

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****Environmental Assessment for a Major Amendment to the County of San Diego Subarea Plan of the Multiple Species Conservation Program Plan, California**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** The County of San Diego (County) has requested a major amendment to its Subarea Plan of the Multiple Species Conservation Program (MSCP) and has forwarded this request to the Fish and Wildlife Service (Service) for approval. Our proposed action would include the Cielo Ridge and Rancho de Lusardi properties into the MSCP for incidental take authorization (including harm, injury and harassment), if necessary, of species listed as threatened or endangered pursuant to the Endangered Species Act of 1973, as amended. Take authorization may be needed during the development of homes on these properties should unlisted species covered by the MSCP become listed during the 50-year term of the permit. The County's existing incidental take permit (PRT-840414) does not apply to these amendment areas until the amendment process has been completed. These amendment lands include key core habitat areas within the County's jurisdiction that are vital to the continued existence of many of the species covered for take authorization under the County's permit. Upon completion of the amendment process, Cielo Ridge and Rancho Cielo de Lusardi would be annexed into the County's Subarea Plan, and if necessary, these properties would then be afforded take authorization pursuant to the County's permit and implementing agreement (legal contact).

This notice announces the availability of the Environmental Assessment (EA), dated January, 2001, and the Major Amendment proposed by the County. These documents describe the proposed action and possible alternatives.

**DATES:** Written comments should be received by the Service on or before October 9, 2001.

**ADDRESSES:** Comments should be addressed to Mr. Jim Bartel, Field Supervisor, Carlsbad Fish and Wildlife Office, 2730 Loker Avenue West, Carlsbad, California 92008. Written comments may be sent by facsimile to (760) 431-9618.

**FOR FURTHER INFORMATION CONTACT:** Ms. Patrice Ashfield, Fish and Wildlife

Biologist, [see **ADDRESSES**]; telephone (760) 431-9440.

**SUPPLEMENTARY INFORMATION:****Document Availability**

Individuals interested in obtaining copies of the Proposed Major Amendment and Environmental Assessment for review should immediately contact the aforementioned office [see **ADDRESSES**]. Documents will also be available for public inspection by appointment during normal business hours (8 a.m. to 12 p.m. and 1 p.m. to 5 p.m.) Monday through Friday at the above address.

**Background**

Section 9 of the Endangered Species Act and Federal regulation prohibit the "taking" of a species listed as endangered or threatened. The term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, capture or collect listed wildlife, or attempt to engage in such conduct. Harm includes habitat modification that kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. Under limited circumstances, the Service may issue permits for take of listed species that is incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for threatened and endangered species are found in 50 CFR 17.32 and 50 CFR 17.22.

When the County completed its Subarea Plan of the MSCP, the status of several sites within the South County and Lake Hodges segments was not resolved, and these lands were designated as major or minor amendment areas. The County's take authorization does not apply to these amendment areas until the amendment process has been completed.

The County has requested a major amendment to include Cielo Ridge and Rancho Cielo de Lusardi properties into its Subarea Plan of the MSCP for incidental take authorization of species, should it be needed, during development of 11 Cielo Ridge homes and 13 Rancho Cielo de Lusardi homes. These properties are located north of the Del Dios Highway in the Santa Fe Valley, County of San Diego, California. Lands designated as major amendment areas include several properties that did not initially participate in the MSCP as the regional habitat conservation plan was being formulated. The inclusion of the proposed housing subdivisions, Cielo Ridge and Rancho Cielo de Lusardi, into the MSCP County Subarea Plan would incorporate these projects into the County of San Diego's

subregional planning efforts. To this end, these proposed subdivisions have been reviewed under the County of San Diego's Biological Mitigation Ordinance and the County Subarea Plan for the MSCP and have been found by the County to be in conformance with relevant criteria and regulations.

These amendment lands include key core habitat areas within the County's jurisdiction that are vital to the continued existence of many of the species included on the County's permit. A request for a major amendment area must be processed by the Service and the California Department of Fish and Game Agencies in conformity with all applicable laws and regulations (including National Environmental Policy Act, California Environmental Quality Act, and the Endangered Species Act). Upon completion of the amendment process, Cielo Ridge and Rancho Cielo de Lusardi would be annexed into the County's Subarea Plan, and if necessary, these properties would then be afforded take authorization pursuant to the County's permit and implementing agreement.

Together Cielo Ridge and Rancho Cielo de Lusardi properties would add 87.5 acres of land into the San Diego County MSCP Subarea Plan. Approximately 36.4 acres of habitat would be impacted by the construction of 24 homes, including 30.2 acres of southern mixed chaparral, 5.3 acres of disturbed habitat, 0.1 acre of non-native grassland and 0.8 acre of eucalyptus woodland. No state or federally threatened or endangered species have been identified onsite; however, unlisted rare species occur onsite that could be listed during the 50-year term of the permit. Proposed mitigation to offset project impacts include 41.2 acres of dedicated open space, along with 10.0 acres of open space to be contained within the proposed housing lots for a total of 51.2 acres of permanent open space dedicated to the County of San Diego.

