

DOCKETED	
Docket Number:	24-OPT-02
Project Title:	Compass Energy Storage Project
TN #:	261105
Document Title:	Cathleen Pryor Comments - There have been two wildfires in this valley since 2024 per the report from the Center for Natural Lands Management
Description:	N/A
Filer:	System
Organization:	Cathleen Pryor
Submitter Role:	Public
Submission Date:	1/15/2025 4:50:20 PM
Docketed Date:	1/15/2025

*Comment Received From: Cathleen Pryor
Submitted On: 1/15/2025
Docket Number: 24-OPT-02*

There have been two wildfires in this valley since 2024 per the report from the Center for Natural Lands Management

The Laguna Heights Community Association owns over 200 acres of land adjacent to the parcels owned by Saddleback Church. In partnership with the City of San Juan Capistrano, LHCA has dedicated easements to the Center for Natural Lands Management to create native habitat on the hillsides and land at the bottom of the hillsides in an effort to attract and support native wildlife. These hills are not bare. There is an abundance of shrubs and plants which burn in an wildfire. Wildfires race up the hillsides.

The good news is these are wildfires our firefighters are equipped to fight and do an excellent job. Brush fires respond well to water. The problem with this facility is lithium battery fires typically burn for days even weeks and cannot be extinguished by water. Firefighters are not prepared to defend the residences, schools and senior living facilities from lithium fires spewing toxic gases, smoke and burning embers for hours, days or weeks.

Our efforts to restore this natural space has increased the fire danger.

The attached report from the Center for Natural Lands Management shows there were two wildfires in 2024.

Page 5-

"In June 2024, OCFA notified CNLM of two nearby wildfires in the Northwest Open Space that were potential threats to the Off-site Preserve, but firefighters were able to control the fires before they reached the Preserve boundary."

The containers are made of galvanized steel which rusts in salt air. Salt air flows up from Doheny Beach continuously and salt air fog often invades this valley. From the moment those containers are installed, rusting will start. Rust creates holes. Burning embers can float right in and create problems for the batteries inside. Fires can and do start in the area designated for the facility.

This is not the right location for galvanized steel containers much less ones that are packed with lithium batteries that could catch fire regardless of what type of lithium batteries are used. If fire invades a container, there is no fire suppression inside of these containers.

This facility would be better located in the desert away from salt air and wildfires.

CNLM ANNUAL REPORT FOR THE FISCAL YEAR 2024
(October 1, 2023 - September 30, 2024)
PACIFICA SAN JUAN PRESERVE (S053)



Provided to:

United States Fish and Wildlife Service
William Miller; william_b_miller@fws.gov

California Department of Fish and Wildlife
Emily Gray; Emily.gray@wildlife.ca.gov

City of San Juan Capistrano
Joel Rojas; Jrojas@sanjuancapistrano.org

Prepared by:

Prepared by: Korie Merrill, Regional Preserve Manager; kmerrill@cnlm.org
& Sabina Lawrence, Land Steward, slawrence@cnlm.org

Reviewed by: Deborah L Rogers

Co-Executive Director & Director of Conservation Science and Stewardship
drogers@cnlm.org

27258 Via Industria, Suite B
Temecula, CA 92590
Phone: 760.731.7790
www.cnlm.org



14 January 2025

I. Introduction

The Pacifica San Juan Preserve (Preserve) located in San Juan Capistrano, Orange County, California, is comprised of two areas: “On-site” and “Off-site” (Figure 1).

The On-site area is 9.6 acres located on a portion of two parcels, Assessor Parcel Numbers (APN) 675-351-17, Lot I and 675-421-18, Lot H, owned by the Pacifica San Juan Community Association (PSJCA). The On-site area is adjacent to more than 2,000 acres of open space, most of which is already permanently protected and is referred to as the Southern Open Space, owned by the City of San Juan Capistrano (City). Despite being near this larger tract of open space, the On-site area is in an urbanized area, with homes adjacent and along its eastern and southern boundaries. There is a paved access road separated by a fuel modification zone along the western boundary. In 2020, an Open Space Easement and Public Trail Easement were granted to the City for Lot H (City and PPDP 2020a, b). Non-motorized, multi-use public access is allowed on the 0.14-mile trail (referred to by the City as “Sunset View Park”) that connects to the adjacent, City owned McCracken View Trail in the Southern Open Space. The Preserve trail is 10 feet wide, of moderate grade, composed of decomposed granite, and enclosed in a steel post and cable fence to prevent access into the habitat and protect the conservation values. Two benches are located on the trail at scenic viewpoints.

The Off-site area is 33.2 acres owned by the Laguna Heights Community Association (LHCA), located on APN 121-060-32 and on a portion of four other parcels: APNs 121-060-31, 121-060-38, 121-090-06, and 121-090-29. It is within the over 1,000-acre Northwest Open Space (which is owned by the City, LHCA, and Saddleback Church), which is comprised of patches of native and non-native habitats. The Off-site area is bound by the Colinas Ridge Trail, ornamental vegetation, and residential homes (the Laguna Heights Community) along its western boundary, and native and non-native habitat along its other boundaries. The Shea Trail, an approximately 0.5-mile trail 10 feet wide on average but 15 feet across in some areas, bisects the Off-site area in the southern portion of the Preserve. Both trails also serve as utility access roads and are managed by the City.

