	185	135	50	97 (52%)	92 (60%)
Southern Coastal Salt Marsh ⁵	119	112	8	119 (100%)	119 (100%)
Alkali Marsh ⁵	141	138	2	141 (100%)	141 (100%)
Freshwater Marsh ⁵	116	114	2	116 (100%)	116 (100%)
Riparian Forest ⁵	3	3	-	3 (100%)	3 (100%)
Riparian Woodland ⁵	48	41	7	48 (100%)	48 (100%)
Riparian Scrub ⁵	223	198	25	223 (100%)	205 (100%)
Engelmann Oak Woodland	-	-	-	-	-
Coast Live Oak Woodland	-	-	-	-	-
Other Oak Woodlands	-	-	-	-	-
Freshwater ⁵	6	6	-	6 (100%)	3 (100%)
Estuarine ⁵	161	159	2	161 (100%)	161 (100%)
Disturbed Wetland ⁵	12	9	4	12 (100%)	6 (100%)
Natural Flood Channel/ Streambed ⁵	-	-	-	-	-
Beach	5	5	-	5 (100%)	5 (100%)
Saltpan/Mudflats ⁵	3	3	-	3 (100%)	3 (100%)
NATURAL HABITATS	2,634	2,358	276	2,173 (82%)	2,088 (84%)
Agriculture (type unknown)	75	10	66	9	2
Orchards, Vineyards	3	-	3	-	-
Intensive Agriculture	588	4	584	1	1
Field & Pasture Agriculture	452	99	353	22	12
Eucalyptus Woodland	88	73	NA	60 (NA)	51 (NA)
Disturbed Land	83	NA	NA	NA	NA
Urban/Developed	8,156	NA	NA	NA	NA
NONNATURAL HABITATS	8,327	NA	NA	NA	NA
TOTAL	12,080				

¹ Recent annexations to the City of Encinitas (i.e., Bukamier and Staver properties) have resulted in modifications to the acreage values presented in this table; these modifications are not included here, but will be incorporated into the final Subarea Plan.

² Total acreage inside the FPA. The majority will be conserved, but some will be impacted.

³ Total acreage outside the FPA, assumed to be impacted, except for wetlands and steep slopes.

⁴ Total acreage conserved within FPA plus wetland acreage outside FPA.

⁵ Wetlands or wetland vegetation communities, which are conserved at 100% both inside and outside the FPA due to no net loss policies.

Note: Numbers may not sum to totals as shown, due to rounding.

Table 4-1b

**SUMMARY OF VEGETATION TYPES CONSERVED WITHIN ENCINITAS
BY MANAGEMENT STATUS**

Vegetation Type	Managed Inside FPA (acres) ¹	HOA Inside FPA (acres) ²	Outside FPA (acres) ³	Total Conservation (acres) ⁴
Southern Coastal Bluff Scrub	-	-	-	-
Maritime Succulent Scrub	-	-	-	-
Coastal Sage Scrub	398	210	-	608
Chaparral	47	102	-	149
Southern Maritime Chaparral	309	172	-	481
Coastal Sage/Chaparral Mix	-	-	-	-
Grassland	72	25	-	97
Southern Coastal Salt Marsh	109	2	8	119
Alkali Marsh	139	-	2	141
Freshwater Marsh	114	-	2	116
Riparian Forest	3	-	-	3
Riparian Woodland	7	34	7	48
Riparian Scrub	148	50	25	223
Engelmann Oak Woodland	-	-	-	-
Coast Live Oak Woodland	-	-	-	-
Other Oak Woodlands	-	-	-	-
Freshwater	6	-	-	6
Estuarine	159	-	2	161
Disturbed Wetland	5	3	4	12
Natural Flood Channel/ Streambed	-	-	-	-
Beach	5	-	-	5
Saltpan/Mudflats	3	-	-	3
NATURAL HABITATS	1,524	599	50	2,173

¹ Open space that will be managed for biological resources pursuant to the guidelines in this subarea plan.

² Existing Homeowners' Association (HOA) open space that will not be managed for biological resources unless there is a regional funding source.

³ Wetlands or wetland vegetation communities outside the FPA that will not be managed for biological resources.

⁴ Recent annexations to the City of Encinitas (i.e., Bukamier and Staver properties) have resulted in modifications to the acreage values presented in this table; these modifications are not included here but will be incorporated in the final Subarea Plan.

*** Numbers may not sum to totals as shown, due to rounding.

\$ 902.85/ac
Start up

71 percent of coastal sage scrub in Encinitas. This conservation is focused in the most biologically important areas, with over 84 percent of the biological and core linkage areas in the city conserved. Of the 2,173 acres of conservation (i.e., inside and outside the FPA), 832 acres (100 percent) are wetlands, 1,238 acres (77 percent) are coastal sage scrub and chaparral (including southern maritime and southern mixed chaparral), 97 acres (52 percent) are grasslands, and 5 acres (100 percent) are beach.

Sections 5.1 and 6.3 describe the process for allowing development outside the preserve to be mitigated by conservation inside the preserve.

Conserved habitat in all four areas of the subarea (Encinitas North, Encinitas South, Encinitas East, and Sphere of Influence) will be subject to edge effects. Edge effects are expected to be most acute in intensively developed areas of the city (Encinitas North and Encinitas South) and where conserved habitat occurs in small or linear blocks of habitat (e.g., Oak Crest Park and habitat just east of Crest Drive).

The Encinitas preserve system will conserve 2,088 acres (84 percent) of the 2,490 acres of natural habitats within the BCLA and will maintain all important habitat linkages in the city (Table 4-1a). This includes upland habitats south of Batiquitos Lagoon, wetland habitats associated with San Elijo Lagoon and Escondido Creek, upland habitat in the vicinity of Lux Canyon, and coastal sage scrub habitat in the eastern portion of the study area (Figure 4-1). The Encinitas preserve includes 62 percent of the southern maritime chaparral conserved in the MHCP and comprises almost half (44 percent) of the salt marsh habitat conserved in the MHCP. Additional conserved lands, formerly within the city's Sphere of Influence, have been recently annexed to the City of Encinitas. These core areas contribute to regional landscape linkages that connect sensitive habitats, plants, and animals between northern San Diego County's coastal environments and interior foothill habitats. They also function as important habitat for a large number of narrow endemic plant species and coastal wetland wildlife species.

4.1.2 Species Conserved

Based on the Encinitas Subarea Plan preserve configuration, vegetation community conservation thresholds, and proposed habitat management measures, 32 species will be adequately conserved by the subarea plan (Table 1-1). Once the wildlife agencies have

approved this subarea plan, the agencies will issue take authorizations to the City of Encinitas for these 32 species. The larger MHCP covered species list includes those species within the entire MHCP study area for which the federal and state take authorization requirements are met by the MHCP as a subregion. Once other MHCP subarea plans have been approved, the City of Encinitas will receive take authorizations for all species on the MHCP covered species list (Table 1-1). Refer to Section 4 of the Public Review Draft MHCP Volume II for the full species analyses and justifications for coverage.

The Encinitas subarea plan makes a substantial contribution to the MHCP goals by conserving critical locations of 8 plant species and 9 animal species populations. The plants include San Diego thornmint, Del Mar manzanita, Encinitas baccharis, Orcutt's spineflower, San Diego barrel cactus, Orcutt's hazardia, Nuttall's lotus, and Nuttall's scrub oak. The animal species are saltmarsh skipper, California brown pelican, osprey, American peregrine falcon, light-footed clapper rail, western snowy plover, California least tern, Belding's Savannah sparrow, and large-billed Savannah sparrow.

Listed species not on the covered species list will continue to be regulated under the ESA and CESA. Take of listed species can be authorized separately from the MHCP under separate Section 7 consultations, Section 10 HCPs, and state management authorizations under Section 2081 of the California Fish and Game Code. Alternatively, species can be added to the covered species list using the federal and state take authorization amendment process. This process for adding species to the covered species list may involve additional or reprioritized management practices or habitat acquisition (see Section 6.7).

4.2 LAND USES WITHIN AND ADJACENT TO THE PRESERVE

This section provides a review of compatible land uses and activities within the preserve, along with guidelines for land use activities adjacent to the preserve to maintain the biological functioning and viability of the preserve.

4.2.1 Land Uses and Public Projects Expected to Impact Habitat within the Preserve

This section reviews general land uses and activities within the preserve and a listing of existing and proposed activities for specific properties. The following land uses and activities are considered conditionally compatible with the biological objectives of the Encinitas Subarea Plan and thus will be allowed within the city's preserve:

- habitat enhancement/restoration
- approved mitigation banks (private or city-owned)
- aquaculture having no significant adverse effect on natural processes
- passive recreation (e.g., hiking and bird watching)
- view/vista points
- limited active recreation (e.g., equestrian and mountain-biking trails, picnic areas, day use areas)
- environmental interpretation/educational/research activities and nature centers
- utility lines and roads in compliance with policies provided in Section 4.3
- limited water, sewer, and storm drainage facilities and other essential public facilities in compliance with policies provided in Section 4.3

Expansion of existing permitted uses within the preserve must comply with applicable land use regulations and shall provide measures to minimize impacts on the preserve, including lighting, noise, dust, or controlled access.

Provided below is a review of known and proposed activities within the preserve for specific properties:

- Indian Head Canyon: Passive/semi-active park on 10 to 15 acres. Recreational trails throughout property. Potential municipal mitigation bank site.
- Manchester Sports Park: Active park and recreation fields.
- Sun Vista Park: Active park facilities.
- Hawk View Park Expansion: Active park facilities.
- Quail Gardens Drive Park: Active park facilities.
- Recreational Trails Master Plan: Recreational trails citywide.

- SDG&E Corridor: Recreational trails and passive/semi-active recreation.
- Manchester Conservation Bank: Recreational trails.

See also Table 2-4 for a list of anticipated public projects.

4.2.2 Land Uses Planned Adjacent to the Preserve

The following adjacency guidelines are intended to ensure that rare plants and critical populations of sensitive species are adequately buffered from adjacent development to ensure there is long-term conservation. Existing or planned land uses adjacent to the preserve include single- and multiple-family residential, active recreational, commercial, industrial, agricultural, and extractive uses (i.e., dredging of lagoons). Land uses adjacent to the preserve shall be managed to ensure minimal impacts to the preserve. The following adjacency guidelines shall be addressed during either the planning (new development) or management (new and existing development) stages of preserve assembly. Many of these issues shall be identified and addressed through the CEQA process.

Drainage and Toxics. All new and proposed parking lots and developed areas in and adjacent to the preserve shall not drain directly into the preserve. All developed and paved areas and agricultural and recreational use areas shall prevent the release of toxins, chemicals, petroleum products, exotic plant materials, and other elements that might degrade or harm the natural environment or ecosystem processes within the preserve. This can be accomplished using a variety of methods, including natural detention basins, grass swales, or mechanical trapping devices. These systems shall be maintained approximately once a year, or as often as needed to ensure proper functioning. Maintenance shall include dredging out sediments if needed, removing exotic plant materials, and adding chemical-neutralizing compounds (e.g., clay compounds when necessary and appropriate). Restaurants adjacent to the lagoon shall comply with storm drain regulations.

Erosion and Sedimentation. All new development adjacent to preserve areas shall be required to adhere to measures outlined in the city's Grading, Erosion, and Sediment Control Ordinance to avoid degradation of lagoons, other wetland habitats, and upland habitats from erosion and sedimentation. These measures include restrictions on the

timing and amount of grading and vegetation removal. For example, grading or vegetation removal shall be prohibited during the rainy season (October 1 through April 15) without an approved erosion control plan and program in place. Grading or vegetation removal shall be prohibited adjacent to preserve areas during the rainy season unless determined to be allowable on a site-specific basis. In addition, all necessary erosion control devices must be in place, and appropriate monitoring and maintenance must be implemented during the grading period. Once the subarea plan is adopted, the city will amend the ordinance to restrict grading when covered bird species are using the habitat for breeding (see Section 6.3).

Lighting. Lighting of all developed areas adjacent to the preserve shall be directed away from the preserve. Where necessary, development shall provide adequate shielding, berming, or other methods to protect the preserve and sensitive species from night lighting.

Noise. Land uses adjacent to the preserve shall be designed to minimize noise impacts. Berms and walls shall be constructed adjacent to commercial areas, recreational areas, and any other use that may introduce noises that could impact or interfere with wildlife utilization of the preserve. Any activities that generate noise levels greater than 60 decibels (A-weighted scale) within 500 feet of nesting sensitive bird species (such as California gnatcatcher, least Bell's vireo, southwestern willow flycatcher, California least tern, and snowy plover) shall be conducted outside of the breeding season or include sound attenuation devices.

Barriers. New development adjacent to the preserve may be required to provide barriers (e.g., noninvasive vegetation, rocks/boulders, fences, walls, and signs) along the preserve boundary to direct public access to appropriate entrance locations and reduce domestic animal predation.

Landscaping Restrictions. When landscaping within or adjacent to the preserve, the following guidelines shall be followed. Prohibit the use of nonnative, invasive plant species (i.e., container stock and hydroseed material) in landscaping palettes. Revegetate areas of exotic species removal with native species appropriate to the adjacent preserve area. Table 4-2 provides a partial list of attractive native landscape plants that are tolerant of some summer irrigation and are compatible with adjacent preserve areas.

Table 4-2

**NATIVE LANDSCAPING SHRUBS SUITABLE FOR USE
ADJACENT TO PRESERVE AREAS**

Scientific Name	Common Name
<i>Adolphia californica</i>	California adolphia
<i>Atriplex lentiformis</i> ssp. <i>lentiformis</i>	Big saltbush
<i>Comarostaphylis diversifolia</i> ssp. <i>diversifolia</i>	Summer holly
<i>Encelia californica</i>	Coastal sunflower
<i>Heteromeles arbutifolia</i>	Toyon
<i>Malosma laurina</i>	Laurel sumac
<i>Mimulus aurantiacus</i>	Red monkeyflower
<i>Opuntia prolifera</i>	Cholla cactus
<i>Prunus ilicifolia</i> ssp. <i>ilicifolia</i>	Hollyleaf cherry
<i>Rhus integrifolia</i>	Lemonadeberry
<i>Rhus ovata</i>	Sugar bush
<i>Sambucus mexicana</i>	Mexican elderberry

See also Table 7-1 in Section 7 for a list of landscape plants not recommended within 1,000 feet of preserve areas. Control and monitor horticultural regimes (e.g., irrigation, fertilization, pest control, and pruning), which can alter site conditions in natural areas, to prevent shifts in species composition from native to nonnative flora. Irrigation runoff, for example, can alter natural areas that are adapted to xeric (dry) conditions, thereby promoting establishment of nonnative plants and displacement of native species. Irrigation can also carry pesticides into natural areas, adversely affecting both plants and wildlife. Irrigation should generally be directed away from the preserve, as this could foster conditions favorable to Argentine and fire ants. Finally, fertilizer management programs shall be implemented that apply the minimal amount of fertilizer required for all public horticultural areas adjacent to the preserve.

Fire and Brush Management. Fire and brush management guidelines shall be enforced so that both biological and safety goals are met, consistent with the recommendations of the Wildland/Urban Interface Task Force. Brush management to reduce fuel and protect urban uses shall occur where existing development is adjacent to the preserve. New residential development located adjacent to the preserve must be set back to incorporate brush management zones on the development pad and outside the preserve. For existing projects and approved projects, the brush management zones, standards and locations, and clearing techniques will not change from those required under existing regulations. Where consistent with the Wildland/Urban Interface Development Standards, vegetation clearing for fire management shall involve brushing rather than disking. Brushing maintains a more firm ground surface that is less prone to erosion and invasion of exotic plant species. Brushing shall require an approved erosion control program and shall be prohibited when covered species are using the habitat for breeding.

4.3 GUIDELINES FOR PRESERVE DESIGN (ONSITE CONSERVATION) BY AREA OF CITY

The following general and site-specific standards will apply during planning and implementation of projects in all softline areas of the city (formerly referred to as the mitigation ratio areas). These areas will be hardlined during the development process according to these general standards and any site-specific standards that apply to a particular location.

4.3.1 General Standards

The following general standards will apply to all softline areas of the city during the planning and implementation process. Refer to Section 2.3 for additional discussions on the policies below. All proposed development projects within the subarea and within the Sphere of Influence must have biological surveys, a biology technical report, and CEQA review so that the impacts of and mitigation for the proposed project can be evaluated with respect to the subarea plan.

4.3.1.1 Wetland/Wetland Buffer Policies

Wetland communities within Encinitas include areas subject to California Fish and Game Code Section 1600 et seq. and Section 404 of the federal Clean Water Act. Such areas will continue to be regulated by these state and federal statutes. The ACOE will continue to consult with the USFWS pursuant to Section 7 of the ESA on projects that may affect federally listed species within ACOE jurisdictional wetlands. The CDFG will work closely with the ACOE, USFWS, and the City of Encinitas to ensure that Fish and Game Code Section 1600 et seq. agreements are consistent with (1) the mitigation required for covered species by Section 404 permits (including ESA Section 7 consultations) and (2) the Encinitas Subarea Plan.

