

Natural Community Conservation Plan for the City of San Marcos

- This document draft has been approved for review and circulation to the General Public, the Wildlife Agencies and the MHCP EIR Evaluation Team, but has not been adopted by City Council.
- This document is a **Draft** only and subject to revision.



May, 2001

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Abbreviations and Definitions

Discussed below are the numerous abbreviations and definitions of biological terms used throughout the text.

ABBREVIATIONS

ACOE:	U.S.Army Corps of Engineers
BCLA:	Biological Core and Linkage Area
CDFG:	California Department of Fish and Game
CE:	State of California listed endangered species
CEQA:	California Environmental Quality Act
CESA:	California Endangered Species Act
CHP:	Chaparral
CNDDB:	California Natural Diversity Data Base
CR:	State of California listed rare species
CSS:	Coastal Sage Scrub
CSUSM:	California State University, San Marcos
CT:	State of California listed threatened species
FE:	Federally endangered species
FESA:	Federal Endangered Species Act
FPA:	Focused Planning Area
FT:	Federally listed threatened species
HCP:	Habitat Conservation Plan
MBTA:	Migratory Bird Treaty Act
MHCP:	Multiple Habitat Conservation Program (Certain Cities in North San Diego County)
MOA:	Memorandum of Agreement
NCCP:	Natural Community Conservation Plan (State Initiative)
NEPA:	National Environmental Policy Act
PE:	Proposed for federal listing as endangered species
PT:	Proposed for federal listing as threatened species
SANDAG:	San Diego Association of Governments
SAP:	Subarea Plan
SSC:	State of California species of special concern
SPA:	Specific Planning Area
SPCA:	Society for the Preservation of Cruelty to Animals
ssp:	Subspecies
USFWS:	United States Fish and Wildlife Service
VP:	Vernal Pool

DEFINITIONS

Note: In case of variation with the definitions in the Multiple Habitat Conservation Program (MHCP), the regional framework document shall take precedence

Ad Valorem: In proportion to the value: ad valorem taxes on property.

Assurances: Mutual agreements and covenants contained in the Implementation Agreement which bind the parties to specified actions and provide each party with benefits. The benefits include, for example, authorization for incidental take of species in accordance with the Subarea Plan, and conservation of species resulting from actions to implement the plan.

Authorizations: Permits for incidental take of species in accordance with the Subarea Plan.

Biological Core and Linkage Area: The area of undisturbed native vegetation in the County and in the City. Conservation efforts in the City and Countywide that result in take authorizations are evaluated with regard to the percent of the BCLA conserved. (See **Figure 2**). The City's Subarea Plan also incorporates biologically significant habitat outside the BCLA.

Conserve: To keep from loss, decay or depletion; maintain, protect.

Conservation and preservation are similar terms and are used in much the same way. Preservation connotes the act of securing the land and its values, whereas conservation generally is more broad and includes activities such as management of the land and its resources.

Conservation: As defined in the federal Endangered Species Act, the use of all methods and procedures which are necessary to bring any endangered or threatened species to the point at which the measures provided pursuant to the Act are no longer necessary (ESA, Section 3[3]). In this plan, the term "conservation" also applies to all actions related to providing a viable habitat preserve system in the City.

Core: A component of the preserve system established under the Subarea Plan, consisting of large blocks of conserved habitat capable of sustaining species over time.

County Core: A large habitat area in the unincorporated County area to the southeast of San Marcos, which the MHCP is proposing as a subregional biological core area for conservation of the Gnatcatcher and other species. (See **Figure 2**).

Corridor: A defined tract of land, usually linear, through which a species must travel to reach habitat suitable for reproduction and other life-sustaining needs.

Covered species: A species for which take authorization would be provided because long-term viability was determined to be adequately maintained under a particular preserve design. The federal action addressed in this document is the issuance of incidental take permits from all species on the covered species list whether they currently are listed or are to be listed in the future.

Critical Location: An area that must be conserved substantially for that species to be adequately conserved by the MHCP. Critical locations often coincide with major populations, but not all major populations are considered critical in terms of achieving coverage.

Endangered Species: Any plant or animal in danger of extinction in all or a significant part of its range.

Endangered Species Act: Federal Act of 1973, as amended 16 U.S.C. Sections 1531-1543; and California Act of 1984, as amended, California Fish and Game Code, Sections 2050-2098.

Existing Hard-lines: Areas that have already been conserved for their wildlife value due to actions occurring in the past. Examples include onsite open space required to be set aside as part of approval of a development project and areas that have been purchased and set aside as mitigation for project impacts. (See areas of 100% conservation in **Figure 3**, Pocket Map)

Focus Planning Area: Lands of high biological value that will be considered for inclusion at varying conservation rates as part of this plan. See **Figure 4** as well as **Figure 3 -Pocket Map**.

Habitat: The combination of environmental conditions of a specific place occupied by a species.

Harass: A form of incidental take under the federal Endangered Species Act; defined in federal regulations as an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns that include, but are not limited to, breeding, feeding or sheltering (50 CFR 17.3).

Harm: A form of incidental take under the federal Endangered Species Act; defined in federal regulations as an act which actually kills or injures wildlife. Such acts may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering (50 CFR 17.3).