The Preserve was created as a mitigation requirement for the Pacific Point Project (also known as the Pacifica San Juan Project), with Conservation Easements recorded on February 1, 2016, for each area, both granted to Center for Natural Lands Management (CNLM; CNLM and LHCA 2016; CNLM and PPDP 2016). The California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) are both third-party beneficiaries for the two easements. Conservation values currently on the Preserve include coastal sage scrub (CSS) vegetation and habitat for the federally threatened coastal California gnatcatcher (CAGN; *Poliophtila californica californica*). Baseline reports were prepared for both easements in 2016 (CNLM 2016 a, b).

The Preserve was in the restoration phase of the project from 2016 until April 2023. During that time, CNLM’s role was related to monitoring, enforcement, and defense of the Conservation Easements. USFWS and CDFW determined restoration performance standards associated with the Project had been met and short-term maintenance was no longer required in April 2023 (USFWS and CDFW 2023), colloquially known as “sign-off.” Subsequently, CNLM assumed the on-the-ground land manager role as outlined in the Perpetual Management Plans (PMPs) for the On-site and Off-site areas (Derek Ostensen and Associates 2015 a, b, respectively).

This document serves as an annual management and monitoring summary report. It details the management activities, guided by the objectives listed in the PMPs and the annual work plan (CNLM 2023a), which occurred during Fiscal Year (FY) 2024 (October 1, 2023 – September, 30 2024). These activities are summarized below:

- Conservation Easement Monitoring, Enforcement, and Defense
 - Conducted Conservation Easement compliance monitoring
 - Conducted patrols of Preserve
 - Photo-documented condition of Conservation Easements
- Biological Monitoring
 - Surveyed for CAGN
 - Conducted CSS vegetation monitoring
 - Documented wildlife use of the Off-site Preserve using wildlife camera data
- Habitat Management
 - Surveyed, mapped and treated non-native plant species
 - Collected and planted native cactus propagules in erosion-prone areas
- Public Services
 - Communicated, as appropriate, with USFWS and CDFW (collectively referred to as the Wildlife Agencies), the City of San Juan Capistrano (City), the Landowners, and Orange County Fire Authority (OCFA)
 - Recorded Preserve compliance monitoring activities for an annual report
 - Patrolled the site and engaged with the public

II. Conservation Easement Compliance

Both the Off-site and On-site areas were visited on December 6, 2023 for the annual Conservation Easement monitoring. CNLM was not accompanied by the landowners during this annual monitoring visit in FY 2024. The Preserve was inspected for compliance with the Conservation Easements, photos were taken at the 19 permanent photo-monitoring locations, and these photos were saved on the CNLM cloud-based server. Eleven of the permanent photo-monitoring sites are in the On-site area (Figure 2) and eight in the Off-site area (Figure 3). These monitoring points were originally included in the CNLM baseline reports (CNLM 2016a, b) and are used as a baseline for the existing and anticipated habitat values of the Preserve. During this site visit, CAGN were observed, some invasive plant species were observed, and a small amount of trash was seen next to the trail.

III. Biological Monitoring

CAGN Monitoring

Coastal California gnatcatcher surveys were conducted by CNLM staff, Kelsey Nannini and Matt Marowitz, who are authorized to conduct surveys under CNLM's Recovery Permit ES221411-6.1. Suitable CAGN nesting habitat was surveyed for presence/absence according to USFWS protocols. After the initial determination that observations were of single birds or pairs, additional surveys or rechecks were conducted to follow up on CAGN pairs.

The Preserve was surveyed three times during the breeding season, 15 February – 31 August. An estimated four pairs and one single male were identified during these surveys (Table 1). Three pairs and the one single male were located at the Off-site area (Figure 4) and one pair

was located at the On-site area (Figure 5). Juveniles were observed alongside each of the four pairs. This was the first CAGN survey on the Preserve after the five-year restoration phase of the Project.

Table 1. 2024 CAGN Survey Results

Date	Weather Conditions	Results
26-Mar-24	10.5–17.2° C 6–14 kph wind 70–10% cloud cover	CAGN 1 Pair CAGN 2 Pair CAGN 3 Single Male CAGN 4 No Visual CAGN 5 Pair
2-May-24	15.5–17.7° C 5–16 kph wind 100–100% cloud cover,	CAGN 1 Pair CAGN 2 Male CAGN 4 Male CAGN 5 Male
27-Jun-24	18.3–23.8° C 6–16 kph wind 100–0% cloud cover	CAGN 1 Pair, 1 juvenile CAGN 2 Pair, 2 juveniles CAGN 3 Single Male CAGN 4 Pair, 1 juvenile CAGN 5 Pair, 2 juveniles

Vegetation Monitoring

Vegetation surveys to monitor the Preserve’s CSS community were conducted on April 3 at the Off-site area and April 4 at the On-site area. Five (three at the Off-site area (Figure 6) and two at the On-site area (Figure 7)) 12-m radius rapid assessment plots were established and monitored following the CDFW and California Native Plant Society method (CNPS 2022). It is anticipated that 8-12 plots (or 4-6 plots at each area as described in the PMPs) will be monitored once every five years on a rotating schedule across the Preserve. The data collected will be used to update a series of GIS-supported databases to enable long-term tracking of vegetation communities, as well as presence/absence and cover of various common and sensitive species. The presence and cover of non-native invasive species was also noted during these surveys, but did not replace targeted non-native and invasive plant monitoring and management activities (see the Habitat Management section below).