This subarea plan addresses avoidance, minimization, and mitigation measures for wetland habitats subject to development impacts. Development projects that affect wetland vegetation communities will be required to comply with these terms, which meet the federal policy of no net loss of wetland functions and values, and the U.S. Environmental Protection Agency's (EPA) 404(b)(1) Guidelines (40 CFR Part 230). Compliance with these subarea plan terms will constitute the full extent of mitigation measures for the take of covered species required or recommended by the USFWS pursuant to the ESA and National Environmental Policy Act (NEPA) and the CDFG pursuant to the CESA, NCCP Act, and CEQA. In addition, all projects that support wetland habitat must adhere to the wetland and wetland buffer policies outlined in MHCP Issue Paper No. 9 (Ogden 1999) and the Land Use and Resource Management Elements of the Encinitas General Plan.

The following standards and policies apply to all wetland vegetation communities within the city:

- No Net Loss Policy. For all vegetation communities listed by the MHCP as wetland vegetation communities, the city shall require, in priority order, maximum avoidance of project impacts, minimization of impacts, and mitigation of impacts (see also Section 3.6.1 of the MHCP Plan). Mitigation of unavoidable impacts shall be designed to achieve no net loss of both wetland acreage *and biological value* within the city. This is consistent with existing wetland policies of the CDFG.
- Mitigation for Unavoidable Impacts. To achieve the no net loss standard, mitigation for unavoidable impacts (e.g., wetland habitat creation or restoration) shall preferably occur onsite. Alternatively, offsite mitigation may occur as long as such mitigation demonstrably contributes to the Encinitas preserve design and biological value (e.g., by adjacency to other preserve areas). Offsite mitigation should preferentially occur within the same watershed as the impact. In any case, wetland mitigation sites shall be designated as preserve lands and managed for biological values (see also Section 3.6.1 of the MHCP Plan).
- Conservation and Buffer Requirements. Wherever development or other discretionary actions are proposed in or adjacent to wetland or riparian habitats, the wetland or riparian areas shall be designated as biological open space and incorporated into the preserve. Biological buffers that are a minimum of 100 feet wide in saltwater wetland areas and 50 feet wide in freshwater riparian areas must be established adjacent to preserved habitat, unless smaller buffers are demonstrated to be appropriate and proposed reductions in buffer widths are approved by the wildlife agencies. Within the biological buffer, no new development or other uses considered incompatible with adjacent preserve goals shall be allowed, although uses considered compatible in preserve buffer areas may be established (e.g., trails or utilities; see MHCP Plan Section 6.2 for a complete discussion of compatible and incompatible land uses adjacent to the preserve, and Encinitas Subarea Plan Section 4.2.1 for a complete discussion of conditionally compatible land uses and activities within the preserve). In addition, the buffer area shall be managed for natural biological values as part of

the preserve system. In the event that natural habitats do not currently (at the time of proposed action) cover the buffer area, vegetation appropriate to the location and soils shall be planted as a condition for the proposed action.

4.3.1.2 Narrow Endemic Species Policies

The MHCP defines “Narrow Endemic Species” (listed in Table 4-3) as follows:

MHCP species that are highly restricted by their habitat affinities, edaphic requirements, or other ecological factors, and that may have limited but important populations within the MHCP area, such that substantial loss of these populations or their habitat within the MHCP area might jeopardize the continued existence or recovery of that species.

MHCP policies require maximum avoidance of project impacts, minimization of impacts, and species-specific mitigation measures for unavoidable impacts, with a goal of achieving no net loss of these populations within the FPA, and no more than 20 percent gross loss outside of the FPA. These policies, as further elaborated in the MHCP Plan, are hereby incorporated into the Encinitas Subarea Plan, as follows.

- For species identified in Table 4-3 as Narrow Endemic Species, the City of Encinitas will require, in priority order, maximum avoidance of project impacts, minimization of impacts, and species-specific mitigation measures for unavoidable impacts. Maximum avoidance and minimization shall be interpreted as avoidance of impacts to the degree practicable without precluding reasonable use of the property. Species-specific mitigation measures for unavoidable impacts shall be designed to achieve no net loss of narrow endemic populations, occupied acreage, or population viability. Mitigation options for achieving this goal are discussed in the covered species analyses (MHCP Plan Volume II).
- In no case shall the city permit more than 5 percent gross loss of narrow endemic points, populations, or occupied acreage (whichever is most appropriate for the species) within the FPA, or more than 20 percent gross loss within the city as a whole.

Table 4-3
MHCP NARROW ENDEMIC SPECIES LIST^{1,2}

Scientific Name	Common Name
Plants	
<i>Acanthomintha ilicifolia</i> (s)	San Diego thorn-mint
<i>Ambrosia pumila</i> (g)	San Diego ambrosia
<i>Arctostaphylos glandulosa</i> ssp. <i>crassifolia</i> (g)	Del Mar manzanita
<i>Baccharis vanessae</i> (g)	Encinitas baccharis
<i>Brodiaea filifolia</i> (s)	Thread-leaved brodiaea
<i>Chorizanthe orcuttiana</i> (g)	Orcutt's spineflower
<i>Corethrogyne filaginifolia</i> var. <i>linifolia</i> (g)	Del Mar Mesa sand aster
<i>Dudleya blochmaniae</i> ssp. <i>brevifolia</i> (g, s)	Short-leaved dudleya
<i>Dudleya variegata</i> (s)	Variiegated dudleya
<i>Eryngium aristulatum</i> var. <i>parishii</i> (v, s)	San Diego button-celery
<i>Hazardia orcuttii</i> (g)	Orcutt's hazardia
<i>Lotus nuttallianus</i> (g)	Nuttall's lotus
<i>Muilla clevelandii</i> (s)	San Diego goldenstar
<i>Myosurus minimus</i> ssp. <i>apus</i> (v, s)	Little mousetail
<i>Navarretia fossalis</i> (v, s)	Spreading navarretia
<i>Orcuttia californica</i> (v, s)	California Orcutt grass
Animals	
<i>Streptocephalus woottoni</i> (v)	Riverside fairy shrimp
<i>Branchinecta sandiegoensis</i> (v)	San Diego fairy shrimp
<i>Cicindela latesignata obliviosa</i> (g)	Oblivious tiger beetle
<i>Perognathus longimembris pacificus</i> (g, s)	Pacific pocket mouse
<i>Campylorhynchus brunneicapillus cousei</i> (g)	Coastal cactus wren

¹ Species on this list meet the criteria of being highly restricted by geographical or ecological factors *and* having important populations within the MHCP area, such that substantial loss of these populations or their habitat within the MHCP area might jeopardize the continued existence or recovery of that species.

² Letters in parentheses indicate the nature of the endemism: g = geographic endemic; v = vernal pool endemic; s = edaphic (soil) endemic. Note that some species classified as geographic endemics for purposes of the MHCP study are more widespread in Baja California.

- Any take of Narrow Endemic Species populations or occupied acreage within the FPA (up to 5 percent of the total within these designated areas) must be mitigated so as to achieve no net loss of such populations. Any take of Narrow Endemic Species populations or occupied acreage outside the FPA (up to 20 percent of the total within the city) must be mitigated based on species-specific criteria discussed in the MHCP species justifications or designed in consultation with the wildlife agencies, to minimize adverse effects to species viability and contribute to species recovery.
- Areas conserved for Narrow Endemic Species shall include biologically justified buffer zones around the population sites to allow for natural expansion and contraction of populations, persistence of pollinators, and other essential ecological functions (see MHCP Plan Volume II). Any conserved lands that support narrow endemic species shall be added to the Encinitas preserve system and managed for the continued viability of the population.
- Regardless of location, Narrow Endemic Species populations listed as “critical” in the MHCP Plan Volume II must be totally avoided, and any populations that are later discovered and determined to meet the criteria for a critical population must be maximally avoided (see below).

4.3.1.3 Critical Location Policy

Sensitive species locations listed as critical in the MHCP Plan Volume II must be totally avoided, and any populations that are later discovered and determined to meet the criteria for a critical population must be maximally avoided. In no case shall the city permit more than 5 percent gross loss of known or newly found critical populations of narrow endemic species, regardless of location within the city. Any take of major or critical populations (up to 5 percent of total within the city) must be mitigated so as to achieve a no net loss of such populations within the city.

4.3.1.4 Other Sensitive Species Policies

Other sensitive species (i.e., those that do not qualify as wetland obligates, narrow endemics, or critical locations) must be conserved according to the mitigation ratio

percentage for the vegetation type in which the species occurs (see Table 4-4). Clearing and grubbing of habitat, both inside and outside the preserve, shall be prohibited when covered species are using the habitat for breeding.

4.3.1.5 Mitigation Policies for Vegetation Communities

Mitigation ratios and a vegetation community “tier” structure consistent with Section 4 of the MHCP Plan Volume II shall be used to determine mitigation acreages and in-kind versus out-of-kind mitigation. Priorities for mitigation sites are (1) onsite, (2) elsewhere in FPA within the city and city’s Sphere of Influence, and (3) outside the city in the FPA of adjacent jurisdictions or gnatcatcher core area in the unincorporated area. Onsite mitigation may be required by site-specific standards in some areas, as discussed in Section 4.3.2. Mitigation sites must meet criteria for contiguity with existing open space areas. Table 4-4 provides specific mitigation ratio standards for impacts to natural vegetation communities. Impacts to wetlands and wetland habitats must be reviewed by federal or state agencies having jurisdiction over those areas. The Encinitas Subarea Plan and the MHCP have a policy of no net loss of wetland vegetation communities.

4.3.1.6 Wildlife Corridors

Appropriate corridor widths should be based on site-specific biological information, including the needs of target species, habitat quality within and adjacent to the corridor, and edge effects from adjacent land uses (MHCP Biological Goals, Standards, and Guidelines [Ogden 1998]). In general, wide linkages are better than narrow ones, and narrow linkages should be relatively short. Optimal corridor widths are 1,000 feet for large mammals and birds and 400 feet in areas where the corridor is less than 500 feet long (Ogden 1998). There are areas within Encinitas, however, where even a 400-foot corridor would be very difficult to achieve under existing conditions, either because natural lands are constrained by adjacent development or because a corridor of this width would encompass all or most of a given property. For these areas, a minimum corridor width of 200 feet should be provided, where possible, in order to have a corridor that provides some value for dispersal, and these narrower corridors must maintain line-of-sight connectivity to preserved habitat. Narrow corridors may be improved by habitat restoration efforts that widen the corridor or increase the amount of vegetation within the corridor.

Table 4-4

MITIGATION STANDARDS FOR IMPACTS TO NATURAL VEGETATION AND HABITAT¹

Habitat Group	Location of Impacted Habitat	
	Inside FPA ²	Outside FPA ³
A. Wetland/Riparian^{4,5} - Coastal salt marsh, alkali marsh, freshwater marsh, estuarine, salt pan/mudflats, riparian forest, riparian woodland, riparian scrub, vernal pool, disturbed wetland, flood channel, freshwater	No net loss goal [Replacement ratio between 1:1 and 3:1]	No net loss goal [Replacement ratio between 1:1 and 3:1]
B. Rare Upland⁵ - Beach, southern coastal bluff scrub, maritime succulent scrub, southern maritime chaparral, Engelmann oak woodland, coast live oak woodland, native grassland	3:1	2:1
C. Coastal Sage Scrub⁵ - Coastal sage scrub, coastal sage/chaparral mix	2:1	1:1
D. Chaparral⁵ - Chaparral, excluding southern maritime chaparral	1:1	0.5:1
E. Annual Grassland⁵ - Annual (nonnative) grassland	0.5:1	0.5:1
F. Other - Disturbed land (including ruderal), agricultural land, eucalyptus	None	None

Notes:

- ¹ This table describes standards for mitigation of impacts to vegetation communities (habitats), excluding narrow endemic species. Separate standards apply for impacts to narrow endemic or certain other species; see text for discussion of these species.
- ² Primary conservation actions for natural habitats inside the FPA are to avoid impact as much as possible, minimize any unavoidable impacts, and fully mitigate any unavoidable impacts. Upland habitat that is conserved and managed onsite may be used to satisfy mitigation obligations associated with impacts to other upland habitats located elsewhere onsite.
- ³ Upland habitat (groups B, C, D, or E) may be removed outside the FPA. All mitigation obligations associated with impacts to upland habitat outside the FPA must be located inside the FPA. Outside the FPA, conservation of upland habitat onsite cannot be used to satisfy mitigation obligations associated with impacts to other upland habitats.
- ⁴ All impacts to wetland habitats and mitigation for such impacts must be reviewed and approved by federal and state agencies with jurisdiction over wetlands.
- ⁵ For Habitat Group A, restored habitat areas shall be in-kind and located in an FPA, generally in the same watershed and in the relative vicinity of the impacted habitat. For Group B communities, restored or conserved habitat shall also be in-kind. For communities in Groups C, D, and E, conserved habitat could be out-of-kind, if the conserved habitat is located in an FPA, or outside an FPA, if it is shown to be a viable addition to the regional preserve system.

4.3.1.7 Fire/Brush Management Zones

For all future development projects, firebreaks and fuel modification zones must be addressed in accordance with city policies (e.g., Public Safety Policy 1.13, Resource Management Policy 10.1; see Sections 2.3.4 and 4.2.2) and must be considered part of the development footprint for determining project impacts and mitigation requirements. Fuel breaks and modification zones shall be sited outside the preserve boundary and shall not be counted as biological open space for the purpose of determining onsite or offsite credit toward mitigation requirements. Rather, these areas shall be considered as unavoidable impacts to habitat and must be mitigated.

4.3.1.8 Steep Slope Policies

All development that occurs on lands with steep slopes must adhere to the steep slope regulations (e.g., Hillside/Inland Bluff Overlay Zone) outlined in the Land Use Element of the Encinitas General Plan and Section 30.34.030 of the Zoning Ordinance. These regulations allow encroachment of 0 to 20 percent in areas where slopes exceed 25 percent, depending on the amount of the property within steep slopes.

4.3.1.9 Development Setback on Bluffs

All development that occurs on lands with bluffs must adhere to existing city policies outlined in the Land Use Element of the Encinitas General Plan and Section 30.34.020 and 30.34.030 of the Zoning Ordinance (e.g., Coastal Bluff and Hillside/Inland Bluff Overlay Zones), which require 25- and 40-foot setbacks for inland and coastal bluffs, respectively.

4.3.1.10 Agricultural Conversion to Development

Any agricultural land proposed for conversion to residential/urban uses must be evaluated for potential benefits to the preserve prior to development approval. Development of agricultural lands will require setbacks from wetland vegetation and restoration of upland vegetation in the buffer thus created. Buffer widths must be consistent with those specified in the Encinitas General Plan, Section 30.34.040 (Floodplain Overlay Zone) of the Zoning Ordinance, and in Sections 2.3.1.1 and 4.3.1.1 of this subarea plan.

4.3.2 Site-Specific Standards

The following softline areas of the city support resources of particular importance to biological conservation and hence require site-specific standards in addition to the general standards that apply. These site-specific standards are described below on a parcel-specific basis within each area of the city. Site-specific biological surveys of these properties will be conducted when the properties are proposed for development. At that time, onsite conservation and mitigation requirements will be imposed consistent with the goals of this subarea plan.

4.3.2.1 Encinitas North

La Costa Parcels. The La Costa parcels are situated on slopes adjacent to and just south of Batiquitos Lagoon (Figure 4-3) and currently consist of multiple landowners. These parcels are important because of their collective size, location, and sensitive biological resources.

The La Costa parcels are interspersed with hardlined areas (95 percent conservation) within the FPA. Together, the hardlined and softlined parcels constitute a relatively large block of habitat in Encinitas North. Conservation of the La Costa parcels will provide contiguity with existing hardlined conservation areas at Batiquitos Lagoon in the City of Carlsbad. The La Costa parcels support coastal sage scrub, southern maritime chaparral, and riparian habitats, as well as more common chaparral and grassland habitats. At least two federally endangered or threatened species (Del Mar manzanita and California gnatcatcher) are found in this area.

Site-specific standards for these parcels include the following:

1. *Connectivity.* Site-specific planning in this area must maximize preserve design by ensuring connectivity to adjacent open space in the FPA.
2. *Avoidance/onsite conservation.* All mitigation (e.g., coastal sage scrub, southern maritime chaparral) must be met by onsite conservation to ensure a viable preserve design in this area. Maintain/conserves enough coastal sage scrub in this area to support 5 to 6 pairs of gnatcatchers.

3. *Avoid species locations.* Avoid stands or individuals of Del Mar manzanita, and conserve occupied gnatcatcher habitat.

Indian Head Canyon. Indian Head Canyon is a 62-acre city-owned property situated east of Saxony Road and south of Quail Hollow Drive (Figure 4-3). The city is proposing a passive park on approximately 10 to 15 acres; it is also considering creating a Municipal Mitigation Bank on the remaining acreage. Trails will occur throughout the property. A parking lot, picnic tables, and possibly a play structure and horse staging area will be sited within an area that is currently mapped as disturbed habitat.

Habitat in Indian Head Canyon includes coastal sage scrub, grassland, southern willow scrub, and a small amount of southern maritime chaparral. At least two MHCP animal species (California gnatcatcher and orange-throated whiptail) have been documented in this area. Indian Head Canyon is contiguous with preserved coastal sage scrub and southern maritime chaparral in the FPA to the east. Maintenance of this contiguity will help to retain habitat values in both areas.

Site-specific standards for this parcel include the following:

1. *Connectivity.* Site-specific planning in this area must maximize preserve value by ensuring connectivity to adjacent open space in the FPA to the east of this area.
2. *Land use.* Passive recreation may be allowed through open space on this parcel (e.g., trails). However, impacts to sensitive biological resources must be minimized through site-specific guidelines, including (but not limited to) appropriate siting of activities and fencing or signing to restrict access in sensitive areas.