The inclusion of 51.2 acres of open space would enhance the regional preserve in this area by creating a corridor at the southern portion of the proposed residential development which extends southward to the San Dieguito River. The two sites are predominantly covered with mixed chaparral vegetation with several sensitive plant and animal species, including wart-stemmed ceanothus (*Ceanothus verrucosus*) and ashy spike-moss (*Selaginella cinerascens*). Proposed mitigation measures include onsite preservation of 71 percent of the habitat on Cielo Ridge and 45 percent of

the habitat on Rancho Cielo de Lusardi. Approximately 81 percent of the wart-stemmed ceanothus and 50 percent of the ashy spike-moss populations would be preserved within the proposed open space easements.

An addendum to the previously certified Environmental Impact Report/Environmental Impact Statement has been prepared in accordance with California Environmental Quality Act Guidelines Section 15164. The County of San Diego has determined that the proposed amendment is in conformance with the California Environmental Quality Act, the MSCP Plan, and the Biological Mitigation Ordinance.

Alternatives to the Service's proposed action include the Preferred Project Alternative which would include Cielo Ridge and Rancho Cielo de Lusardi into the MSCP and result in construction of 27 homes on 87.55 acres. The total acreage of open space from both properties under this alternative would be 48.9 acres. The No Action Alternative would result in no development of either property.

This notice is provided pursuant to section 10(a) of the Endangered Species Act and the National Environmental Policy Act of 1969 regulations (40 CFR 1506.6). All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public. We will evaluate the proposed amendment, associated documents, and submitted comments to determine whether the proposed amendment meets the requirements of the National Environmental Policy Act regulations and section 10(a) of the Endangered Species Act. If it is determined that the requirements are met, the County Subarea Plan of the MSCP Plan will be amended to include the Cielo Ridge and Rancho Cielo de Lusardi subdivisions. We will make a final decision no sooner than 30 days from the date of publication of this notice.

Dated: August 21, 2001.

**Daniel S. Walsworth,**

*Acting Deputy Manager, California/Nevada Operations Office, Fish and Wildlife Service, Sacramento, California.*

[FR Doc. 01-22505 Filed 9-6-01; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF INTERIOR

### Fish and Wildlife Service

#### Preparation of an Environmental Impact Report/Statement for the Western Riverside County, CA, Multiple Species Habitat Conservation Plan

**AGENCY:** Fish and Wildlife Service, Interior.

**SUMMARY:** Pursuant to the National Environmental Policy Act, the Fish and Wildlife Service (Service) advises the public that we intend to gather information necessary to prepare, in coordination with the County of Riverside, California (County), a joint Environmental Impact Report/Environmental Impact Statement (EIR/EIS) on the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). The County and other jurisdictions intend to request Endangered Species Act permits for up to 164 covered species including federally threatened or endangered species and unlisted species that may become listed during the term of the permit. The permit is needed to authorize take of listed species (including harm, injury and harassment) during urban and rural development in the approximately 1.26 million-acre (1,967 square-mile) study area in western Riverside County.

The Service is furnishing this notice to: (1) Advise other Federal and State agencies, affected Tribes, and the public of our intentions; (2) announce the initiation of a 30-day public scoping period; and (3) obtain suggestions and information on the scope of issues to be included in the EIR/EIS.

**DATES:** We will accept written comments until October 9, 2001.

**ADDRESSES:** Send comments to Mr. James Bartel, Field Supervisor, U.S. Fish and Wildlife Service, Carlsbad Field Office, 3720 Loker Avenue West, Carlsbad, CA 92008; facsimile (760) 431-9618. Information, comments and/or questions related to the preparation of the EIR and the California Environmental Quality Act process should be submitted to Ms. Kristi Lovelady; P.O. Box 1605; 4080 Lemon Street, 7th Floor; Riverside, CA 92502; facsimile (909) 955-6879.

#### FOR FURTHER INFORMATION CONTACT:

Background information pertaining to the MSHCP may be found in the Conservation Information section of the following web page <http://www.rcip.org/library.htm>. For additional information please contact Mr. Jeff Newman, U.S. Fish and Wildlife Service, telephone (760) 431-9440 [see **ADDRESSES** for

Carlsbad Field Office]; or Ms. Kristi Lovelady, County of Riverside, telephone (909) 955-6742 [see **ADDRESSES**].

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 9 of the Endangered Species Act of 1973, as amended, and Federal regulation prohibit the "taking" of a species listed as endangered or threatened. The term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, capture, or collect listed wildlife, or attempt to engage in such conduct. Harm includes habitat modification that kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. Under limited circumstances, the Service may issue permits for take of listed species that is incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for threatened and endangered species are found in 50 CFR 17.32 and 50 CFR 17.22.

We anticipate that the County and other jurisdictions will request Endangered Species Act permits for up to 164 covered species, including 26 federally threatened or endangered species, and 138 unlisted species that may become listed during the term of the permit. The permits are needed to authorize take of listed species (including harm, injury and harassment) during urban and rural development in rapidly growing western Riverside County.

In the year 2020, the Southern California Association of Governments estimates that Riverside County will be home to approximately 2.8 million people, who will occupy approximately 918,000 dwelling units. This represents a doubling of the County's present population and housing stock. Another study by the California Department of Finance estimates that the County will continue to grow to 3.5 million people by 2030 and 4.5 million people by 2040. These residents will be located within 24 incorporated cities, as well as within numerous unincorporated areas.

The crush of the coming population boom and the challenge of balancing the associated housing, transportation, and economic needs of existing and future populations with limited natural resources and the sensitivity of the natural environment required Riverside County to develop a unique planning model. This model, known as the Riverside County Integrated Project, consists of three integrated regional planning efforts to determine future