Litter and thatch were the most common ground cover across the five plots with an absolute average percent cover of 81% and bare ground (i.e. “fines”) at 17% (Table 2). Shrub cover was 49% with herbaceous cover at 20% and a range of 1-5% dead shrubs present. The low cover of dead shrubs may be expected for this stage of the Preserve. Restoration commenced in 2016 so many of these plants are young, i.e. less than 10 years old, and mature CSS has not been established yet.

A total of 39 plant species were observed across the five plots. Only *Artemesia californica*, *Baccharis pilularis* and *Pseudognaphalium californicum* were observed at all five plots (see Appendix A). The most common non-native invasive species observed were *Brassica nigra*, *Cynara cardunculus*, *Helminthotheca echioides*, *Lysimachia arvensis*, and *Sonchus asper* which were each observed at three plots.

Table 2. CSS Rapid Assessment Plot Results.

	Average Percent Cover	SE
Ground Cover		
Litter	81.2	5.9
Cobble	0.2	0.2
Gravel		
Fines	17.0	6.0
Water		
Basal Area Stem	2.0	0
Vegetative Cover		
Shrub	49.4	3.7
Herbaceous	20.0	7.5
Dead Shrub	1 - 5 %	

SE- Standard Error

General Wildlife Monitoring

The PMPs anticipated general wildlife surveys are expected to occur every three years on the Preserve. To use funds to best effect, two wildlife cameras were purchased for passive monitoring of wildlife. Only one camera was deployed in FY 2024; in September 2024, it was placed in the 5-acre section of the Off-site area southeast of Shea Trail. The second camera is expected to be deployed in the following fiscal year. For the month that the camera was operational in FY 2024, the species recorded were identified to the lowest possible taxon (i.e. family, genus, or species) and recorded in CNLM's cloud-based data sheet. A total of 17 observations were recorded. The species captured on camera were coyote (*Canis latrans*), turkey vulture (*Cathartes aura*), Say's phoebe (*Sayornis saya*), honeybee (*Apis mellifera*), and dragonfly (family Libellulidae). This wildlife camera survey is ongoing and is expected to end in September 2025, the results of which will be provided in the FY 2025 annual report.

Other wildlife observed by CNLM staff during patrols and other biological monitoring include: southern Pacific rattlesnake (*Crotalus oreganus*), Botta's pocket gopher (*Thomomys bottae*), Virginia opossum (*Didelphis virginiana*), cottontail rabbits (*Sylvilagus* spp.), greater roadrunner (*Geococcyx californianus*), Anna's hummingbird (*Calypete anna*), California quail (*Calipepla californica*), red-shouldered hawk (*Buteo lineatus*), and northern harrier (*Circus hudsonius*).

IV. Habitat Management

Invasive Plant Management

In FY 2024, to reduce or minimize negative impacts to CAGN habitat, CNLM treated invasive plant species within the Preserve using integrated pest management techniques. Treatments consisted of a combination of weed whacking, hand-pulling, removal and bagging of seed heads, and the application of herbicide. All herbicide use was reported monthly to the Orange County Agricultural Commissioner. To enable long-term monitoring and analysis, non-native plant occurrences were mapped in the field and the spatial and life-history data for each species occurrence is stored in CNLM's cloud-based system. Species that were targeted for treatment in FY 2024 include artichoke thistle (*Cynara cardunculus*), tree tobacco (*Nicotiana glauca*), castor bean (*Ricinus communis*), black mustard (*Brassica nigra*), shortpod mustard (*Hirschfeldia incana*), tocalote (*Centaurea melitensis*), and bristly oxtongue (*Helminthotheca echioides*). Approximately 2.70 acres of non-native plants were treated across the On-site and Off-site areas (Table 3; Figure 8, Figure 9).

Table 3. Summary of non-native plant species treated on the Preserve during FY 2024.

