



Buena Vista Audubon Society
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December 9, 2013

City of San Marcos, Attn: Norm Pedersen
1 Civic Drive
San Marcos, California 92069

Sent by email to: npedersen@san-marcos.net

COMMENTS ON MND FOR SAN MARCOS HIGHLANDS PROJECT

Dear Mr. Pedersen,

I am responding to the request for comments on the Mitigated Negative Declaration for the proposed San Marcos Highlands development project on behalf of the Buena Vista Audubon Society. We are a non-profit environmental organization with more than 1,800 member households in the North County coastal area, and are concerned about issues relating to the preservation of wildlife and native habitat in this region.

The San Marcos Highlands proposal involves a residential development of 198 units on a 293-acre property, one-third of which is located in the rural northern part of the City of San Marcos, and two-thirds in the County unincorporated area which is proposed for annexation to the City. The property supports the last large undisturbed coastal sage scrub habitat in this area, much of it occupied by the federally threatened California Gnatcatcher, as well as wetlands associated with the headwaters of Agua Hedionda Creek, a conservation target of the Agua Hedionda Creek Watershed Management Plan. The biological studies identified the Least Bell's Vireo and Southwest Flycatcher on the property, both important because of their federally endangered species status.

Based on our review of the Mitigated Negative Declaration and related documents, we believe that the project would have significant unmitigated impacts on biological resources for the following reasons.

Most importantly, the project blocks a critical wildlife corridor connecting preserve areas in the San Marcos' Northern Focused Planning Area with high value habitat in the Unincorporated County lands. The latter has been designated as a Pre-Approved Mitigation Area (PAMA) in the draft North County Multiple Species Conservation Plan. The PAMA designation is intended to steer development outside the area, and set up specific design criteria and mitigation standards for any development in the area. The proposed 400 ft. corridor is grossly inadequate and substantially less than the minimum 1,000 feet normally required by resource

agencies. In addition, the corridor is further narrowed as it goes through a residential backyard and through culverts, all resulting in the further isolation and fragmentation of valuable wildlife open space.

Dependent upon annexation of the unincorporated area into the City of San Marcos, the project proposes to increase the residential density in the County area tenfold from SR10 (one unit per 10 acres) to SR1 (one unit per acre), thereby resulting in a more solid barrier to wildlife movement.

The bird surveys for the California Gnatcatcher, Least Bell's Vireo and Willow Flycatcher, are almost 10 years old and have not been updated. Therefore, how can impacts to these threatened and endangered species be accurately assessed? They need to be redone so that impacts can be determined, project design changes made to avoid sensitive habitat areas, and specific plans and conditions made for avoiding nesting sites during construction. Although the above endangered Vireo and Flycatcher were identified onsite in an earlier study, these sitings were written off in the report as transient occurrences and not important nesting habitat. As there is suitable habitat for these species on the property, an updated survey is imperative to determine if nesting is occurring onsite or on adjacent offsite properties.

The project will result in a loss of approximately 2 acres of wetlands associated with the headwaters of Agua Hedionda Creek, including riparian wetlands, southern willow scrub, and freshwater marshland. In addition, there appears to be no designation of wetland buffers that are essential for the preservation these significant wildlife areas.

Due to the lack of updated biological information, and the proposed loss and fragmentation of valuable native habitat, the proposed project would have significant unmitigated impacts on a variety of both native and sensitive species. Therefore, the City of San Marcos, as lead agency under CEQA, should not approve the Mitigated Negative Declaration for the San Marcos Highlands project.

Thank you for the opportunity to comment on this project. If you have questions, I can be contacted at (760) 942-5167 or at jmherskowitz@yahoo.com .

Sincerely,

Joan Herskowitz
Conservation Committee
Buena Vista Audubon Society