4.3.2.2 Encinitas South

Crest Drive Parcels. The Crest Drive parcels are situated on slopes east of Crest Drive and currently consist of a large number of small parcels and multiple landowners (Figure 4-3). These parcels are important because of their collective size, location, and sensitive biological resources.

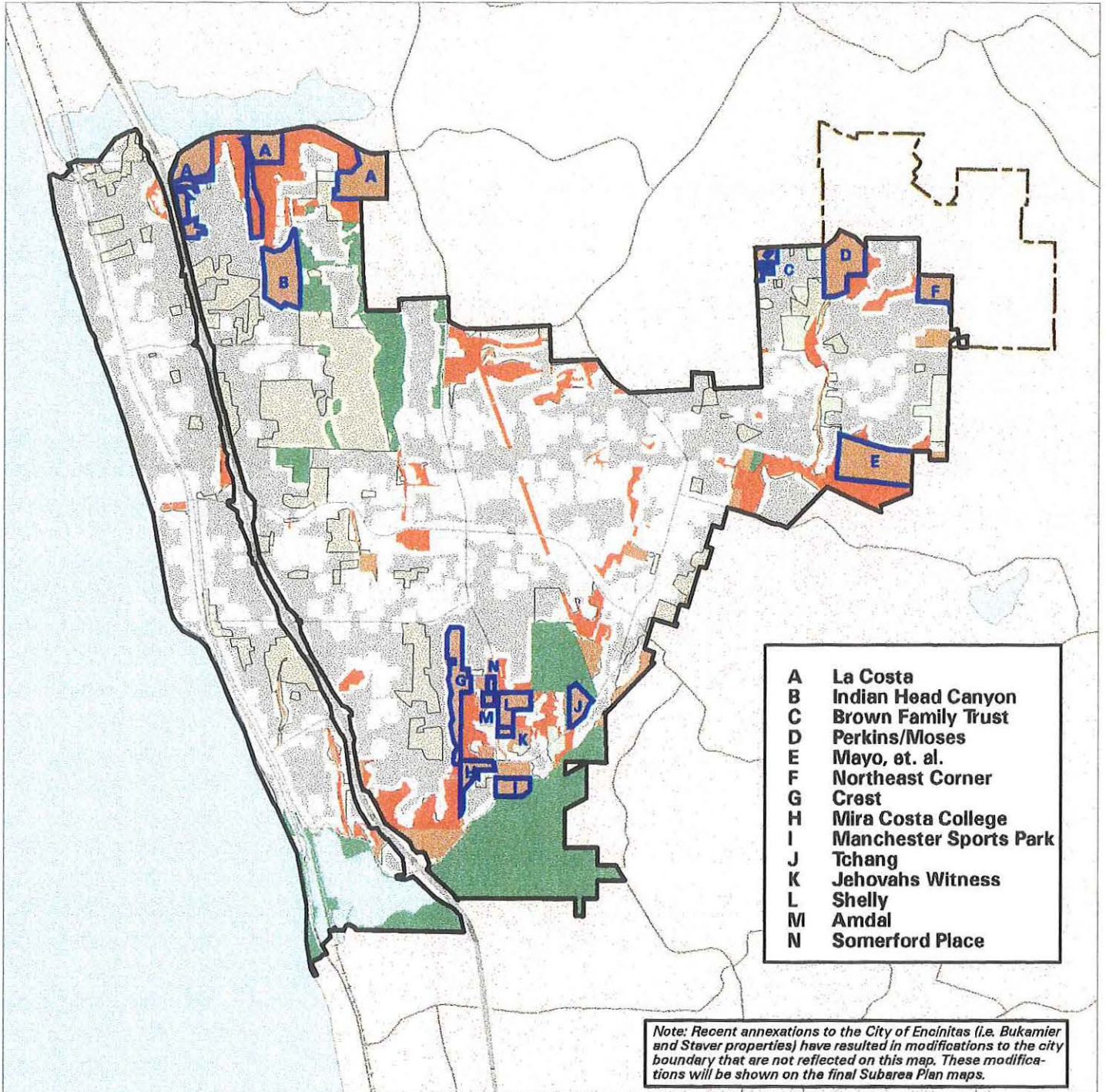


Figure 4-3
City of Encinitas Subarea Plan
Focused Planning Area and Softline Properties Requiring Site-Specific Standards

- Natural Habitats
- Agricultural Land
- Developed and Disturbed Land
- Hardline Focused Planning Area
- Existing Homeowners' Association Open Space
- Softline Focused Planning Area
- Properties Requiring Site-Specific Standards
- Sphere of Influence

The Crest Drive parcels lie adjacent to hardlined areas (95 percent preservation) within the FPA to the south and southeast. They are significant because they support southern maritime chaparral and associated MHCP plant species, including at least two federally endangered species (Del Mar manzanita and Encinitas baccharis). Appropriate planning and preserve design is critical in this area to conserve sensitive biological resources (including major populations and critical locations of MHCP plant species), reduce or minimize habitat fragmentation and associated edge effects, and maintain connectivity with conserved habitat to the south and east.

Site-specific standards for these parcels include the following:

1. *Connectivity.* Site-specific planning in this area must maximize preserve value by ensuring connectivity to adjacent open space in the FPA to the south and east.
2. *Avoidance/onsite conservation.* Avoid southern maritime chaparral habitats. Impacts to southern maritime chaparral must be mitigated in-kind due to the scarcity of this habitat in the region. This may require onsite conservation of southern maritime chaparral.
3. *Avoid species locations.* Avoid major populations and critical locations of southern maritime chaparral MHCP plant species, including Del Mar manzanita, Encinitas baccharis, wart-stemmed ceanothus, summer holly, and San Diego barrel cactus.

Mira Costa College. Land owned by Mira Costa College is situated north of Manchester Avenue and east of Crest Drive in the southern portion of the city (Figure 4-3). The land use plan for the college land is unknown. The college can benefit from the city's take permit by voluntarily adhering to both the general standards discussed in Section 4.3.1 and the site-specific standards provided below.

College-owned land currently supports agricultural areas as well as sensitive upland habitats (i.e., coastal sage scrub and southern maritime chaparral). This land is adjacent to 95 percent hardlined areas to the north and southwest within the FPA and likely supports sensitive species associated with the upland habitats. Major planning issues for

this land will be conserving sensitive biological resources (see general standards in Section 4.3.1), maintaining connectivity, and preventing runoff to the lagoon.

Site-specific standards for these parcels include the following:

1. *Connectivity.* Site-specific planning in this area must maximize preserve value by ensuring connectivity to adjacent open space in the FPA.
2. *Avoidance/onsite conservation.* All mitigation (e.g., coastal sage scrub, southern maritime chaparral) must be met by onsite conservation to ensure a viable preserve design in this area. Maintain/conserves coastal sage scrub and southern maritime chaparral in a sufficient size and configuration to support viable populations of MHCP species and reduce edge effects.
3. *Land use.* Impacts of agricultural runoff to the lagoon shall be avoided by minimizing irrigation to prevent runoff to the lagoon.

Tchang Parcel. The Tchang parcel occurs along Manchester Avenue (Figure 4-3). This parcel is important primarily because of its location. It also supports sensitive biological resources.

The Tchang parcel lies adjacent to hardlined areas to the north, south, west, and east. Adjacent open space to the north, west, and east includes the Manchester Mitigation Bank. The SDG&E transmission corridor is included within the Manchester Mitigation bank and is situated along the western border of the Tchang parcel. The Tchang parcel supports primarily grassland habitat (including native grassland), and California gnatcatchers have been documented onsite. Appropriate preserve planning on this parcel will enhance existing corridors for a variety of wildlife species (e.g., coyote, California gnatcatcher, orange-throated whiptail).

Site-specific standards for this parcel include the following:

1. *Connectivity.* Site-specific planning must maximize habitat value by ensuring connectivity to adjacent open space in the FPA. It is important to create a linkage

between this parcel and the softlined area to the north (i.e., land north and east of Trabert Ranch Road).

2. *Avoidance/onsite conservation.* Avoid native grassland and coastal sage scrub. Impacts to native grassland on this parcel must be mitigated in-kind due to the scarcity of this habitat in the region. This may require onsite conservation of native grasslands.
3. *Wildlife corridor.* Site-specific planning shall increase the width of an existing wildlife corridor through this area by preserving habitat onsite that is adjacent to the SDG&E corridor along the western edge of the property. The total corridor width (onsite corridor plus SDG&E corridor) shall be based on the needs of those species that require a corridor through this area, such as coyote, California gnatcatcher, and orange-throated whiptail.

Other Parcels. The following parcels in Encinitas South have recently been hardlined and are no longer subject to site-specific standards for planning, but the conserved areas will adhere to management guidelines in this subarea plan:

- Manchester Sports Park
- Amdal
- Somerford Place
- Shelley (northern portion only)
- Jehovah's Witness

4.3.2.3 Encinitas East

Mayo et al. Parcels. The Mayo et al. parcels are situated on slopes adjacent to and north of Escondido Creek (Figure 4-3). These parcels are important because of their collective size, location, and sensitive biological resources.

The Mayo et al. parcels are adjacent to hardlined areas (95 percent preservation) to the north and south and lie adjacent to natural habitats to the east, outside the MHCP study area. Together, the hardlined and softlined parcels constitute the largest remaining block of natural habitat in Encinitas East. These parcels support sensitive coastal sage scrub

and the federally threatened California gnatcatcher. Planning issues for these parcels include connectivity to adjacent open space and revegetation requirements.

Site-specific standards for these parcels include the following:

1. *Connectivity.* Site-specific planning in this area must maximize preserve value by ensuring connectivity to adjacent open space to the north and south in the FPA and to unincorporated county lands to the east. In particular, the western portion of this area shall include a sufficient amount of conserved habitat in an appropriate design to buffer the creek.
2. *Avoidance/onsite conservation.* Conserve enough coastal sage scrub to support at least one pair of gnatcatchers.

Northeast Corner Parcels. A number of parcels occur in the northeast corner of the study area, where they currently comprise a block of undeveloped habitat (Figure 4-3). These parcels support sensitive biological resources and are adjacent to 95 percent hardlined preserve areas that support similar resources. They are also important for their position relative to biological resources outside the study area, in the Encinitas Sphere of Influence and other lands in the unincorporated area.

Site-specific standards for these parcels include the following:

1. *Connectivity.* Site-specific planning in this area must maximize preserve value by ensuring connectivity to adjacent open space. The western portion of this area shall include a sufficient amount of conserved habitat, in an adequate configuration, to provide connectivity for gnatcatchers between hardlined areas in the FPA to the west (Barrett project) and the Staver property to the north. Planning in the eastern portion of this area shall ensure connectivity to natural habitats outside the MHCP study area.

Perkins/Moses Parcels. The Perkins/Moses parcels are situated in the eastern portion of the study area, along the northern city boundary (Figure 4-3). The site is adjacent to natural habitat (primarily coastal sage scrub) in the unincorporated core area and a proposed standards area in the City of Carlsbad (Shelley East property). The

Perkins/Moses parcels support sensitive biological resources and are contiguous with a 95 percent hardlined area along their eastern and southern boundaries that supports similar resources.

Vegetation on the Perkins/Moses parcels includes coastal sage scrub in upland areas and riparian scrub along the north-south-oriented Copper Creek, which runs through the property. Connectivity with adjacent open space and maintenance of a wildlife corridor along this drainage are major planning issues.

Site-specific standards for these parcels include the following:

1. *Connectivity.* Site-specific planning in this area must maximize preserve design by ensuring connectivity to adjacent open space. Conserved habitat shall maintain a connection between preserved habitat in the hardlined area in the FPA and preserved habitats in the unincorporated area and in Carlsbad, to the north and northwest, respectively. In addition, preserve design shall maintain the riparian habitat linkage along Copper Creek.
2. *Avoidance/onsite conservation.* Mitigation for impacts to biological resources must occur by onsite conservation. Conserve coastal sage scrub onsite for dispersing gnatcatchers.

Brown Family Trust Parcels. The Brown Family Trust parcels are situated in the eastern portion of Encinitas, along the northern city boundary (Figure 4-3). They lie west of the Perkins/Moses parcels (above). These parcels are adjacent to existing hardlined conservation areas in the City of Carlsbad and comprise a critical wildlife corridor between two areas of conserved habitat in that jurisdiction. Habitat on these parcels consists of coastal sage scrub and grassland. In addition, Encinitas Creek runs through the southern parcel.

Two potential wildlife corridors traverse the Brown parcels: one through the more northerly parcels and another through the southern parcel. The northern connection is likely more biologically functional than the southern connection. It is larger, supports more coastal sage scrub, and is directly connected to hardlined areas in Carlsbad. However, both the northern and southern connections are relatively narrow and

somewhat constrained by adjacent development (e.g., fuel management zones and single-family homes).

Site-specific standards for these parcels include the following:

1. *Connectivity.* Site-specific planning in this area must maximize preserve design by ensuring connectivity to adjacent open space in Carlsbad. Conserved habitat shall maintain at least one connection (preferably through the northern parcel) between preserved habitat in the hardlined areas in Carlsbad. This connection should have a minimum width of 200 feet. Although a wider corridor would be desirable, it is assumed that would result in a corridor over the majority of the property.

4.3.2.4 Sphere of Influence

The City of Encinitas Sphere of Influence occupies about 830 acres within the unincorporated area of the County of San Diego. Parcels in the Sphere of Influence comprise part of the gnatcatcher core area between Lake Hodges and southeast Carlsbad. This area also likely functions as a multi-species corridor between the Lake Hodges core area within the MSCP study area and the coastal sage scrub in the MHCP study area. Habitat in the area is largely coastal sage scrub, with patches of chaparral and grassland, and a riparian corridor along Copper Creek.

The MHCP will conserve approximately 500 acres of unincorporated land, some of which is within the Encinitas Sphere of Influence. The City of Encinitas will contribute to conservation of this gnatcatcher core area by requiring a minimum level of conservation on lands within the city's Sphere of Influence that become annexed to the city. Within this area, all newly annexed land will be subject to the guidelines in this subarea plan, including the mitigation ratios in Table 4-4. Additionally, mitigation for impacts to biological resources must occur through onsite conservation.

Site-specific standards for these parcels include the following:

1. *Connectivity.* Site-specific planning in this area must maximize preserve design and minimize fragmentation by ensuring large habitat linkages between coastal sage scrub around Lake Hodges and conserved open space within and adjacent to the MHCP.

2. *Avoidance/onsite conservation.* Avoid impacts to existing or potential gnatcatcher breeding habitat in coastal sage scrub, where possible. Mitigation for impacts to biological resources must occur by onsite conservation, according to the mitigation ratios in Table 4-4.

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SECTION 5

PRESERVE ASSEMBLY AND CONSERVATION ACTIONS

5.1 COMPONENTS OF HABITAT LANDS IN FPA

Upon completion of the HCP under the Encinitas Subarea Plan, approximately 2,120 acres of natural habitat in Encinitas will be conserved and managed for biological value (Table 5-1). Of the total, about 910 acres are currently under public ownership, including 47 acres owned by the City of Encinitas, and 1,210 acres are under private ownership. Various components of the conserved habitat are described below.

5.1.1 Conserved Habitat on Public Lands

City of Encinitas. Habitats proposed to be conserved on city lands are located in Indian Head Canyon, along the western boundary of I-5 north of Encinitas Boulevard, and in the undeveloped portion of Oak Crest Park. A portion of habitat land in Indian Head Canyon may be proposed as a mitigation area for municipal projects.

County of San Diego. The county administers San Elijo Lagoon County Park and Ecological Reserve, consisting of the portion of San Elijo Lagoon east of I-5 and adjacent lands, all of which are managed for habitat protection and passive recreation. In addition, natural habitats in Quail Botanical Gardens, in Magdalena Ecke Park, and on the north shore of San Elijo Lagoon west of I-5 will also be preserved and managed for biological value.

State of California. CDFG owns and manages San Elijo Lagoon west of I-5. It is assumed that this area will continue to be managed for the conservation of biological resources. There are also state beaches along the coast of Encinitas, including Moonlight State Beach, which supports riparian habitat inland of the beach. Moonlight Beach is maintained by the City of Encinitas.

5.1.2 Conserved Habitat on Private Lands

Some privately owned habitat areas are already protected through open space easements or other agreements that preclude future development. They are shown as hardline

**Table 5-1
TARGET CONSERVATION OF NATURAL HABITAT**

	All Natural Habitat¹ (acres)	Target Conservation Natural Habitat (acres)
Public Lands		
City of Encinitas	67	47
Federal / State ²	281	281
Other Local Agencies ³	640	585
Total	989	912
Private Lands		
Hardline ⁴	921	828
Softline / Standards ⁵	728	379
Total	1,649	1,207
<i>Conservation Bank/Mitigation Area⁶</i>	<i>109</i>	<i>109</i>
Total⁷	2,638	2,119

Source: SANDAG, 1999 MHCP GIS Database.

- ¹ Excludes eucalyptus, agriculture, and disturbed lands.
- ² State lands only; there are no federal lands with natural habitat in Encinitas.
- ³ Primarily County of San Diego's San Elijo Lagoon County Park and Ecological Reserve.
- ⁴ Target conservation of 90% or more of upland habitats; 100% or equivalent of wetland habitats.
- ⁵ Target conservation of less than 90% of upland habitats; 100% or equivalent of wetland habitats.
- ⁶ Natural habitats included in hardline Focused Planning Area (FPA), shown above.
The total mitigation bank is 123 acres.
- ⁷ Figures for total acres of natural habitat and total acres conserved within the FPA differ slightly from those of Table 4-1, due to errors introduced by the use of different data types.

areas in Figure 4-1 and include open space and habitat areas on the south shore of Batiquitos Lagoon, Encinitas Ranch, Manchester Avenue Mitigation Bank, and others. At least 95 percent of natural habitats in hardline FPAs will be conserved and managed for biological value.