Common Name	Scientific Name	Location	Acreage treated
Artichoke thistle	<i>Cynara cardunculus</i>	Off-site	0.65
Black mustard	<i>Brassica nigra</i>	On-site, Off-site	1.09*
Bristly oxtongue	<i>Helminthotheca echioides</i>	Off-site	1.09*
Castor bean	<i>Ricinus communis</i>	On-site	0.05
Shortpod mustard	<i>Hirschfeldia incana</i>	On-site, Off-site	0.24
Tocalote	<i>Centaurea melitensis</i>	Off-site	0.46
Tree tobacco	<i>Nicotiana glauca</i>	On-site	0.21
		Total	2.70

* Mixed species treated together over same area

Habitat Maintenance

Cactus pads were harvested onsite from local coastal prickly pear (*Opuntia littoralis*) within the Off-site area in October 2023 through January 2024 and the pads were left onsite in a sunny location to callus for approximately two weeks before being transplanted. Between October 2023 and January 2024, approximately 340 cactus pads were planted in 42 small plots along Colinas Ridge Trail and Shea Trail (Figure 10). The goal with these plantings is to control erosion, deter trespass into unfenced areas of the habitat, and encourage the expansion of native plants and the wildlife species that use them. Cactus survivorship was approximately 90% as of September 2024.

V. Public Services

Coordination and Protection

CNLM continued to coordinate with the landowners regarding access to the Preserve and notification of planned management activities, including herbicide use.

CNLM staff patrolled the Preserve throughout FY 2024, during which time they spoke with trail users about the importance of the Preserve and reminded people to keep their dogs on leash and out of the Preserve.

In June 2024, OCFA notified CNLM of two nearby wildfires in the Northwest Open Space that were potential threats to the Off-site Preserve, but firefighters were able to control the fires before they reached the Preserve boundary.

GIS Database

CNLM managed and added GIS coverages for data collected in FY 2024.

Reports

A work plan and associated budget was prepared for FY 2025 (October 1, 2024 through September 30, 2025). An annual comprehensive management and monitoring report describing the management activities conducted during FY 2023 was prepared on 18 December 2023 (CNLM 2023b) and provided to CDFW, USFWS, and the City.

VI. References

- [City and PPDP] City of San Juan Capistrano and Pacific Point Development Partners, LLC. 2020a. Grant Deed - Public Open Space Easement. Pacifica San Juan Preserve- Lot H of Tract 16750. September 15, 2020.
- [City and PPDP] City of San Juan Capistrano and Pacific Point Development Partners, LLC. 2020b. Grant Deed - Public Trail Easement. Pacifica San Juan Preserve- Lot H of Tract 16750. September 16, 2020.
- [CNLM and LHCA]. Center for Natural Lands Management and Laguna Heights Community Association. 2016. Conservation Easement, Pacifica San Juan Preserve- Laguna Heights Unit. Recorded February 1, 2016. Signed 28 January 2016 by Laguna Heights Community Association.
- [CNLM and PPDP] Center for Natural Lands Management and Pacific Point Development Partners, LLC. 2016. Conservation Easement, Pacifica San Juan Preserve- Pacifica San Juan Unit. Recorded February 1, 2016. Signed 28 January 2016- by Pacific Point Development Partners, LLC.
- [CNLM] Center for Natural Lands Management. 2016a. Conservation Easement Baseline Documentation Report Pacifica San Juan- Laguna Heights Unit. Signed 28 Jan 2016.
- [CNLM] Center for Natural Lands Management. 2016b. Conservation Easement Baseline Documentation Report Pacifica San Juan- Pacifica San Juan Preserve Unit. Signed 28 January 2016.
- [CNLM] Center for Natural Lands Management. 2023a. Annual Work Plan for the Fiscal Year 2024. Pacifica San Juan Preserve (S053). 6 October 2023.
- [CNLM] Center for Natural Lands Management. 2023b. Annual Report for the Fiscal Year 2023. Pacifica San Juan Preserve (S053). 18 December 2023.
- [CNPS] California Native Plant Society. 2022. CDFW-CNPS Protocol for the Combined Vegetation Rapid Assessment and Relevé Field Form. November 4, 2022.
- Derek Ostensen and Associates. 2015a. 2014 Revised Special 4(D) Rule Perpetual Management Plan (on-site) for Tentative Tract 14196 Pacifica San Juan (a.k.a Pacific Point) San Juan Capistrano, California. 20 August 2015.
- Derek Ostensen and Associates. 2015b. 2014 Revised Special 4(D) Rule Perpetual Management Plan (off-site) for Tentative Tract 14196 Pacifica San Juan (a.k.a Pacific Point) San Juan Capistrano, California. 20 August 2015.
- Ostensen and Associates. 2022. Year Five (2021) Annual Monitoring Report. 33.2-Acre Off-site Mitigation. 2014 Revised Special 4(D) Rule for Tentative Tract 14196 Pacifica San Juan (a.k.a Pacific Point) San Juan Capistrano, California. 10 June 2022.
- [USFWS and CDFW] U.S. Fish and Wildlife Service and California Department of Fish and Wildlife. 2023. Letter: Satisfaction of On-Site and Off-Site Restoration for the Pacifica San Juan Residential Development Project, City of San Juan Capistrano, California. April 25, 2023.