Habitat Cores: Areas within the Focus Planning Area Map (**Figure 4**) which consist of blocks of habitat that are sufficiently large to reliably support breeding populations of species, or that are large and intact enough to form ecologically functional areas for preserve design.

Implementing Agreement: A binding legal agreement between the City of San Marcos, the U.S. Fish and Wildlife Service, and the California Department of Fish and Game providing assurances to all three parties and providing authorization to the City for incidental take of species in accordance with this plan.

Incidental Take: The taking of a federally listed wildlife species, if such taking is incidental to and not the purpose of carrying out otherwise lawful activities. (Also see “Take”.)

Linkage (Habitat): A component of the preserve system established under the Subarea Plan, consisting of conserved habitat that provides connectivity between Cores and to natural communities within the region with opportunities for breeding where generational movement is required.

Major Amendment Areas: Private property containing sensitive species and/or native vegetation that could be included in the City’s Subarea Plan at a later date solely upon request of the private property owner.

Major Population: A population considered sufficiently large to be self-sustaining with a minimum of active or intensive management intervention (especially for plants) or that at least support enough breeding individuals to contribute reliably to the overall metapopulation stability of the species (especially for animals). Also includes smaller populations that nonetheless are considered important to long-term species survival.

Maximum Disturbance Envelope: A concept evolved through the application of the slope density ordinance. A Maximum Disturbance Envelope refers to the portion of property that can be disturbed through grading, house construction or landscaping. The maximum disturbance envelope reflects the likely effect of steep slopes. That is, the steeper the land the less the likely hood that the steeper slopes will be disturbed.

Mesopredators: Middle-sized (meso= middle) meat eaters such as gray fox, raccoon, skunk, and opossum.

Metapopulation: A network of semi-isolated breeding populations of a species that have some level of regular or intermittent migration and gene flow among them. (See also Population).

Mitigation: Measures undertaken to diminish or compensate for the negative impacts of a project or activity on the environment.

Narrow Endemic Species: Native species with restricted geographic distributions, soil affinities and/or habitats, and for purposes of the Subarea Plan, species that in addition have important populations within the Plan area, such that substantial loss of these populations or their habitat within the Subarea Plan area might jeopardize the continued existence or recovery of that species.

Ongoing Multi-Species Plan: A conservation planning effort, such as this Subarea Plan, which was initiated and substantially underway prior to the passage of the NCCP Act of 1992.

Population: A group of individuals of a given species that inhabits a relatively well defined geographic area and has the opportunity to interbreed freely.

Preserve/Reserve: An area set apart for the protection of wildlife and natural resources. Preserve and reserve are similar terms and are often used interchangeably. A reserve reflects an action taken in an urbanizing area, whereas preserve reflects setting aside land in undeveloped areas.

Project(s): Any activity that has biological impacts and is undertaken by the City or involves the issuance of a lease, permit, license, certificate, or other entitlement by the City.

Proposed Hard-line Areas: Properties whose conservation and development areas have been planned as part of the Subarea Plan, depicted on **Figure 3, Pocket Map**. If development is proposed on these lands in substantial conformance with **Figure 3, Pocket Map**, the development will be automatically permitted under the Subarea Plan.

Public Lands: Properties owned by the City of San Marcos or another governmental agency or special purpose district that are being addressed in this plan. Note: Some properties owned by governmental agencies are not included in the Plan at this time. These properties are noted on maps as "not a part."

Rare: A species (plant or animal) existing in such small numbers throughout all or a significant portion of its range that it may become endangered or threatened (as defined by CESA or FESA) if its environment worsens.

Section 7: A section of the federal Endangered Species Act that provides for a consultation between a federal agency (often the U.S. Army Corps of Engineers) and the U. S. Fish and Wildlife Service to ensure that any action authorized, funded, or carried out by the agency is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of critical habitat or such species. In the case where a Section 7 consultation occurs between the USFWS and the ACOE, the ACOE assumes the lead and the USFWS assumes an advisory role.

Site Plan Review: A review process conducted by the Community Services Department and affiliated Special and Subsidiary Districts whereby the applicant of a proposed residential, commercial or industrial project is advised of preliminary conditions of approval associated with the proposed development.

Specific Planning Area (SPA): A Specific Planning Area (SPA) is an area of over 50 acres that has been designated in the General Plan to be a plan development guided via a site specific master plan.

Species: Any distinct population of organisms (plant or animal) that interbreed when mature.

Standards: Special land use regulations to be adopted by the City of San Marcos to implement the Subarea Plan. The Standards will be applied only to the lands designated as occurring in standards areas.

Standards Area: Areas of the Subarea Plan where a development proposal has yet to be approved by the City of San Marcos. Standard areas establish assured levels of conservation through a series of required conservation percentages and development goals, rather than through the drawing of a hard-line development footprint.

Take: As defined in the federal ESA, to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect a listed species, or attempt to do so. Under the California ESA, take of a listed or candidate species means "to hunt, pursue, capture, or kill or attempt the same." (See also Incidental Take.)

Threatened Species: Any species or subspecies that is likely to become an endangered