Other habitat areas on private lands are subject to conservation guidelines of the MHCP and this subarea plan, including mitigation guidelines described in Section 4.3.1. Of the nearly 730 acres of natural habitat found in softline areas, it is anticipated that slightly over one-half will be permanently conserved in exchange for development of other habitat areas.

Manchester Avenue Mitigation Bank. This 123-acre bank located north of Manchester Avenue was established in 1997 by an agreement among Tech-Bilt Corporation (owner), Center for Natural Lands Management (CNLM; manager), and the USFWS and CDFG. The bank initially had 168 conservation credits: 52 credits for southern maritime chaparral (fully used) and 116 credits for coastal sage scrub. CNLM manages the bank lands using a portion of revenues generated by the sale of credits.

5.1.3 Potential Habitat Acquisition

Habitat acquisition and substantial habitat enhancement or restoration are not required to implement this plan. However, habitat acquisition would further the goals of the plan by conserving lands that would otherwise be lost or impacted by development. City of Encinitas staff have identified opportunity areas for habitat acquisition, when and if federal, state, or regional funds are available for such a use. These areas include natural habitat lands south of Batiquitos Lagoon, along Escondido Creek, and an open space linkage/corridor along Encinitas Creek, southeast of Carlsbad. Funding from the Transportation Equity Act for the 21st Century (TEA-21) has been approved for the purchase of one of the recommended areas south of Batiquitos Lagoon.

5.2 FUNDING AND FINANCING OF THE PLAN

Implementation of this subarea plan will require funding for the management of habitat lands included in the preserve system. Public acquisition of habitat lands will occur only when funds are available as grants from federal or state governments or from others such

as private foundations, when the MHCP regional funding program is established, or when the city accepts dedication of private lands.

Management of the preserve system and the city's equitable share of biological monitoring will be funded by the MHCP regional funding program, when that program is adopted by the participating MHCP jurisdictions. In the absence or prior to adoption of the regional program, the following funding sources will be used to manage the preserve lands: (1) habitat lands conserved as mitigation subsequent to adoption of the subarea plan -- funds established by the development requiring mitigation and (2) city-owned habitat lands -- funds appropriated annually by the City of Encinitas. In all cases, habitat lands owned by other public agencies (State of California, County of San Diego, or others) will be managed by those agencies.

City-owned habitat lands proposed for inclusion in the preserve are currently maintained as part of the city's open space system. The maintenance activities as presently funded will be continued in the future and funded through the city's operating budget. (The city's share of funding required to implement the subarea plan will be reflected in the operating budget, which is adopted every fiscal year.) Additional maintenance and management activities will be undertaken when the MHCP regional funding program is established. It is anticipated that biological monitoring will be conducted jointly by the MHCP cities, USFWS, and CDFG. The City of Encinitas will participate in this effort on an equitable basis.

Unless funds are available from the MHCP regional funding program, the city will require private developers and landowners who set aside habitat as mitigation for impacts from land development subsequent to adoption of the subarea plan to also establish funds for the management of those lands in perpetuity. When the regional or subregional funding program is established, funds from the program will be used to manage habitat lands conserved after establishment of the funding program and/or to supplement the management of habitat lands set aside as mitigation for impacts from land development.

Recommended Uses of Federal, State, or Regional Funds for Acquisition and Management. When a regional or subregional funding source is established for habitat conservation in the MHCP study area, any funds allocable to the city should be expended for the following purposes:

1. Acquire and restore (if necessary) privately owned habitat lands in Encinitas North (La Costa parcels), Encinitas South (Escondido Creek), and in Encinitas East (Brown Family Trust parcels).

2. Provide or supplement funding for the management, monitoring, and restoration of habitat lands within the subarea.

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SECTION 6 PLAN IMPLEMENTATION POLICIES

This section describes subarea plan implementation actions to be taken by the City of Encinitas. These actions are specific to the city and are generally supplemental to the preserve assembly actions described in Section 5 of the MHCP Plan. Key policy areas described in the MHCP Plan that also apply to the Encinitas Subarea Plan include the Overall Assurances, Plan Amendment Process, Process for Addition of Species, Severability, and the Cooperative Structure for Plan Implementation.

6.1 IMPLEMENTATION POLICIES AND ACTIONS

The following implementation policies are from various sources, including Issue Papers approved by the MHCP Advisory Committee, policies intended to apply to all subregional and subarea plans (as documented in the City of San Diego Multiple Species Conservation Plan [MSCP]), discussions of the *ad hoc* committee of MHCP Elected Officials, agreements reached at meetings of the MHCP Elected Officials and wildlife agencies Management Team, and direction provided by the City of Encinitas. These policies and assurances apply to all MHCP subarea plans.

6.1.1 Cooperative Implementation Structure

The MHCP and component subarea plans rely on cooperation among local, state, and federal governments for successful implementation. The MHCP and the Encinitas Subarea Plan will be implemented by the city through application of local land use authority. Assurances for cooperative implementation include the following:

Local Implementation. The city will implement the MHCP directly through this locally prepared and adopted subarea plan. The subarea plan is the subject of the individual Implementing Agreement (IA) between the City of Encinitas, the CDFG, and the USFWS. The IA extends authority for the taking of covered species from the CDFG and USFWS to the city.

No New Institutional Structures. The MHCP will not create a new regional structure or authority with review and approval powers for its implementation. A land conservancy may be created, however, to facilitate preserve assembly and MHCP implementation.

Phased Local Implementation. Revisions to the General Plan, Zoning Code and Municipal Ordinances to implement and fund the MHCP and the subarea plan will be phased, using city regulations, ordinances, and land use plan approval in the interim to achieve the goals of the MHCP. In the Encinitas Subarea Plan, the Grading, Clearing, and Sediment Control ordinance and similar regulations will be used to ensure that habitat is not destroyed prior to local approval of habitat loss. No development moratorium is required during subarea planning and implementation.

Sequential Adoption. Encinitas and other local jurisdictions participating in the MHCP may prepare subarea plans and execute IAs on separate schedules. These subarea plans are interdependent, however, because they must form a collective conservation strategy when combined in a subregional plan. For example, the coverage of some species in Encinitas may depend on conservation actions in another jurisdiction.

6.1.2 Take Authorizations

Take authorization holders are agencies that receive take authorization permits from the wildlife agencies through their subarea plan IAs. “Take” in this case means that covered species or habitats may be impacted by projects that are consistent with this subarea plan and approved by the city. The City of Encinitas becomes a take authorization holder upon approval of the subarea plan and execution of an implementing agreement. The city can share the benefits of these authorizations with individuals as well as public and private sector projects within the city through its land use approval authority. Refer to Section 6.2.1 for additional assurances incorporated into IAs.

City of Encinitas. Upon receiving federal and state take authorizations for covered species, the city will receive assurances from the wildlife agencies through the IA described in Section 6.2. Completion and approval of the subarea plan and execution of an IA will eliminate the 5 percent limit on interim take of coastal sage scrub that was a part of the NCCP program through the Section 4(d) rule regarding the listing of the California gnatcatcher.

Project Proponents. Proponents of projects approved by the city, consistent with its take authorizations, become “third-party beneficiaries” to those authorizations, as described in the IA. Proponents will receive assurances that their mitigation obligations for covered species will not be altered once development project approvals have been granted by the jurisdiction and mitigation has been assured consistent with this subarea plan.

6.1.3 Development Process Assurances

Significant benefits accrue to participants in the MHCP and component subarea plans. These participants include the city and project proponents who receive approvals from the city through the development review and permitting process.

Subarea Plan Implementation. Once approved, the city will implement the plan through local land use authority, the ability to implement federal and state laws through local actions, and the ability for the city to independently determine how local actions, including development regulation, land acquisition, project mitigation, regulations implementing the General Plan, and other discretionary actions, will be used to meet plan implementation requirements. This subarea plan describes the combination of actions Encinitas will take to implement the MHCP (see Section 6.3).

Improved Regulatory Process. A primary purpose of the subarea plan is to simplify the project approval process by eliminating duplicative regulatory and mitigation processes, including project-by-project take authorizations for each listed species. Upon receiving its take authorizations, Encinitas will have permitting authority over lands supporting covered species described in the plan.

Equitable Allocation of Costs. Encinitas will contribute its fair share to implementation of the subregional MHCP preserve, as specified in this subarea plan, through development regulations, mitigation requirements, preservation of habitat on public lands, and other conservation actions. Encinitas will participate in a regional or subregional funding program to implement the MHCP, when such a program has been adopted by participating MHCP jurisdictions.

Plan Implementation Monitoring. The Encinitas Subarea Plan includes a process and criteria for the city and the wildlife agencies to regularly monitor plan implementation and to ensure that habitat conservation proceeds in step with development.

Private Property Rights. The Encinitas Subarea Plan and the subregional MHCP are designed to respect private property rights. As a matter of city policy, acquisition of any lands required to implement the subarea plan will be purchases from willing sellers at fair market values that are cooperatively established.

6.2 IMPLEMENTING AGREEMENT

The IA is the binding contract between Encinitas and the wildlife agencies. It identifies responsibilities to implement the subarea plan, binds the parties to their respective obligations, and specifies remedies should any party fail to perform its obligations.

6.2.1 Assurances in the Implementing Agreement

Some of the key assurances in the model IA are described below; they are in addition to those included in Section 6.1.

Local Land Use. The wildlife agencies will issue to the city 50-year authorizations to take species covered by the subarea plan. The MHCP Plan and this subarea plan will allow for a streamlined process by authorizing the city to issue take permits as part of its project-specific review and approval. Impacts to wetlands must continue to be regulated through the Clean Water Act, Fish and Game Code Section 1600 et seq., and local regulations, although coverage for endangered species through this subarea plan should facilitate consultation required between the USFWS and ACOE.

New Development. New land development that is consistent with this subarea plan will be allowed to take covered species and habitats incidental to project construction, operation, and maintenance based on approvals extended to the project through the local permitting process.

Phased Implementation and Severability. The wildlife agencies have agreed to phased implementation of the MHCP Plan and subarea plans. Phasing means that the city may

implement the subarea plan over time based on economic demand for land development or on other constraints or incentives the city may place on certain areas. The take authorizations granted by the wildlife agencies will also be severable from those granted to other jurisdictions or entities, protecting each take authorization holder from noncompliance by others.

Covered Species. The city will receive take authorizations for the list of covered species in Table 1-1. The list includes species that are adequately conserved by the successful implementation of this subarea plan, as well as species that are adequately conserved in combination with other MHCP subarea plans. The list includes species that are listed as threatened or endangered and species currently not listed under either the ESA or CESA. The list of covered species could change if other jurisdictions lose their permits or do not enact required measures to ensure coverage of such species.

Critical Habitat. If an ESA critical habitat designation is made for a covered species, that determination will not cause additional land, mitigation, restrictions, or compensation to be required of Encinitas if this subarea plan is being implemented in compliance with the take authorization conditions for that species.

Future Listings of Covered and Uncovered Species. This subarea plan incorporates policies describing how the covered species list may be expanded to include new species once actions in Encinitas or other jurisdictions ensure the species' long-term conservation (Section 6.7).

6.2.2 Changed Circumstances and Unforeseen Circumstances

The “No Surprises” rule (50 CFR Part 17[1998]) generally provides that, as long as the subarea plan is being properly implemented, the federal government will not require additional land or money from the city. Changes to the rule in 1998 require a description of “Changed and Unforeseen Circumstances” that further defines potential future responsibilities based on whether future impacts to covered species could reasonably be foreseen.

Changed Circumstances

“Changed Circumstances” are those changes that may affect a species covered by this subarea plan that can reasonably be anticipated by the city and the wildlife agencies at the time of plan preparation. If additional conservation and mitigation measures are deemed necessary to respond to changes in circumstances that are described in the subarea plan, the city will be expected to implement the measures specified in the subarea plan, but only those measures and no others. The city has defined large-scale fires and major flood incidents as those that may affect a species or geographic area covered by the subarea plan and that can be reasonably anticipated at the time of plan preparation.

Fire Changed Circumstances. A “changed circumstance” fire is one that can be controlled in a 24-hour period by local firefighting resources. Much of the land covered by the subarea plan is located in arid areas that are susceptible to wildfires, which can adversely affect or impact habitat communities and ecosystems. Fire is a natural phenomenon in southern California, and “natural” fires should be differentiated from fires with catastrophic impacts. In implementing the subarea plan, the city will use best management practices and coordinate with local fire departments to minimize adverse impacts of fire and to monitor and respond to potential adverse biological impacts when they occur.

If it is necessary to mitigate the impacts of changed circumstance fires on covered species, the appropriate wildlife agencies will initiate, and the city will participate in, an expedited analysis of the areas of the city impacted by any changed circumstance fire. The analysis will commence as soon as personnel required for the analysis can be made available from the appropriate federal and state agencies and the city. The outcome of the analysis will be the development of appropriate measures to minimize, to the extent practicable, the occurrence of significant adverse impacts on covered species resulting from response to and management of fire events. Measures developed by consensus between the city and the wildlife agencies will be implemented. These adaptive management measures could include erosion control, noxious species control, reseeded, and other measures. Ongoing projects and covered activities may continue to use existing operating measures until new measures resulting from the analysis are developed.

Flood Changed Circumstances. In Encinitas, it is unlikely that a “changed circumstance” flood event could occur that would not be adequately addressed by adaptive management actions. If, however, it is necessary to mitigate the impacts of a changed circumstance flood on covered species, the appropriate federal and state agencies will initiate, and the city will participate in, an expedited analysis of the impacted area. The analysis will commence as soon as required personnel from the federal and state agencies and city can be made available. The outcome of the analysis will be the development of appropriate measures to minimize, to the extent practicable, significant adverse impacts on covered species resulting from the flood event. Measures developed by consensus between the city and the wildlife agencies will be implemented. Ongoing projects and covered activities may continue to use existing operating measures until new measures resulting from the analysis are developed.

Unforeseen Circumstances

“Unforeseen Circumstances” are changes affecting a species or geographic area covered by the subarea plan that could not reasonably have been anticipated by the city or the wildlife agencies at the time of plan development, and that result in a substantial and adverse change in the status of a species covered by the subarea plan. In negotiating unforeseen circumstances, the USFWS will not require the commitment of additional land or financial compensation or additional restrictions on the use of land, without the consent of the take authorization holder. In determining unforeseen circumstances, the USFWS will have the burden of demonstrating that such unforeseen circumstances exist and are biologically significant. In such cases, the USFWS will use all of its authorities and resources to rectify the situation and work with the city to redirect conservation and mitigation measures that remove the jeopardizing effects.

6.3 CITY IMPLEMENTATION ACTIONS AND PROCESS

The City of Encinitas will enter into an IA with the wildlife agencies following an action of the City Council adopting the subarea plan and authorizing the agreement. The duration of the agreement will be 50 years, and the agreement will be renewable if required. The IA will ensure that the Encinitas Subarea Plan will be continuously implemented over the next 50 years and that state and federal take authorizations will be

in effect for the same time period. Key assurances for all parties described in the MHCP Plan and this subarea plan will be incorporated in the IA in full.

For its part, the city will guarantee implementation of the subarea plan through interim and permanent regulatory measures including goals, objectives, codes, ordinances, and policies contained in the Encinitas General Plan, Local Coastal Program, Municipal Code, and other city policy documents described in Section 2.3. The city affirms that, within 1 year of the signing of an IA with the wildlife agencies, it will develop and schedule action on any General Plan, Local Coastal Program, and Municipal Code amendments necessary to implement the subarea plan. By mutual agreement, the parties may extend this period for an additional 6 months. This action will assure consistent implementation of the subarea plan through city policy, private and public project review and approval, and guidelines for operation and management of public lands. Regardless of this time period, the city will provide interim protection to habitat lands addressed in the take authorizations through the process described in Section 6.3.3.

6.3.1 Conservation Requirements Established in this Plan

This subarea plan establishes conservation requirements for covered species. Implementation of the subarea plan must ultimately result in conservation of at least 2,123 acres of natural habitat within the FPA, as well as no net loss of wetlands inside and outside the FPA (Table 4-1). The city also must conserve, at a minimum, the acres of each vegetation community shown in Table 4-1. Conservation of any lands in the Encinitas Sphere of Influence, for development impacts within the Sphere, will be in addition to the 2,123 total minimum requirement. Thus, as lands in the Sphere of Influence are annexed to the city, Table 4-1 will be updated.

The size and location of specific habitats to be conserved determine the adequacy of protection for species associated with those habitats. The city may implement the conservation requirements through a variety of means, including open space regulations, onsite or offsite mitigation of project impacts, acquisition, or other means of assuring the perpetual conservation of habitat lands. While this requirement establishes a minimum standard for subarea plan implementation, it does not place a cap on future taking of habitat lands in the event that lands naturally convert from fallow or disturbed land with

the passage of time, except where the subarea plan describes a future requirement for revegetation or restoration to habitat as mitigation for project impacts.