VII. Figures & Tables

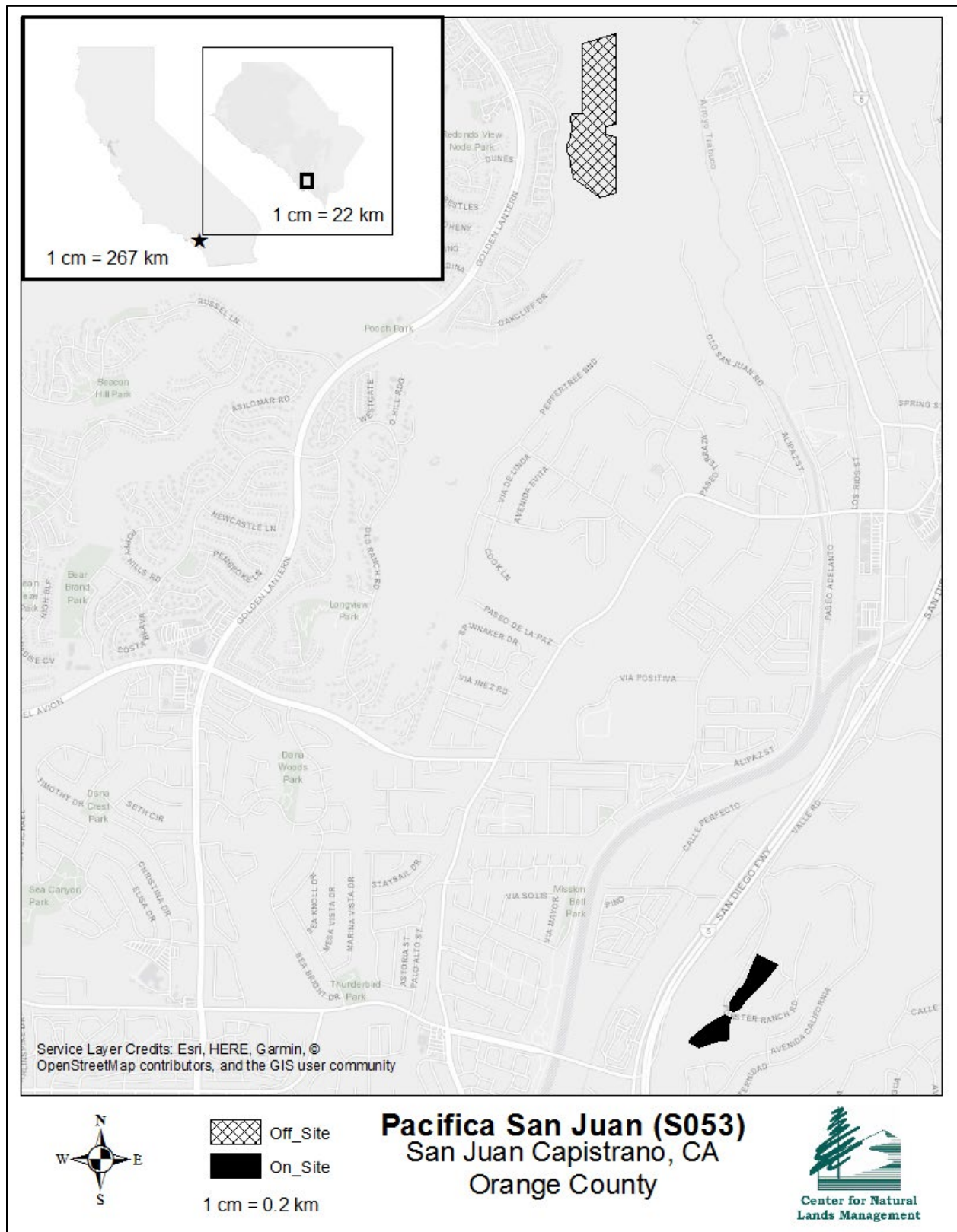


Figure 1. Vicinity map of Preserve

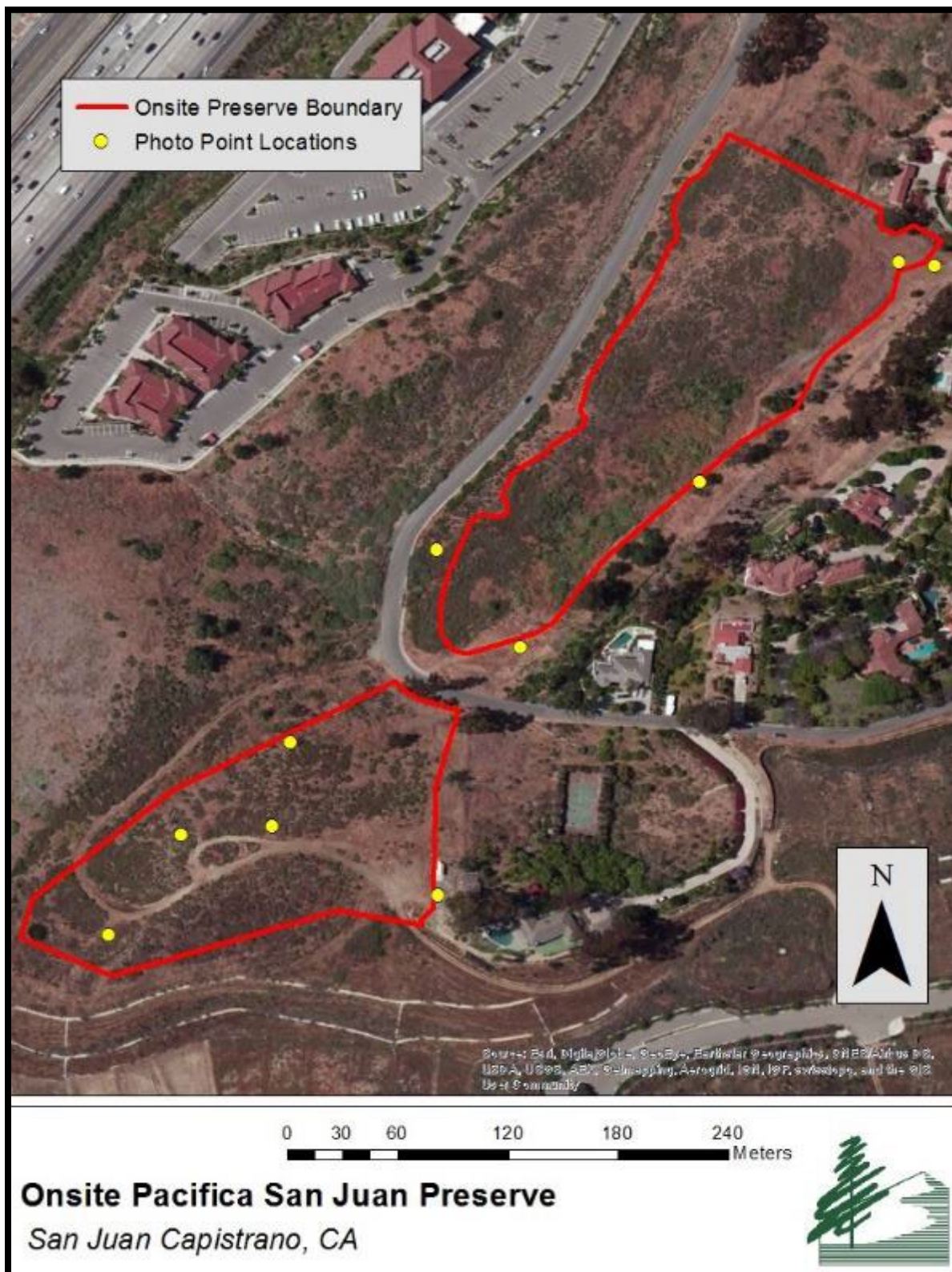


Figure 2. On-site area photo-monitoring points.



Figure 3. Off-site area photo-monitoring points.