6.3.2 Regulatory Actions

Upon signing of the IA, the city will use its land use regulatory authority to fully implement the provisions of the plan. Regulatory implementation shall consist of the following actions:

1. Immediately following approval of the subarea plan, the city will enact an urgency ordinance, as permitted by California Government Code Section 65858, to require interim compliance with the plan while permanent regulatory measures are being drafted and approved.
2. The city will amend the Introduction and the Land Use, Public Safety, Resource Management, and Recreation elements of the General Plan by reference to incorporate the subarea plan. These elements and associated policies and guidelines are discussed in Section 2.3. If necessary or applicable, existing goals, objectives, or policies contained in the Introduction and in the elements may be amended to strengthen the city's position for subarea plan implementation.
3. The Encinitas Municipal Code (including Title 30 - Zoning and Chapter 23.24 - Grading, Erosion, and Sediment Control) will be amended by reference to require lands addressed by the subarea plan to comply with the specific conservation standards in this subarea plan.
4. The city will revise the Grading, Erosion, and Sediment Control ordinance to include specific fees and penalties assessed for violations of the grading ordinance.
5. The city will continue to use policies and standards contained in the Grading, Erosion, and Sediment Control ordinance in reviewing project development proposals in areas affected by sensitive resources in the coastal zone.

6. The city will adopt, or amend as required, zoning ordinances, codes, and guidelines consistent with the subarea plan and General Plan. This criterion will ensure that the zoning ordinance reflects the requirements of the subarea plan in appropriate areas of the city. The city will also review and modify other development regulations, as needed, to ensure that approval of private and public development projects is consistent with the subarea plan.
7. The city will continue to use goals and guidelines contained in the General Plan in reviewing project development proposals in areas affected by sensitive resources.
8. The city will comply with all terms and conditions of the subarea plan IA.

6.3.3 Interim Resource Protection

The goal of interim protection is to prevent habitat areas covered by the take authorizations from being lost to clearing, conversion, or development in the time period between signing of the IA and city action to adopt amendments necessary to implement the subarea plan. Existing city regulations and ordinances will provide both interim and permanent protection. No proposed project requiring discretionary approval within the city will be approved by the city without a determination of conformance with the subarea plan once an IA is signed. No grading will be allowed within the city unless the Community Development Director makes a determination of conformance with the subarea plan.

The city will act on the urgency ordinance outlined in Section 6.3.2 to require review of any clearing, brushing, grubbing, or grading of vacant lands, or conversion of non-agricultural lands to active agriculture. If these lands are not directly addressed by the subarea plan but contain resources covered by the plan, an appropriate permit and level of mitigation consistent with the plan will be required. If such lands are directly addressed in the subarea plan, the plan's requirements must be met as if the city had fully incorporated the subarea plan into the Encinitas General Plan, Zoning Ordinance, and Municipal Code.

Interim Resource Protection Check List

To ensure that habitat covered by the subarea plan take authorizations is not inadvertently lost or impacted during the interim period, the city will apply the following checklist when reviewing all development proposals within the city.

1. Applicant submits project proposal package (including most recent biological resource documentation). The city requires site-specific surveys and biological technical reports as part of the project documentation.
2. City reviews project relative to subarea plan and MHCP biological database information or more recent information.
3. City determines whether biological surveys and resource documentation need to be completed or require updating.
4. City reviews project relative to existing General Plan and policies/ordinances and updates that are proposed for adoption by City Council.
5. City determines adherence of proposed project to subarea plan guidelines: If the project is planned within the preserve area, land uses must be consistent with those in Section 4.2.1 of this subarea plan. All projects must follow the general and specific guidelines outlined in Section 4.3 of this subarea plan:
 - a. Mitigation for project impacts must be consistent with guidelines in this plan.
 - b. Impacts to all wetlands within the city must be avoided to the maximum extent practicable, according to the city's no net loss policy. Mitigation for unavoidable impacts shall be in accordance with the standards in this plan.
 - c. Upland buffers must be designated in saltwater wetland areas and freshwater riparian areas as described in this plan.

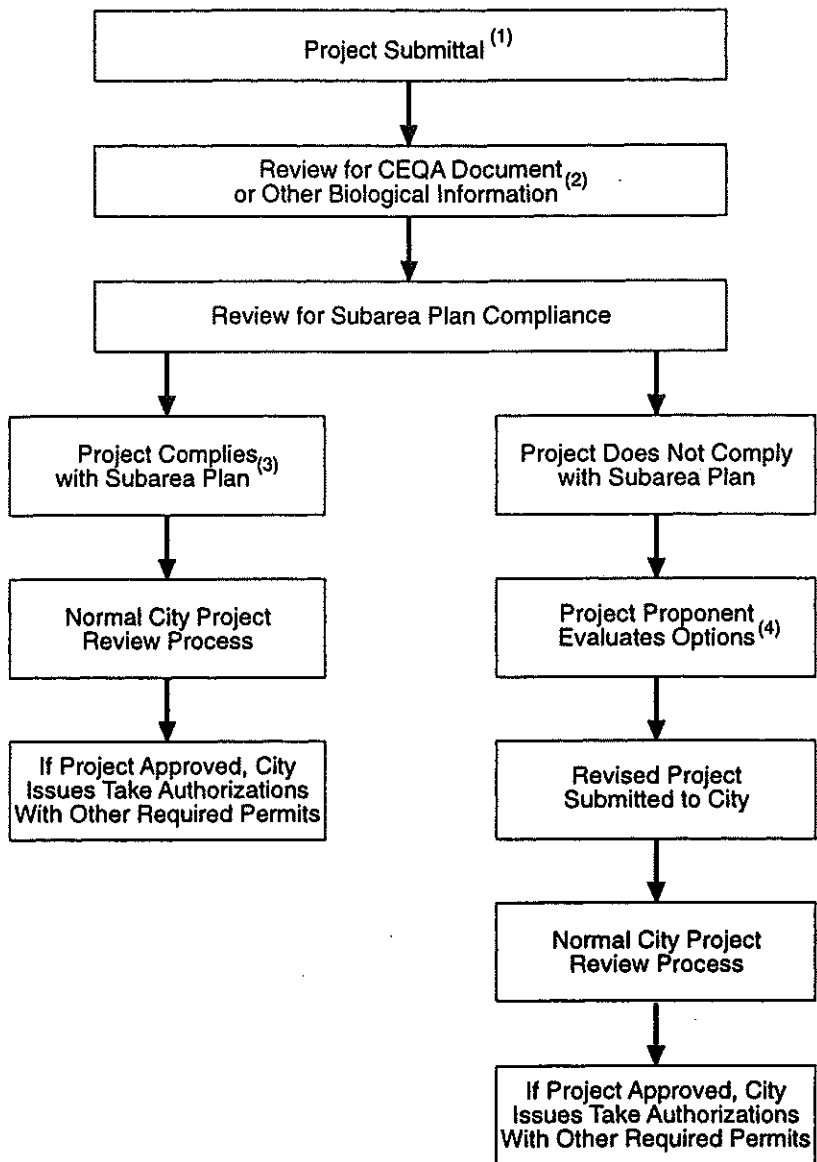
- d. Narrow endemic species must be conserved in accordance with standards in this plan. All critical locations of narrow endemic populations must be totally avoided as described in this plan.
 - e. Fire breaks and fuel modification zones must be considered part of the development footprint and not counted as biological open space.
 - f. New development should be clustered to maximize conservation of biological open space.
6. City provides development approval with any required conditions documented.
 7. City documents project to fulfill NCCP habitat tracking and reporting requirements.

6.3.4 Development Review and Approval Process

Establishment of the regulatory framework described in Section 6.3.2 will enable the city to fully implement the land conservation policies of the subarea plan through the normal project review and approval process. This process, summarized in Figure 6-1, will apply to all private and public projects where the city has jurisdictional land use authority. The city will apply the same process for hardlined projects and softlined areas.

Hardlined Project Plans. Areas within city boundaries at the time of plan adoption may be addressed by hardlined plans incorporated or referenced in this plan. Hardlined project plans contain a map that shows where conservation and development has or will occur on a project site. Hardlined projects must also meet the requirements of this subarea plan before the city grants approval. Sections 4 and 7 contain overall project design guidelines that must be considered when developing final detailed plans for hardlined areas. Taken together, these constitute the “Subarea Plan Compliance” step included in Figure 6-1.

Softlined Project Plans. For other areas of the city, it is not possible or desirable to prepare project level plans prior to approval of the subarea plan. Conservation requirements for these areas are described in Section 4.3.2 as specific standards and



- 1 Assumes the project proponent previously attended a "presubmittal" meeting with City staff and is aware of Subarea Plan and other City approval requirements. The City will encourage this action in every case.
- 2 CEQA documentation is required for all projects seeking approval through the Subarea Plan. The CEQA document must demonstrate project consistency with Subarea Plan requirements and whether a Subarea Plan Amendment or Boundary Adjustment is required. The Wildlife Agencies must be notified of preparation of all CEQA documents for projects that may impact habitats or species addressed by the Subarea Plan.
- 3 Project approval may require a Subarea Plan Amendment or Boundary Adjustment.
- 4 A project proponent's options can include (1) redesign of the project and/or its mitigation strategy to comply with the Subarea Plan; (2) submission as a Subarea Plan Amendment at the discretion of the City; or (3) application for separate permit(s) directly from the Wildlife Agencies. The City discourages the third option as likely to be inefficient and costly to the project proponent.

criteria for preserve design and project approval. In these areas, the city will ensure that the standards and criteria are fully satisfied before any project approvals are issued.

Wildlife Agency Review. The wildlife agencies will receive notification of a project through a CEQA Notice of Preparation or Notice of Negative Declaration and may request a voluntary consultation within the normal public notice period. Likewise, the city is free to request agency involvement in a project where consultation would help address key issues or streamline the process.

6.3.5 Annual Implementation Coordination Meetings

The city will maintain and update annually a list of all project approvals issued under the subarea plan. These approvals for take authorizations in accordance with the subarea plan shall not be a cause for amendment of the subarea plan. The list will describe the project, the amount of acres and type of habitat taken or conserved by the project, and the physical location of the tentative map or other record of project approval produced by the city. All issuance of project approvals over the course of a year will be documented in an annual report and discussed in an annual meeting between the city and wildlife agencies. It is the responsibility of the city to schedule this meeting within 60 days of each anniversary of execution of the IA.

To meet the stipulations of the IA, the subarea plan must be implemented in a way that issuance of authorizations for taking of species and habitats is roughly proportional to species and habitat conservation. The annual accounting of habitat acreage within the subarea will include both conserved areas and habitat areas lost (Section 7.4). Progress toward achieving conservation requirements will be reviewed, and habitat management issues will be discussed along with a review of project approvals issued by the city over the course of the year. If the wildlife agencies determine that the subarea plan is not being implemented as required, the wildlife agencies and the city will take the actions specified in the IA to remedy the situation. These actions may include additional management activities, modification of the project compliance process, or redirection of acquisition funds, as long as they are consistent with the provisions of the IA. The city will present the results of plan implementation in an annual report and annual public workshop.

6.4 PLAN AMENDMENT PROCESS

Certain events may require amending the subarea plan as described below. Only the City of Encinitas can propose to amend its permit. Although subarea plan amendments are not anticipated on a regular basis, amendments may be necessary to accommodate major changes in conservation levels or preserve design or large annexations of land. Consultation with the wildlife agencies is required for a plan amendment. The wildlife agencies must be notified as soon as the local jurisdiction confirms that a plan amendment is warranted.

CEQA and NEPA documents will be prepared for any project that triggers the amendment process. The document(s) must address project impacts as well as impacts on subarea plan implementation and any effects on take authorizations held by the city.

Examples of amendments to the subarea plan include:

1. Removal of lands from conservation or reconfiguration of project plans resulting in a decrease of the amount or quality of habitat conserved that could not be addressed by a boundary adjustment (see Section 6.5).
2. An annexation of land to be developed that is not within the city's Sphere of Influence and that is not covered by an existing NCCP subarea plan or includes a major variation in design or implementation from an existing NCCP plan.

An annexation of land within the city's Sphere of Influence would not require an amendment as long as the development proposal for that land is consistent with this subarea plan.

6.5 BOUNDARY ADJUSTMENTS AND EQUIVALENCY

Adjustments to the approved subarea plan preserve boundaries may be desirable under some circumstances that do not require plan amendment and will be based on a like or equivalent exchange concept. For example:

- New biological information is obtained through site-specific studies;

- Unforeseen engineering design opportunities or constraints are identified during the siting or design of projects that require modification of the preserve boundary; or
- A landowner requests that a portion of or all of his property be included within the preserve boundary.

Adjustments to preserve boundaries can be made without the need to amend the subarea plan if the adjustment will result in the same or higher biological value to the preserve system. The determination of biological value of the proposed change is made by the local jurisdiction and must have the written concurrence of the wildlife agencies. The comparison of biological value will be based on the following biological factors:

1. Effects on conserved habitats (i.e., the exchange maintains or improves the amount, configuration, or quality of conserved habitats);
2. Effects on covered species (i.e., the exchange maintains or increases the conservation of covered species);
3. Effects on habitat linkages and function of preserve areas (i.e., the exchange results in similar or improved habitat connectivity, wildlife movement corridor function, management efficiency, or protection of biological resources);
4. Effects on ecotones or other conditions affecting species diversity (i.e., the exchange maintains topographic and structural diversity and habitat interfaces of the preserve); and/or
5. Effects to species of concern not on the covered species list (i.e., the exchange does not significantly increase the likelihood that an uncovered species will meet the criteria for listing under either the federal or state endangered species acts).

Most adjustments to the boundaries will be in areas immediately adjacent to identified preserve areas. Any agreed upon modification of preserve boundaries shall be reported to the entity responsible for regional preserve system accounting and to adjacent jurisdictions if the modification might affect their portion of the preserve.

In the event that Section 7 or 10(a) consultations are undertaken between a property owner and the USFWS outside the structure of the subarea plan, the result of these consultations should be documented by the USFWS in the manner described in Section 6.3.4, but would not be a cause for amendment to the plan.

6.6 ANNEXATIONS

Future annexations of land to the city will be subject to the requirements of this subarea plan, including interim protection of resources and conformance with the project review and approval process depicted in Figure 6-1 if development is proposed in the annexed area. The status of County of San Diego NCCP Plan(s) in annexed areas prescribes the city's actions. The city will implement the Encinitas Subarea Plan in the case of annexations as follows:

1. If *no* approved habitat conservation plan (County of San Diego or other jurisdiction) exists for the area being annexed, the city must assure that any development project design is consistent with the overall conservation directives and preserve design strategy of the Encinitas Subarea Plan and the MHCP.
2. If an approved subarea plan *exists* for the area being annexed, the approved subarea plan applies and may be modified through the boundary adjustment process described in Section 6.5.
3. This same approach will apply to de-annexation or re-annexation of lands from another incorporated city.

The city will additionally apply the following guidelines to annexations whether a county or other jurisdiction's NCCP plan exists or not.

4. For annexations of land less than 40 acres, or where little habitat is present, the city will direct that project design and conservation comply with the Encinitas Subarea Plan. No consultation with the wildlife agencies is required for this process, and notification will occur through the process described in Section 6.3.4.

5. For annexations of land greater than 40 acres, where development is proposed, the city will work cooperatively with the County of San Diego or other jurisdiction to assure consistency between the Encinitas Subarea Plan, County MSCP, or other applicable conservation standards. The wildlife agencies will be consulted in the event of an annexation larger than 40 acres. If any existing county or other plan will not be modified, or will be modified in a way consistent with the boundary adjustment process, the land will be appended to the Encinitas Subarea Plan and no plan amendment is required. If a major variation from a county or other jurisdiction's subarea plan is proposed, the Encinitas Subarea Plan must be amended following the procedures described in Section 6.4, including CEQA and NEPA requirements. The city and county, or other responsible jurisdiction, may agree on which agency will issue the take authorizations, but the city will be responsible for assuring that any project level conservation plan is implemented following annexation to the city.

6.7 PROCESS FOR ADDING SPECIES TO COVERED SPECIES LIST

If a species that is not on the covered species list is proposed for listing pursuant to the ESA or CESA, and the city seeks coverage for the species, the wildlife agencies will determine whether additional conservation measures, beyond those prescribed by the MHCP and Encinitas Subarea Plan, are necessary to adequately protect the species. If no such measures are necessary, the species will be added to the covered species list using the federal and state take authorization amendment process.

If existing MHCP and subarea plan conservation measures will not adequately protect the species proposed for listing, the wildlife agencies will work with the participants to identify and jointly implement the steps necessary for coverage. These may include the following measures:

- Management practices and enhancement opportunities within the preserve system, provided these measures do not adversely affect any existing covered species;

- Habitat acquisition through the reallocation of federal, state, and regional funds identified for MHCP implementation, provided such reallocation does not adversely affect any existing covered species.

If these options are not adequate to meet the species' conservation requirements, the wildlife agencies will determine the additional measures necessary to add the species to the covered species list, with preference given to conservation means that do not require additional mitigation or acquisition of land. Although conservation measures necessary to add the species to the covered species list may be identified when or after the species is proposed for listing, the city or other parties holding permits issued by the city through the subarea plan will not be required to approve or implement these additional conservation measures until such time as the species is listed.

6.8 PERMANENT RESOURCE PROTECTION

6.8.1 Local Regulations

The city will, as necessary, update, consolidate, and codify the environmental regulations contained in the subarea plan into the Encinitas General Plan, Local Coastal Program, Zoning Ordinance, and Municipal Code. Additionally, the city implements CEQA through the development review and approval process, which requires protection of significant biological resources and mitigation for project impacts. Findings of consistency with the MHCP and Encinitas Subarea Plan will be required for all projects. All projects must be consistent with the subarea plan.

6.8.2 Assurance of Long-term Biological Integrity

The long-term biological integrity of the land conserved through implementation of the subarea plan will be assured as follows:

1. Lands set aside as mitigation for development, whether on- or offsite, and lands acquired for the preserve system with public funds will be protected with perpetual open space easements or, by mutual agreement of the city and landowner, dedicated in fee to the city or another governmental or nonprofit agency that will take over management responsibilities and liability.

Management of habitat lands will be funded by the MHCP regional funding program, when that program is adopted by the participating MHCP jurisdictions. In the absence or prior to adoption of the regional program, the following funding sources will be used to manage the preserve lands: (1) habitat lands conserved as mitigation subsequent to adoption of the subarea plan -- funds established by the development requiring mitigation and (2) city-owned habitat lands -- funds appropriated annually by the City of Encinitas.

2. Public lands (federal, state, and local) committed to conservation will be protected with open space easements, dedications, zoning, general plan designations, or other protective measures to ensure that such lands are managed and preserved consistent with the MHCP and this subarea plan in perpetuity.
3. Both private and public facility development will be regulated as has been described. Development will be directed toward the least biologically sensitive portion of the site by using the standards and criteria established in this subarea plan. Agreements or permits implementing these land regulations will be recorded with the County Recorder and will run with the land. The indirect impacts of the development will be addressed in the agreements or permit(s) and CEQA document to ensure protection of the sensitive resources remaining on the premises outside of the development area.

6.9 RELATIONSHIP OF SUBAREA PLAN APPROVAL TO MHCP CORE CONSERVATION

It is a general requirement for jurisdictions participating in the MHCP that conservation of an additional “core area” of coastal sage scrub habitat be guaranteed before take authorizations may be issued. This core area, overall responsibilities of the parties, and the strategy for its assembly are described in the MHCP Plan. The MHCP preserve system will include at least 500 acres of unincorporated land in addition to land conserved within the participating cities. Of this currently unincorporated area, about 300 acres will be conserved as mitigation for public and private projects located in the participating cities (see Section 4.3 of the MHCP). Costs to acquire and manage additional land in the gnatcatcher core area are included in the MHCP funding program.

The approval process for the Encinitas Subarea Plan may proceed as soon as the city and wildlife agencies agree that the conservation strategy and other required subarea plan elements are sufficiently addressed and need not wait for final resolution of the core area. However, the city or private property owners may elect to mitigate gnatcatcher habitat with gnatcatcher habitat in the unincorporated core area if otherwise consistent with this subarea plan. In addition, proceeds from a successful regional or subregional habitat acquisition funding measure may be used in part for acquisition of lands in the core.

6.9.1 Treatment of MHCP Core Conservation Areas in Encinitas Sphere of Influence

The city will contribute to conservation of the core area as lands within the city's Sphere of Influence are annexed to the city. Within the Sphere of Influence, all newly annexed land will be subject to the same mitigation ratios as shown in Table 4-4 of this subarea plan, including a ratio of 2:1 for coastal sage scrub. Additionally, mitigation for impacts to biological resources must occur through onsite conservation. Project design and mitigation are subject to the site-specific design guidelines contained in Section 4.3.

6.10 COOPERATIVE MHCP IMPLEMENTATION STRUCTURE

6.10.1 Introduction and Overview

State and federal approval of the MHCP requires a local structure to assure successful implementation. Implementation is defined as executing coordinated subarea plan policies, managing and monitoring preserve lands consistently across political boundaries, and raising and distributing necessary funds. Responsibility for MHCP implementation falls to the cities that enter into implementing agreements with the wildlife agencies. The cities can choose to work in concert or independently of one another on policy and funding issues; however, the preserve system must be managed consistently across political boundaries.

The cooperative implementation structure for the MHCP has several goals:

- Coordinate implementation of preserve assembly and management among the cities.

- Meet the requirements of the ESA, CESA, and NCCP Act.
- Coordinate regional planning and infrastructure development among the MHCP cities.
- Coordinate local land use and conservation activities on shared municipal boundaries.
- Guarantee local flexibility in MHCP implementation.
- Raise and manage the local funds required for MHCP implementation.

The structure described briefly in this section facilitates cooperation among the cities and development of fiscal support for plan implementation and assures preserve management consistent across jurisdictional boundaries. The structure creates roles and responsibilities for elected officials, staff, and stakeholders from each city and forms a local nonprofit land conservancy to facilitate preserve assembly, monitoring, and management. Section 5.7 of the MHCP Plan further describes the proposed implementation structure.

6.10.2 MHCP Committee Structure

The MHCP implementation structure creates two standing committees to provide a forum for cooperation among the cities, wildlife agencies, and other plan participants:

- The MHCP Elected Officials Committee, which provides oversight and policy direction to plan implementation and is composed of a city council member from each participating city.
- The MHCP Advisory Committee, which provides a forum for cooperation on policy and technical issues by the cities as well as a structure for continued involvement by interested organizations, groups, and individuals. The Advisory Committee is subdivided into two functional subcommittees:

- (1) The Staff Subcommittee should address land use and public facility planning, local implementation, acquisition funding, monitoring and management funding, and similar issues. Their role is to directly coordinate city implementation actions and issues and to recommend policy actions to the Elected Officials Committee. Membership of the Staff Subcommittee is limited to the cities that either have entered or anticipate entering into implementing agreements.
- (2) The Stakeholders Subcommittee will focus on implementation funding and public outreach issues and provide a forum for the stakeholders to provide input on preserve assembly and management issues. Membership will initially include the groups who are now members of the MHCP Advisory Committee, absent the seven cities.

6.10.3 MHCP Land Conservancy

The locally based, nonprofit Conservancy will facilitate assembly and management of the preserve system. The Conservancy will employ a manager who reports to the Conservancy's Board of Directors (the Elected Officials Committee). The Conservancy will acquire habitat lands, finance the purchase of lands, and facilitate coordination among the preserve managers. The Conservancy will work with a team of science advisors, appointed by the Board of Directors, with special expertise in the species and habitats of the preserve system. The advisors may be independent, associated with educational institutions or public agencies, members of a nonprofit organization, or employees of biological science firms. The Conservancy will also coordinate activities of the habitat managers hired specifically for the job of managing the preserve according to the subarea plans. These managers could be a coalition of the city departments, state agencies, and private organizations.

6.10.4 MHCP Preserve Manager

The city does not have the staffing or expertise to manage the preserve system. Consequently, the Conservancy will hire a preserve manager to perform the functions outlined in the MHCP and this subarea plan. The preserve manager will coordinate activities with other preserve managers through the Conservancy structure.

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SECTION 7 PRESERVE MANAGEMENT

As an urban preserve for wildlife and plant species, the Encinitas Subarea Plan will enhance the city's quality of life and will provide the city with recreational and educational opportunities while conserving the city's unique biodiversity and maintaining populations of sensitive resources. To succeed in these goals, the plan will require management practices and some land use restrictions on conserved lands that give special consideration to the interface between developed lands and open space. This section provides general and specific guidelines for activities within the preserve and provides a framework for consistent and coordinated management and monitoring of the preserve. The MHCP Monitoring Plan provides more detail on the types of monitoring required in all preserve areas. Implementation of the Encinitas Subarea Plan is intended to be consistent with the MHCP Monitoring Plan.

Existing legal land uses within and adjacent to the preserve may continue, and existing ownerships will be maintained unless lands are otherwise obtained by public entities through purchase, dedication, or donation from willing landowners. All new public facilities will be reviewed for consistency with the plan to maximize public safety and minimize management concerns and biological impacts.

7.1 PRESERVE MANAGER

Prior to the issuance of the take authorization, the City of Encinitas, through the MHCP Conservancy, will designate a preserve manager who will be the primary point of contact and coordinator for overseeing monitoring and management of the Encinitas preserve. This manager will serve as the liaison between the public, private landowners, public agencies, city departments, and the wildlife agencies. The preserve manager will oversee updating and application of the management plan, development and implementation of site-specific management objectives (area-specific directives), promotion of public education and involvement in the preserve, and preserve habitat tracking and reporting. The preserve manager (MHCP Conservancy or city designate) will be responsible for preparing area-specific directives for preserve areas within 2 years of the land being dedicated to the preserve.

The city will submit an annual report to the wildlife agencies that summarizes management and monitoring activities undertaken, in progress, or forthcoming; describes threats and management priorities; reports on restoration activities and control of exotic species; and evaluates funding and the ability to meet resource management goals. The Encinitas preserve manager will work with other MHCP managers, managers of existing public or private open space lands within the city (e.g., the County of San Diego at San Elijo Lagoon, the CNLM at the Manchester Mitigation Bank), and the wildlife agencies to coordinate management issues and help reduce costs through sharing of resources.

7.1.1 Responsibilities on Public Lands

The MHCP Conservancy or city designate will be responsible for the management and biological monitoring, consistent with this subarea plan, of the following public lands:

- Lands owned or under easement to the city for habitat conservation, including lands obtained as mitigation (where those lands have been dedicated in fee title or easement), and
- Lands within the city that have been acquired through the regional funding program.

The MHCP Conservancy or city designate will perform preserve management and monitoring on these public lands consistent with the MHCP Plan and the Encinitas Subarea Plan. Likewise, the County of San Diego or its leaseholders will manage and monitor their present public land holdings (Quail Botanical Gardens, Magdalena Ecke Park, San Elijo Lagoon Regional Park), as well as those they acquire on behalf of the MHCP, consistent with the MHCP Plan.

7.1.2 Responsibilities on Private Lands

Private lands conserved through avoidance or as mitigation in compliance with the city's regulations may be transferred in fee title, or easement in perpetuity, to a government or nonprofit agency. Active habitat management may not occur if the landowner retains fee title, though grading and clearing will continue to be regulated. Private lands governed by an existing HOA will be subject to biological monitoring if there is a regional funding

source for biological management and monitoring and if there are no legal constraints to monitoring these lands. The HOA will be responsible for controlling trash, fire, and illegal encampments, whereas the city will be responsible for maintaining trails through these areas. New HOA open space conserved after the subarea plan is adopted will be managed and monitored according to the specifications in this subarea plan.

If land is used as mitigation for public or private project impacts, or if private land is purchased with public funds or voluntarily dedicated in fee title, habitat management will be required consistent with the MHCP Plan and the Encinitas Subarea Plan. The CNLM will perform preserve management and monitoring for the Manchester Mitigation Bank.

Private landowners within the preserve who are not third-party beneficiaries of Encinitas' take authorizations will have no additional obligations as a result of the MHCP for management or biological monitoring of their lands. Private landowners who are third-party beneficiaries will be responsible for habitat management of preserve lands they choose to retain in private ownership to the extent required by the Encinitas Subarea Plan and implementing regulations and as specified as conditions of development permits.

7.2 FRAMEWORK MANAGEMENT GUIDELINES

This framework management plan provides an overview of management guidelines and strategies, as well as area-specific directives, consistent with the MHCP (see Section 6 of the MHCP Plan). As lands are added to the preserve, management guidelines will be reviewed and applied for each area of the city to ensure that the preserve goals and objectives are met. Management on some of the preserve lands may be minimal, consisting primarily of the enforcement of land use restrictions and other existing ordinances or regulations. Some of the smaller, more fragmented preserve areas may require more active management to achieve their biological potential as part of the preserve system. Existing management plans (e.g., San Elijo Lagoon Enhancement Plan, Manchester Mitigation Bank management plan) or management guidelines within other documents (e.g., Encinitas Ranch Specific Plan) will remain in effect. Section 7.3 provides management goals and guidelines for the four areas within the subarea and identifies high priority species populations and vegetation communities to be managed. As part of the Final Subarea Plan, a matrix will be prepared to summarize management and monitoring obligations, consistent with the MHCP Monitoring Plan.

Fire Management

Private landowners and homeowners associations will have responsibility for brush management on preserve lands they manage, while the City of Encinitas will have brush management responsibility for its public lands. All new firebreaks and fuel management zones will be sited outside the preserve. Fire management within and adjacent to the preserve will be in accordance with the Wildland/Urban Interface Development Standards (San Diego County Fire Chief's Association 1997). Where possible, vegetation clearing for fire management should involve brushing rather than disking, which will maintain a more firm ground surface that is less prone to erosion and invasion of exotic plant species. Brushing shall be prohibited during the breeding season of birds using the habitat and shall require an approved erosion control program.

Habitat Restoration

Habitat enhancement or restoration is not a requirement for approval of the Encinitas Subarea Plan. However, some habitat enhancement or restoration in key locations would help achieve biological goals of the plan and is recommended if sufficient funding is available. In addition, the San Elijo Lagoon Enhancement Plan calls for restoration, and enhancement or restoration may be a mitigation requirement for specific project impacts (e.g., impacts to coastal sage scrub or riparian habitats). Where enhancement or restoration is used to improve preserve function or mitigate project impacts, an enhancement or restoration plan must first be developed consistent with the guidelines in Section 6 of the MHCP Plan.

Recreation and Public Access

Passive recreational activities (e.g., hiking and bird watching) and limited active recreational activities (e.g., horseback riding and mountain biking) are anticipated within all areas of the Encinitas preserve. Active recreational uses that require new development, such as access roads, parking lots, service facilities, maintenance buildings, and landscaping, will generally be allowed only in designated areas of Encinitas Ranch, San Elijo Lagoon, Indian Head Canyon, Magdalena Ecke Park, Oak Crest Park, and Quail Botanical Gardens. Construction impacts of these facilities, which may include increased traffic, auto emissions, and petrochemical runoff; pesticide and fertilizer runoff;

use of outdoor lighting; and changes in local drainage patterns, will be mitigated and monitored. Invasive nonnative plant species listed in Table 7-1 shall not be used in landscaping.

All trails included in the city-maintained trail system are considered multiple-use trails at this time. Area-specific plans will evaluate whether there are any areas where certain types of trail use (e.g., equestrian, bikes) may adversely impact biological resources within the preserve. Area-specific plans will provide directives, as necessary, to monitor, limit, or restrict those activities in specified areas.

Off-road vehicle use is prohibited in the preserve, except for maintenance, management, or emergency purposes. Adverse impacts of off-road vehicle use include reductions in air quality due to automotive exhaust and creation of dust, soil erosion and sedimentation into local waters, noise, and habitat degradation. Disturbance from off-road vehicles can also disrupt breeding activities.

The following general management measures are recommended:

1. Maintain existing reserves (e.g., Batiqitos Lagoon, San Elijo Lagoon, Manchester Mitigation Bank) and park uses.
2. Locate trails, view overlooks, and staging areas in the least sensitive areas of the preserve. Locate trails along the edges of urban land uses adjacent to the preserve, or the seam between land uses (e.g., agriculture/habitat), and follow existing dirt roads or disturbed areas as much as possible rather than entering habitat or wildlife movement areas. Where possible, minimize trail use between two different habitat types (ecotones) due to the typically heightened resource sensitivity in those locations.
3. Minimize trail widths to reduce impacts to critical resources. Provide trail fences or other barriers at strategic locations when protection of sensitive resources is required.

Table 7-1

COMMON INVASIVE EXOTIC PLANT SPECIES

<i>Acacia</i> spp. Acacia	<i>Cotoneaster pannosa</i> Cotoneaster	<i>Phragmites communis</i> Common reed
<i>Ailanthus altissima</i> Tree-of-heaven	<i>Cynara cardunculus</i> Artichoke thistle	<i>Pyracantha angustifolia</i> Pyracantha
<i>Arundo donax</i> Giant reed	<i>Cynodon dactylon</i> Bermuda grass	<i>Raphanus sativus</i> Wild radish
<i>Atriplex semibaccata</i> Australian saltbush	<i>Dipsacus</i> spp. Teasel	<i>Ricinus communis</i> Castor bean
<i>Bambusa</i> spp. Bamboo	<i>Eucalyptus</i> spp. Gum, eucalyptus	<i>Robinia pseudoacacia</i> Black locust
<i>Brassica</i> spp. Mustard	<i>Foeniculum vulgare</i> Fennel	<i>Salsola australis</i> Russian thistle
<i>Carduus</i> spp. Thistle	<i>Hedera helix</i> English ivy	<i>Schinus molle</i> California pepper
<i>Carpobrotus edulis</i> Iceplant	<i>Lepidium latifolium</i> Perennial pepperweed	<i>Schinus terebinthifolius</i> Brazilian pepper
<i>Centaurea solstitialis</i> Yellow starthistle	<i>Melilotus</i> spp. Sweet clover	<i>Senecio mikanoides</i> German ivy
<i>Chenopodium</i> spp. Goosefoot, lambsquarter	<i>Mesembryanthemum chilensis</i> (Ice plant)	<i>Silybum marianum</i> Milk thistle
<i>Chrysanthemum</i> spp. Chrysanthemum	<i>Muehlenbeckia complexa</i> Mattress vine	<i>Spartium junceum</i> Spanish broom
<i>Cirsium</i> spp. Thistle	<i>Myoporum laetum</i> Myoporum	<i>Tamarix</i> spp. Tamarisk, salt cedar
<i>Conium maculatum</i> Poison hemlock	<i>Nicotiana glauca</i> Tree tobacco	<i>Ulex europaeus</i> Gorse
<i>Conyza canadensis</i> Horseweed	<i>Pennisetum clandestinum</i> Kikuygrass	<i>Vinca major</i> Periwinkle
<i>Cortaderia jubata</i> Andean pampas grass	<i>Pennisetum setaceum</i> Fountain grass	<i>Washingtonia robusta</i> Fan palm
<i>Cortaderia selloana</i> Pampas grass	<i>Phoenix canariensis</i> Canary Island palm	<i>Xanthium strumarium</i> Cocklebur

Also refer to the California Exotic Pest Plant Council's *Exotic Pest Plants of Greatest Ecological Concern in California*. Nonnative grasses in San Diego County are too numerous to list individually.