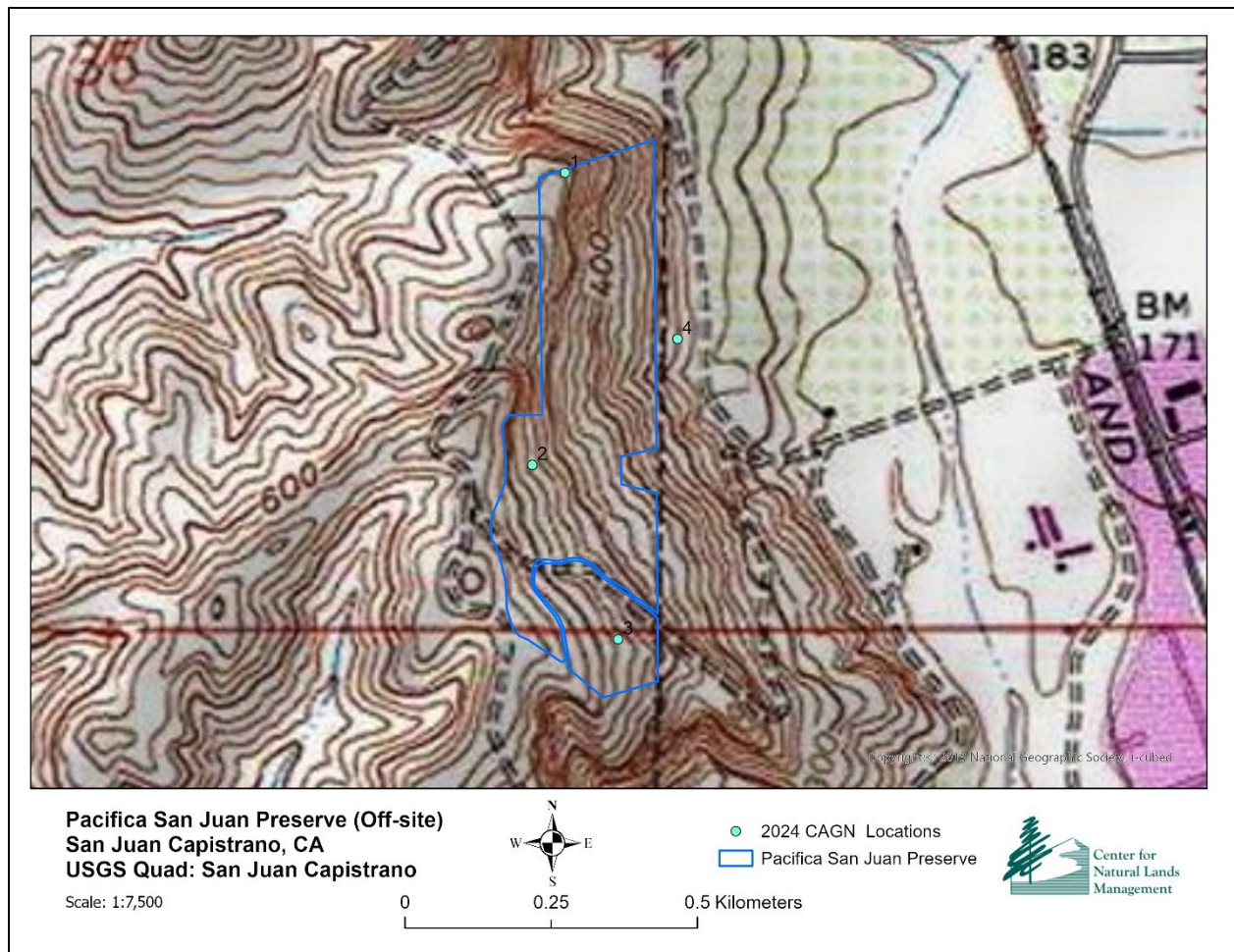


Figure 4. Map of CAGN territories at Off-site area.

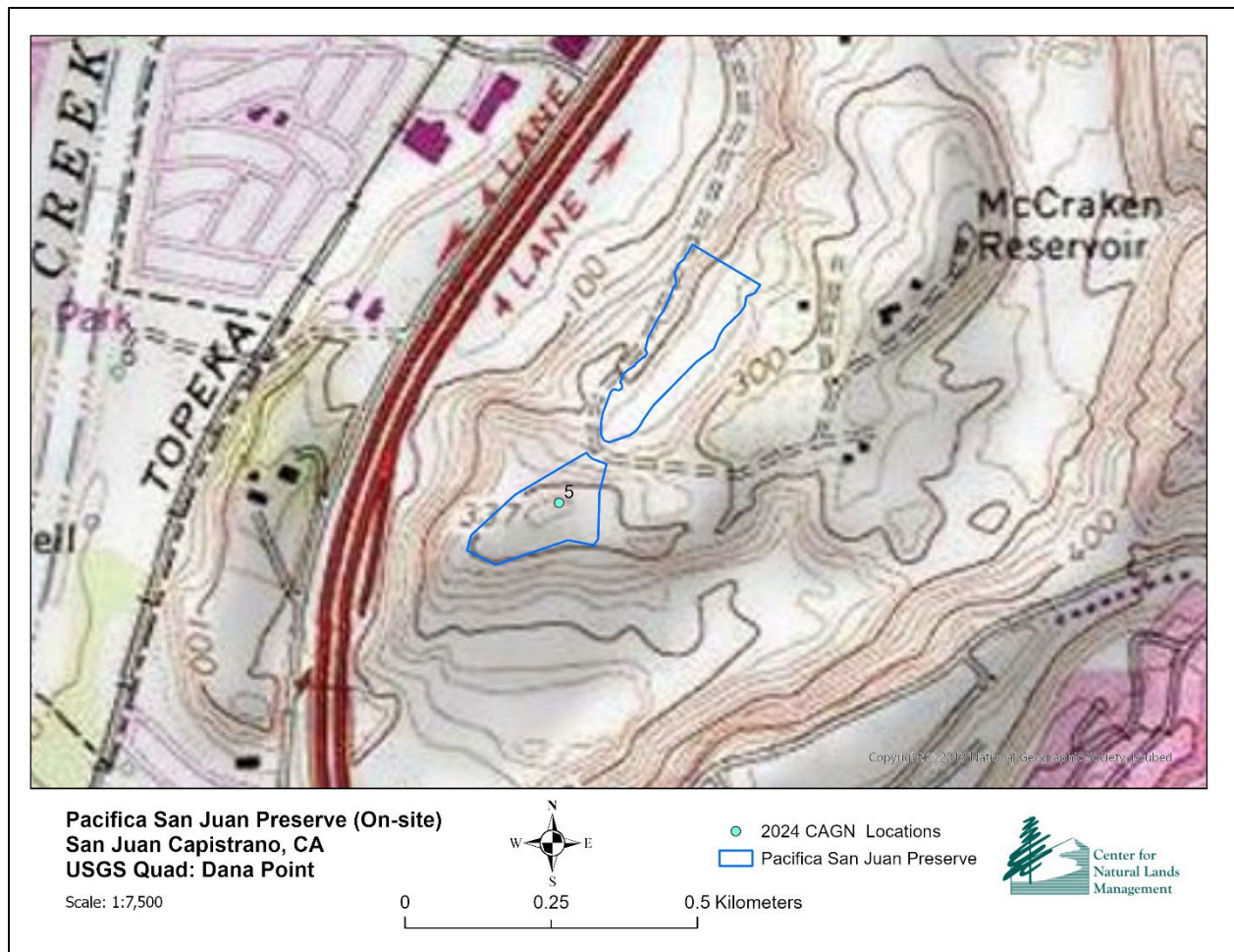


Figure 5. Map of CAGN territories at On-site area.