4. Locate staging areas for equestrian uses at a sufficient distance from areas with riparian habitats to ensure that the biological values of the preserve are not impaired.
5. Remove homeless and itinerant worker camps in habitat areas as soon as found pursuant to existing code enforcement procedures.
6. Impose penalties for littering and dumping. Fines should be sufficient to prevent recurrence and also cover reimbursement of costs for removal and disposal of debris, restoration of the area if needed, and payment of enforcement staff time.
7. Keep wildlife corridor undercrossings free of debris, trash, homeless encampments, and all other obstructions to wildlife movement.

Predator and Exotic Species Control

Feral and domestic animals, particularly cats, prey on small native wildlife species. Agricultural areas, livestock holding areas, and golf courses provide resources for increased populations of parasitic cowbirds, which adversely affect native songbird populations. Litter and food waste from migrant worker camps and picnickers can contribute to an increase in Argentine ant populations, which outcompete native ants, the primary food resource of San Diego horned lizards. These ants may invade preserves where urban runoff affects soil moisture and may also become established through container plantings within or adjacent to the preserve. Invasive nonnative plant species aggressively outcompete native species.

The following general management measures are recommended:

1. Establish an educational program for homeowners regarding responsible pet ownership. The program should encourage (a) keeping pets indoors, especially at night; (b) having pets neutered or spayed to reduce unwanted reproduction and long-range wanderings; (c) bellling of cats to reduce their effectiveness as predators; (d) discouraging release of unwanted pets into the wild; and (e) keeping dogs on leashes when walking them on trails in preserve areas.

2. Fence areas between selected areas of the preserve and adjacent housing to keep pets out of particularly sensitive areas.
3. Establish a feral animal removal program.
4. Document and monitor the extent of cowbird parasitism on target species' nests in the preserve. If necessary, establish a cowbird trapping program to increase nesting success of target species affected by cowbird parasitism.
5. Prioritize areas for exotic species control based on aggressiveness of invasive species and degree of threat to the native vegetation, including areas adjacent to the preserve that may serve as a source of infestations in the preserve. Pampas grass is an especially invasive weed species that poses a significant threat to native species in the preserve. Refer to Table 7-1 for a partial list of exotic plant species that could threaten native habitats.
6. Direct runoff from adjacent land uses away from the preserve where possible.
7. Inspect container plants for Argentine ants prior to using in landscaping within and adjacent to the preserve.

Hydrology and Flood Control

1. Perform standard maintenance, such as clearing and dredging of existing flood channels, outside the breeding season of birds using the riparian habitat. For the least Bell's vireo, the nonbreeding season generally includes late September through February. All necessary erosion control devices must be in place, with appropriate monitoring of maintenance activities.

Species Reintroduction

1. Conserve rare and endangered species onsite rather than by transplantation offsite, to the degree feasible.

2. Any species reintroductions should be based on sound scientific data collected through life history and ecological studies of the species of concern or a closely related taxon and must be designed with input from and approval by the wildlife agencies.

Public Education and Enforcement

Public education and enforcement are critical components to ensure successful management of the preserve system. If the public is properly informed of the biological values, goals, and activity restrictions within the preserve, it is more likely that management goals and guidelines will be respected and followed. The city (or its designate) will coordinate to determine the most effective methods and materials for educating the public, including the following:

1. Hold annual public meetings to present preserve goals, guidelines, restrictions, and compatible uses. The meetings will include maps of preserve areas and photographs and materials of sensitive and protected resources. Meetings will be led by the city along with other involved individuals, including personnel who oversee specific preserve areas, biologists, and representatives from the wildlife agencies. Meetings will provide a friendly atmosphere for questions and answers and discussing potential management conflicts.
2. Establish an Internet web page that provides information on the preserve, indicates how the preserve manager may be contacted, and furnishes locations for obtaining additional information on preserve goals and guidelines.
3. Provide signs, displays, and pamphlets that explain preserve management goals and guidelines. At each of the primary preserve areas, educational materials should be available that review general management goals and guidelines along with specific information that is relevant to that particular preserve area.
4. Provide tours and classes led by qualified personnel (e.g., the preserve manager, wildlife agency representatives, or others involved with overseeing specific preserve areas) within different preserve areas that highlight important biological resources and preserve management goals.

5. Develop a volunteer program that addresses a variety of education and management issues including, but not limited to, preparation of educational materials, trail repair, erosion control, invasive species removal, native habitat and plant restoration, trash removal, biological monitoring, and management patrols.
6. Enforce, prevent, and remove illegal intrusions into the preserve, and enforce land use restrictions and recreational activities. Establish sufficient fines for violations.
7. Disseminate educational information to residents adjacent to the preserve to heighten environmental awareness of the preserve's goals and purpose and to inform residents of access, appropriate plantings, construction or disturbance within preserve boundaries, pet control, fire management, and other adjacency issues.

The primary messages that will be conveyed to the general public and residents near the preserve include:

- Stay on designated trails while hiking, mountain biking, or horseback riding.
- Keep pets on a leash in designated areas, and clean up pet feces.
- Dispose of trash properly.
- Do not introduce or release exotic plants or animals.
- Keep lights and noise below levels that could disturb wildlife species, and direct new and existing artificial light sources away from preserve areas.
- Do not pick or trample native vegetation.
- Practice proper fire safety.
- Report to the proper management personnel any potential problems or preserve violations.
- Do not feed animals.
- Follow preserve regulations that are conditions of the development.
- Do not enter the preserve if public access has not been provided.
- Do not allow runoff from hoses or other sources to enter the preserve or cause erosion.

- Do not use excess pesticides or fertilizers near the preserve. If pesticides or fertilizers are used, follow all product label instructions and state and federal laws.
- Do not dump toxic materials such as paint or petroleum products adjacent to or within the preserve.
- Do not alter the native landscape buffer zone that may be established between residential areas and the preserve. Do not add invasive nonnative species to residential landscaping that may escape into the preserve.

Adaptive Management

The adaptive management approach requires experimentally adjusting management activities to reflect changes in the populations or conditions being managed. This requires periodic updating of the information on which management decisions rely. The MHCP Conservancy or city designate will monitor populations of some covered species on a regular basis to determine their status and trends and to determine whether remedial actions are necessary.

The NCCP process and conservation guidelines require periodic surveys of covered species populations and their habitats. These surveys will supplement existing project-specific monitoring activities. The City of Encinitas will participate in the subregional monitoring plan developed as part of the MHCP process. This monitoring effort is expected to be implemented and funded jointly by the wildlife agencies and a regional or subregional funding source and will be coordinated with other NCCP monitoring efforts.

An adaptive management program will provide correcting actions where resources are threatened by land uses in and adjacent to the preserve, current management activities are not adequate or effective, or enforcement difficulties are identified. Following are examples of some potential actions:

1. Erect signs and fences or redirect trails to protect habitat or species populations from trampling or other adverse, direct impacts.

2. Remove invasive exotic plant species to protect native habitats, plant populations, and wildlife values. Refer to Table 7-1 for a partial list of exotic plant species that could threaten native habitats.
3. Remove or control nonnative animal species (e.g., cowbirds, feral cats) to protect native animal populations.
4. Control erosion to protect key habitats or populations of covered species.
5. Enhance habitat to provide pollinator habitat, breeding areas for covered wildlife species, or structural diversity for covered wildlife species.
6. Restore habitat to reverse the effects of habitat disturbance or to improve habitat quality for covered species where natural regeneration processes are expected to be unacceptably slow or delayed.
7. Use prescribed burns (or alternative, mechanized methods) to revitalize senescent stands of habitat or promote germination of fire-adapted covered plant species. Prescribed burns likely will be limited in urbanized portions of the preserve.
8. Enhance plant populations where preserve population numbers become so low, due to human or environmentally induced factors, as to threaten the continued viability of the population, and where suitable habitat and other factors necessary for survival still exist.
9. Reintroduce species populations in areas where populations have been inadvertently extirpated or in historical but unoccupied habitat.
10. Reprioritize management and monitoring efforts.

7.3 AREA-SPECIFIC GUIDELINES

The general management guidelines presented in Section 7.2 are applicable to all areas of the Encinitas preserve, although certain guidelines and goals will be more important to particular land areas because of the resources they support and their existing or planned

land uses. This section discusses area-specific guidelines for each of the four primary areas within the subarea. Land uses and existing and proposed activities within these areas are discussed in Section 4.2.

As lands are conserved within the preserve, the area-specific guidelines will be reviewed and applied at the site-specific level to ensure that the city's preserve goals and objectives are met. If the area-specific management guidelines do not adequately protect resources within a given property as it is added to the preserve (e.g., due to unique or changed circumstances, or based on new information on species and ecosystem needs), then a process of adaptive management will be undertaken by the city to update the guidelines to ensure adequate protection. Existing management plans or management guidelines (e.g., San Elijo Lagoon Enhancement Plan, Manchester Mitigation Bank management plan, Encinitas Ranch Specific Plan) have been reviewed and incorporated by reference into these area-specific directives.

7.3.1 Encinitas North

Key Biological Resources. The Encinitas North area includes a small portion of Batiquitos Lagoon, upland habitat on slopes to the south and east of the lagoon (including Indian Head Canyon and Magdalena Ecke Park), and isolated habitat in Quail Botanical Gardens. A significant portion of this area is in the Encinitas Ranch Specific Plan. The specific plan has set aside much of the natural lands within its area to open space. The goal of preserve planning in Encinitas North is to maintain a network of relatively large blocks of primarily upland habitat that provide functional wildlife habitat and movement capability, as well as contiguity to similar protected lands outside the Encinitas study area. In addition, preserved lands within this area will support viable populations of MHCP plant species. Refer to Sections 3 and 4 for descriptions of resources and preserve planning within the Encinitas North area.

Responsibility. The CDFG owns the wetland area of Batiquitos Lagoon and is currently responsible for its management. The Port of Los Angeles (Port), as mitigation for Port construction activities, has funded enhancement efforts at the lagoon and established an endowment to fund ongoing management activities at the lagoon. The Encinitas Ranch homeowners' association will be responsible for managing open space in the specific plan area. The MHCP Conservancy or city designate will be responsible for managing

open space at Indian Head Canyon. The County of San Diego owns both Quail Botanical Gardens and Magdalena Ecke Park; the botanical garden manages both of these areas.

Recreation and Public Access. The MHCP Conservancy or city designate will regulate recreational land uses and public access. Batiquitos Lagoon is generally open to the public for passive recreational uses, although some seasonal restrictions may apply. Recreational activities at Batiquitos Lagoon and elsewhere within the preserve should be controlled with signs and fences as necessary to ensure these activities remain within designated areas and do not degrade or disturb adjacent natural habitats and species. Only a small portion of Batiquitos Lagoon lies within the jurisdictional boundaries of the City of Encinitas.

The Encinitas Ranch Specific Plan allows passive recreational uses (e.g., hiking, bird watching) and more active uses (e.g., biking, horseback riding) in open space zones. Fencing will be used only where necessary to protect resources or to protect users from potentially hazardous situations (e.g., steep slopes).

Area-specific management plans will identify any areas that need to be seasonally restricted to public access.

Fire Management. The Encinitas Fire Department will monitor the Encinitas North area for any fire hazards and will implement the fire control guidelines outlined in the Landscape Standards of the Encinitas Fire Protection District and Resource Management Element Policy 10.1 of the Encinitas General Plan (City of Encinitas 1989, amended 1995). The Fire Department will coordinate the timing of any clearing operations with the wildlife agencies and the MHCP Conservancy or city designate to minimize disturbance to wildlife (e.g., outside the breeding season of birds using the habitat). All fire management activities will be in accordance with the Wildland/Urban Interface Development Standards (San Diego County Fire Chief's Association 1997).

Exotic Plant Control. The MHCP Conservancy or city designate will monitor preserve areas for exotic plant species and implement management actions to remove these species, as necessary. Management may include initial removal and annual follow-up treatments to prevent reinvasions. Specific methods for removal will be outlined in

yearly monitoring reports and may include herbicide applications, hand removal, controlled burning, and mowing.

Habitat Restoration. Habitat enhancement or restoration is not planned for this area but may be implemented as needed to mitigate for impacts of recreational use, facility expansion, fire, or after exotic plant removal. Use native or noninvasive species for facility landscaping adjacent to natural areas.

Additional Monitoring and Management

1. Maintain appropriate hydrological conditions in that portion of Batiquitos Lagoon that falls within the subarea to ensure the persistence of salt marsh habitat.
2. Protect populations of Del Mar Mesa sand aster at Batiquitos Lagoon from trampling and edge effects. Monitor this species to determine potential changes in population size and to assess potential impacts from recreational use.
3. Preserve coastal sage scrub and chaparral on slopes above Batiquitos Lagoon in an adequate amount and configuration to provide (1) habitat for sensitive species (e.g., California gnatcatcher), (2) a buffer for wetland habitat around Batiquitos Lagoon, and (3) a habitat linkage or wildlife movement corridor between habitat in Indian Head Canyon and habitat around Batiquitos Lagoon.
4. Limit intrusive park uses in Indian Head Canyon to disturbed areas.
5. Investigate opportunities for restoration or enhancement of riparian areas and disturbed habitats (including grasslands and disturbed coastal sage scrub) in Indian Head Canyon, and implement restoration or enhancement plans, as appropriate.
6. Design trails through Indian Head Canyon to avoid or minimize impacts to native habitats and known occurrences of sensitive species. Provide clearly marked access areas and well-demarcated trails, and post signage to prevent off-trail access and use. Where sensitive or covered species are present, close trails during the breeding and nesting seasons, if necessary.

7. Preserve viable stands of southern maritime chaparral. Maintain connectivity with adjacent southern maritime chaparral in the City of Carlsbad, as well as with chaparral on slopes above Batiquitos Lagoon.
8. Any development must avoid critical locations of Del Mar manzanita and Encinitas baccharis.
9. Appropriate development setbacks should be used to minimize edge effects to preserved habitat and species. Incorporate a minimum 50-foot landscape buffer between residential areas (e.g., Encinitas Ranch) and preserve open space. Plantings in this buffer zone should be limited to native, drought-tolerant species compatible with existing natural habitat.
10. Limit the use of high-maintenance plant materials with high water requirements on the golf course adjacent to preserve open space (e.g., Encinitas Ranch). Plantings in these areas should use native, drought-tolerant plant species compatible with existing natural habitat.
11. The Encinitas Ranch Specific Plan includes a partial planting palette for specific projects within the development. Several of the species on this list are considered invasive exotic species in California (see Table 7-1), and their use should be prohibited near open space areas and avoided or minimized throughout the specific plan area, to the degree feasible. These species include Bailey acacia (*Acacia longifolia*), Canary Island date palm (*Phoenix canariensis*), Mexican fan palm (*Washingtonia robusta*), and English ivy (*Hedera helix*).
12. Del Mar manzanita (*Arctostaphylos glandulosa* ssp. *crassifolia*) is a federally endangered, narrow endemic species that occurs in southern maritime chaparral in Encinitas, including on slopes in the Encinitas Ranch Specific Plan area. The genus *Arctostaphylos* is represented in the Encinitas Ranch Specific Plan's partial planting palette by possible cultivars (*Arctostaphylos* spp.) and by at least one manzanita species not naturally occurring in San Diego County (*Arctostaphylos uva-ursi*). In addition, at least some of the common native species on the planting palette likely occur in the preserve in this area (e.g., *Rhus* spp.). Landscaping within the Encinitas Ranch Specific Plan area must avoid genetic contamination

of native plant species by prohibiting the introduction of cultivars or native species from different geographic regions. In addition, all stock used in the vicinity of the preserve that has the potential for breeding with native species already present in the preserve should be propagated from material collected in the vicinity.

13. Ensure that Encinitas Ranch Golf Course activities do not impact adjacent open space areas. Monitor golf course groundwater extraction, pesticide and herbicide use, runoff, and maintenance activities to ensure native habitat protection. Through use of signs, education, and fencing, discourage maintenance personnel and golfers from entering adjacent habitats, except at designated places.
14. Design trails through open space within the Green Valley, North Mesa, and South Mesa planning areas of the Encinitas Ranch Specific Plan area to avoid or minimize impacts to known populations of MHCP plant or animal species. Trails must avoid impacts to critical populations in this area (i.e., Del Mar manzanita, Encinitas baccharis). Trails may be a maximum of 6 feet in width, as stipulated in the Encinitas Ranch Specific Plan.
15. Protect the major population and critical location of San Diego thorn-mint at Quail Botanical Gardens from direct and indirect impacts (e.g., trampling, exotic species). Fencing may be required to provide adequate protection. Enhance this population or restore its habitat at this location, if determined necessary through monitoring.

7.3.2 Encinitas South

Key Biological Resources. The Encinitas South area includes San Elijo Lagoon, a portion of Escondido Creek, upland habitat in the vicinity of Lux Canyon, and isolated habitat in Oak Crest Park. Future development in the Lux Canyon area, in particular, has the potential to fragment remaining natural habitat lands. The goal of preserve planning in Encinitas South is to maintain a network of relatively large blocks of wetland and upland habitats that support major populations and critical locations of MHCP species, provide functional wildlife habitat and movement capability, and connect coastal habitats with inland habitats.

Responsibility. The CDFG and the San Diego County Parks and Recreation Department are the primary lagoon landowners, and they cooperatively manage approximately 900 acres of the lagoon area as an Ecological Reserve. The San Elijo Lagoon Area Enhancement Plan was developed to facilitate and prioritize management of the lagoon and the species therein (County of San Diego Department of Parks and Recreation 1996). The San Elijo plan provides recommendations and methodologies for addressing a number of management issues at the lagoon, including increasing tidal circulation, restoring salt marsh habitat, stabilizing brackish and freshwater marsh areas, removing exotic species, implementing a predator control program, revegetating degraded habitat areas, and closing unnecessary trails through sensitive habitat areas. Some of these recommendations have already been implemented. Additional management recommendations for the lagoon provided in this section are based largely on species-specific conditions for coverage.

The City of Encinitas owns Oak Crest Park. Management of biological resources in the park is currently limited to fencing. The Center for Natural Lands Management is currently managing the privately owned Manchester Mitigation Bank. Other preserved lands within the Encinitas Subarea Plan will be managed by the city (or its designate).

Recreation and Public Access. The MHCP Conservancy or city designate will regulate recreational land uses and public access. San Elijo Lagoon is generally open to the public for mostly passive recreational uses, although some seasonal restrictions may apply. Recreational activities at San Elijo Lagoon and elsewhere within the preserve should be controlled with signs and fences as necessary to ensure these activities remain within designated areas and do not degrade or disturb adjacent natural habitats and species. Refer to the additional monitoring and management guidelines below for seasonal restrictions within breeding bird habitat in the San Elijo Lagoon wetlands. Ensure wise land uses in the watershed of San Elijo Lagoon to protect water quality.

Fire Management. The Encinitas Fire Department will monitor the Encinitas South area for any fire hazards and will implement the fire control guidelines outlined in the Landscape Standards of the Encinitas Fire Protection District and Resource Management Element Policy 10.1 of the Encinitas General Plan (City of Encinitas 1989, amended 1995). The Fire Department will coordinate the timing of any clearing operations with the wildlife agencies and the MHCP Conservancy or city designate to minimize

disturbance to wildlife (e.g., outside the breeding season of birds using the habitat). All fire management activities will be in accordance with the Wildland/Urban Interface Development Standards (San Diego County Fire Chief's Association 1997).

Exotic Plant Control. The MHCP Conservancy or city designate will monitor preserve areas for exotic plant species and implement management actions to remove these species, as necessary. Management may include initial removal and annual follow-up treatments to prevent reinvasions. Specific methods for removal will be outlined in yearly monitoring reports and may include herbicide applications, hand removal, controlled burning, and mowing. Exotic plant species identified at San Elijo Lagoon and targeted for removal include *Carprobrotus* spp., *Cortaderia* spp., *Arundo donax*, and *Acacia* spp. In addition, the San Elijo Lagoon Area Enhancement Plan recommends removing eucalyptus from riparian areas and replacing it with native tree species (County of San Diego Department of Parks and Recreation 1996).

In the Lux Canyon area, restrict landscaping adjacent to coastal sage scrub and chaparral to prevent escape of ornamental landscaping into native habitat. Implement an exotic plant removal program in these areas, as necessary. Also enforce restrictions on pets as described in Section 7.2.

Habitat Restoration. With the exception of San Elijo Lagoon, habitat enhancement or restoration is not planned for this area but may be implemented as needed to mitigate for impacts of recreational use, development, facility expansion, fire, or after exotic plant removal. Use native or noninvasive species for facility landscaping adjacent to natural areas. The San Elijo Lagoon Area Enhancement Plan recommends revegetating areas impacted by overgrazing, farming, erosion, trails, or other visitor-related activities, as well as enhancing habitat to benefit sensitive animal species (County of San Diego Department of Parks and Recreation 1996).

Additional Monitoring and Management

1. Restrict human activity in or near light-footed clapper rail nesting habitat at San Elijo Lagoon during the breeding season (April 1 through August 31).

2. Restrict human activity in or near western snowy plover nesting habitat at San Elijo Lagoon during the breeding season (April 1 through August 31).
3. Restrict human activity at potential white-faced ibis breeding colonies and associated foraging habitat at San Elijo Lagoon during the early breeding period (March through June).
4. Modify power poles near San Elijo Lagoon to preclude electrocution of raptors. Modify utility wires to make them more visible to flying falcons.
5. Enhance, create, or restore salt marsh habitat at San Elijo Lagoon for long-billed curlew, elegant tern, and large-billed Savannah sparrow habitat.
6. Provide a biological buffer a minimum of 300 feet in width around conserved burrowing owl colonies to minimize human disturbance, habitat degradation, and predation by domestic animals.
7. Protect populations of Nuttall's lotus and Del Mar Mesa sand aster at San Elijo Lagoon from trampling and edge effects. Monitor populations of these species to determine potential changes in population size and to assess potential impacts from recreational use.
8. Coordinate an invasive nonnative plant removal program along Escondido Creek with the San Elijo Lagoon Reserve and a regional MHCP management program to ensure effective, long-term management of this problem. Remove nonnative trees and shrubs (e.g., *Eucalyptus* spp., *Arundo donax*) and replace with native riparian species. In areas with least Bell's vireos and willow flycatchers, the removal program should be limited to the period between September and February of each year.
9. Monitor wildlife use along riparian areas to evaluate their importance for wildlife movement.
10. Monitor use of riparian habitat along Escondido Creek by breeding birds. Monitor cowbird activity in and near the riparian area, and implement a trapping

- program when necessary (i.e., when parasitism rates exceed 10 percent). Maintain the appropriate habitat structure for least Bell's vireos and other riparian-dependent species by ensuring a mix of vegetation successional stages in riparian habitats.
11. Keep the storm drain under Manchester Road free of debris and illegal encampments. Restrict night lighting near this storm drain.
 12. Avoid road crossings of Escondido Creek. Where road crossings must occur to access isolated properties, use bridges to avoid direct impacts to wetland or riparian habitat and to maintain a wildlife corridor.
 13. Preserve viable stands of southern maritime chaparral in the Lux Canyon area.
 14. Potential development in the Lux Canyon area must avoid critical locations of San Diego thorn-mint, Del Mar manzanita, Encinitas baccharis, San Diego barrel cactus, Orcutt's hazardia, and Nuttall's scrub oak. Monitor populations of these species to determine potential changes in population size and assess potential impacts from recreational use. Route any trails through this area so as to prevent trampling of sensitive resources, illegal dumping, and nonnative plantings.
 15. Establish a vegetated fuel modification buffer between developed areas and preserve lands in the Lux Canyon area, consistent with guidelines presented in the Wildland/Urban Interface Task Force report (San Diego County Fire Chiefs' Association 1997). Plantings in this zone should be limited to native and drought-tolerant species compatible with existing natural habitat. Prohibit the use of invasive species in adjacent landscaped areas. Note that this zone should not be graded or cleared in a manner that would result in exposed soil or "gaps" in the vegetation. Such gaps are often colonized by weedy species, which could then disperse into adjacent preserve lands.
 16. Provide signs, fencing, or barriers along school and park uses and other development adjacent to the preserve where necessary to direct public access and prevent degradation.

17. Provide educational and awareness programs where existing or proposed residential uses about the preserve pursuant to the general guidelines in Section 4.3.1.
18. Monitor preserve lands for itinerant worker camps; remove these pursuant to existing code enforcement procedures as soon as possible.
19. Provide signs, fencing, or barriers along the Oak Crest Park boundaries or trails within the park to protect preserved populations of Del Mar manzanita and Orcutt's spineflower, as necessary.
20. Monitor irrigation practices in agricultural areas adjacent to San Elijo Lagoon to ensure that agricultural runoff does not enter storm drains that empty into the lagoon.
21. Monitor dumping by restaurants adjacent to the lagoon to ensure they are complying with storm drain regulations.

7.3.3 Encinitas East

Key Biological Resources. The Encinitas East area includes coastal sage scrub, grassland, and riparian habitat in the northeast corner of the study area. This area supports some sensitive wildlife species (e.g., California gnatcatcher, orange-throated whiptail) and relatively large blocks of intact habitat. It is most important, however, for the connectivity it provides between important coastal habitats in the city and core habitat areas outside the city in Carlsbad and in unincorporated areas of the county. The goal of preserve planning in Encinitas East is to maintain both the (1) relatively large blocks of habitat to allow for population expansions into the area and (2) narrower linkages to allow for dispersal between core areas.

Responsibility. The MHCP Conservancy or city designate will be responsible for managing natural open space in this area.

Recreation and Public Access. Recreational uses in this preserve will be limited to recreational trails and other passive recreational uses. It is anticipated that the primary

trail users will be residents adjacent to the preserve. Trails should be designed to avoid or minimize impacts to native habitats and known occurrences of sensitive species.

Fire Management. The Encinitas Fire Department will monitor the Encinitas East area for any fire hazards and will implement the fire control guidelines outlined in the Landscape Standards of the Encinitas Fire Protection District and Resource Management Element Policy 10.1 of the Encinitas General Plan (City of Encinitas 1989, amended 1995). The fire department will coordinate the timing of any clearing operations with the wildlife agencies and the MHCP Conservancy or city designate to minimize disturbance to wildlife (e.g., outside the breeding season of birds using the habitat). All fire management activities will be in accordance with the Wildland/Urban Interface Development Standards (San Diego County Fire Chief's Association 1997).

Exotic Plant Control. The MHCP Conservancy or city designate will monitor preserve areas for exotic plant species and implement management actions to remove these species, as necessary. Management may include initial removal and annual follow-up treatments to prevent reinvasions. Specific methods for removal will be outlined in yearly monitoring reports and may include herbicide applications, hand removal, controlled burning, and mowing.

Restrict landscaping adjacent to coastal sage scrub to prevent escape of ornamental landscaping into native habitat. Implement an exotic plant removal program in these areas, as necessary. Also enforce restrictions on pets as described in Section 7.2.

Habitat Restoration. Habitat enhancement or restoration is not planned for this area but may be implemented as needed to mitigate for impacts of residential use, fire, or after exotic plant removal. Habitat enhancement may also be needed as part of the adaptive management program, depending on results of biological monitoring. Use native or noninvasive species for landscaping adjacent to natural areas.

Additional Monitoring and Management

1. Ensure a connection between habitat in the northwest corner of this area and conserved habitat in Carlsbad.

2. Maintain a wildlife corridor along Escondido Creek through this area.
3. Maintain a wildlife corridor along Copper Creek through this area.
4. Monitor wildlife use along riparian areas to evaluate their importance for wildlife movement.
5. Monitor nesting of gnatcatchers.
6. Stabilize slopes above Escondido Creek with native plant species, where possible.

7.3.4 Sphere of Influence

The following guidelines will apply to parcels within the Sphere of Influence that are annexed to the City of Encinitas.

Key Biological Resources. The Encinitas Sphere of Influence includes coastal sage scrub, grassland, chaparral, and riparian habitat. This area supports California gnatcatchers and a large block of intact habitat. It is also important for the connectivity it provides between conserved coastal sage scrub in the MSCP and conserved coastal sage scrub in the MHCP. The goal of preserve planning in the Sphere of Influence is to maintain (1) core habitat to allow for California gnatcatchers and (2) a habitat linkage to open space outside the MHCP.

Responsibility. The MHCP Conservancy or city designate will be responsible for managing natural open space in this area, once it is annexed to the City of Encinitas.

Recreation and Public Access. Recreational uses in this preserve will be limited to recreational trails and other passive recreational uses. Trails should be designed to avoid or minimize impacts to native habitats and known occurrences of sensitive species.

Fire Management. The Encinitas Fire Department will monitor parcels in the Sphere of Influence, once annexed to the City of Encinitas. All fire management activities will be in accordance with the Wildland/Urban Interface Development Standards (San Diego County Fire Chief's Association 1997).

Exotic Plant Control. The city (or its designate) will monitor preserve areas for exotic plant species and implement management actions to remove exotic species, as necessary. Management may include initial removal and annual follow-up treatments to prevent reinvasions. Specific methods for removal will be outlined in yearly monitoring reports and may include herbicide applications, hand removal, controlled burning, and mowing.

Restrict landscaping adjacent to coastal sage scrub to prevent escape of ornamental landscaping into native habitat. Implement an exotic plant removal program in these areas, as necessary. Also enforce restrictions on pets as described in Section 7.2.

Habitat Restoration. Habitat enhancement or restoration is not planned for this area but may be implemented as needed to mitigate for impacts of residential use, fire, or after exotic plant removal. Habitat enhancement may also be needed as part of the adaptive management program, depending on results of biological monitoring. Use native or noninvasive species for landscaping adjacent to natural areas.

Additional Monitoring and Management

1. Maintain a habitat linkage between the Sphere of Influence and conserved habitat in Carlsbad.
2. Maintain a wildlife corridor along Escondido Creek through this area.
3. Maintain a wildlife corridor along Copper Creek through this area.
4. Monitor wildlife use along riparian areas to evaluate their importance for wildlife movement.
5. Monitor nesting of gnatcatchers.
6. Stabilize slopes above Escondido Creek with native plant species, where possible.

7.4 HABITAT TRACKING, REPORTING, AND MONITORING

The city will be responsible for habitat tracking and reporting. The city will participate in the subregional monitoring plan developed as part of the MHCP process. This monitoring effort will be implemented and funded jointly by the wildlife agencies and a regional or subregional funding source and will be coordinated with other NCCP monitoring efforts.

7.4.1 Habitat Tracking and Reporting

Encinitas will be responsible for the annual accounting and reporting of the acreage, type, and location of habitat conserved and destroyed by permitted land uses and other activities. Records will be maintained in ledger and digital map (Geographic Information System [GIS]) format. The city will provide this information using the HabiTrak tool. This accounting process will be used to ensure that habitat conservation proceeds in rough proportion with habitat losses. This information will be submitted to the wildlife agencies as part of an annual public report to demonstrate compliance with the terms and conditions of the subarea plan, implementing agreement, and take authorization. An annual public workshop will also be held in Encinitas to brief interested citizens on the progress of preserve assembly.

The loss of habitat will be accounted for when the project accrues the benefits of the take authorization. For conserved lands, the conservation of habitat will be accounted for when habitat is permanently conserved (e.g., date of recordation of title transfer, recordation of a conservation easement, or execution/record of any other instrument that confers third-party beneficiary status to the project or property). The accounting information for conserved acres will also identify the protection mechanism, owner, and agency or person responsible for conservation and management, and other related information.

Every year, the city (or its designate), along with other city subarea preserve managers, will submit a report to the wildlife agencies that summarizes management activities, describes management priorities for the next year, reports on restoration activities, and evaluates funding and the ability to meet resource management goals.

7.4.2 Commitment to Regional Monitoring Program

The City of Encinitas will make a commitment as part of its implementing agreement with the wildlife agencies to become part of the MHCP subregional monitoring and reporting program. Encinitas will implement its own subarea monitoring and reporting program and then share and coordinate its information with the subregional monitoring entity to help determine whether the subregional plan is meeting its overall preserve goals.

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**SECTION 8
REFERENCES**

- County of San Diego Parks and Recreation Department. 1996. San Elijo Lagoon area enhancement plan. 102 pp.
- City of Encinitas. 1989, amended 1995. General Plan.
- City of Encinitas. No date. Municipal Code.
- Ogden Environmental and Energy Services Co., Inc. 1998. Biological goals, standards, and guidelines for Multiple Habitat Preserve Design. Prepared for San Diego Association of Governments.
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- Pacific Southwest Biological Services (PSBS). 1990. Report of a biological assessment of the Staver property. TPM No. 89-031. Appendix B. Prepared for Scott Englehorn, Cardiff by the Sea, CA.
- San Diego Association of Governments (SANDAG). 1995. SANDAG generalized land use database.
- San Diego County Fire Chiefs' Association. 1997. Wildland/urban interface development standards. Modified by the San Diego County Wildland/Urban Interface Task Force. Revised August 1997.
- T & B Planning Consultants, Inc. 1994, amended 1998. Encinitas Ranch Specific Plan. Prepared for Carlitas Company, Carlsbad, CA.

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Fairbanks, Janet

From: Dave de Cordova [DDECORD@ci.encinitas.ca.us]
Sent: Monday, January 31, 2005 1:37 PM
To: Fairbanks, Janet
Subject: Letter from County re: MHCP/MSCP Change

Hi Janet:

I just received a letter from the County of San Diego advising the City to remove all County-owned lands from our SAP. In it they state the SANDAG Board of Directors directed removal of County lands from the MHCP because these areas are to be included in the County's MSCP. I was unaware of such a change and so haven't amended our SAP accordingly. If we remove these lands (San Elijo Ecological Preserve, Quail Botannical Gardens, Magdalena Ecke Park, and a piece in Olivenhain), what impact do you suppose it would have on our conservation targets? And does it make sense to remove from the City's SAP inasmuch as the City retains land use authority over these properties even though the County is fee owner?

Included with the letter is an exhibit, "Figure 3-1 Amended Focus Planning Area MHCP Study Area" dated May 1, 2003 that shows County-owned lands with a note that these pieces are not part of MHCP but rather the MSCP. My version of the Final MHCP (March 2003) you provided me with does not have this amended figure. Did the Board direct other changes that affect our draft SAP? Is there a final "Final" MHCP document that includes all the changes directed at the March '03 Board hearing? I noticed the MHCP is not available on SANDAG's website.

Dave

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A Minutes of Board action