Figure 6. Map of vegetation monitoring rapid assessment points at Off-site area for FY 2024.



Figure 7. Map of vegetation monitoring rapid assessment points at On-site area for FY 2024.

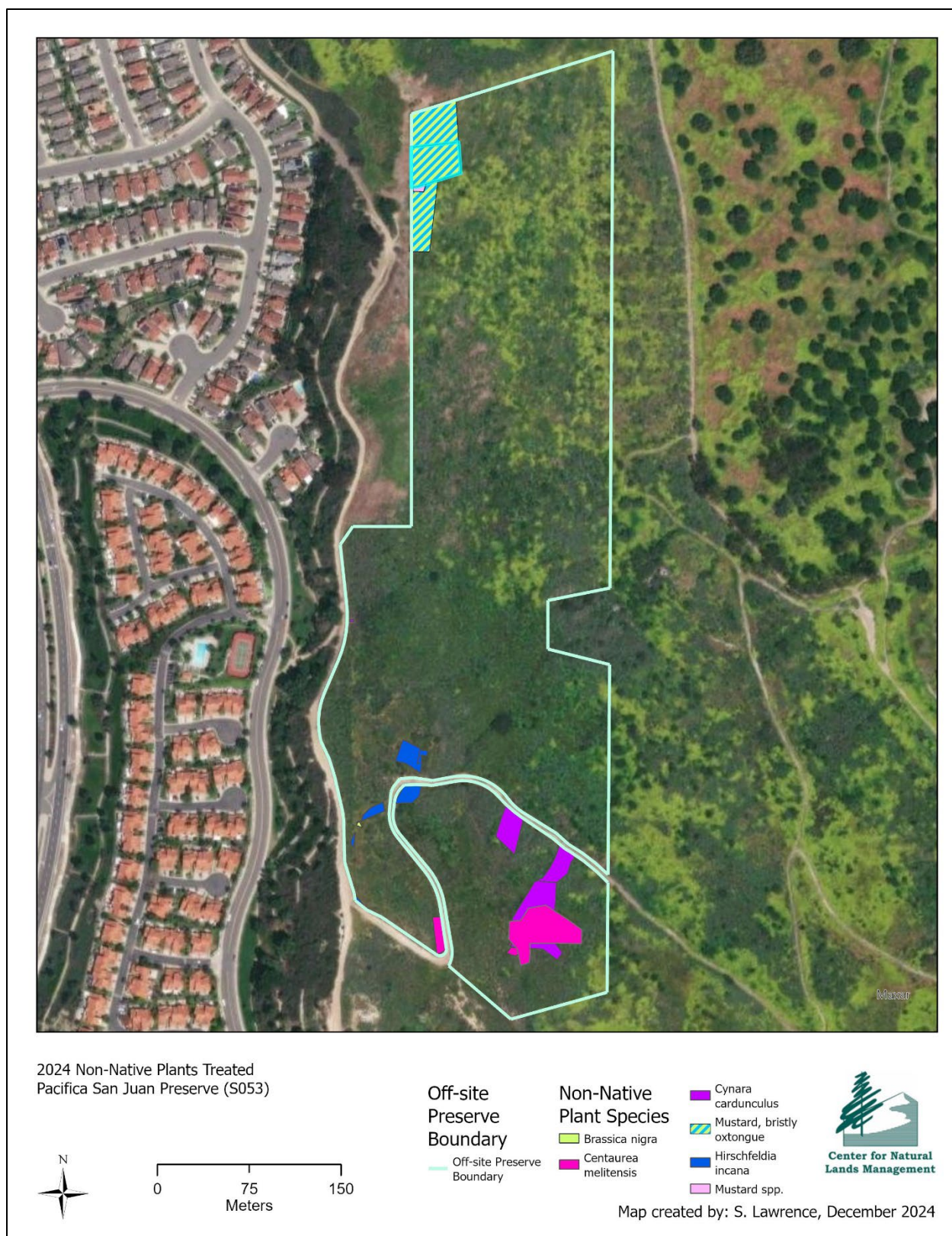


Figure 8. Non-native plants treated at Off-site area, FY 2024.



Figure 9. Non-native plants treated at On-site area, FY 2024.



Figure 10. Cactus planting plots along Colinas Ridge Trail and Shea Trail, Off-site area, FY 2024.

VIII. Appendix A. CSS Rapid Assessment Data

Appendix A. 1. Species observed by plot.

Code	Scientific Name	Native?	On-site		Off-site		
			Plot 2	Plot 3	Plot 5	Plot 6	Plot 9
ARTCAL	<i>Artemesia californica</i>	Y	Y	Y	Y	Y	Y
ASPASP	<i>Asparagus asparagoides</i>	N		Y			
BACPIL	<i>Baccharis pilularis</i>	Y	Y	Y	Y	Y	Y
BACSAL	<i>Baccharis salicifolia</i>	Y				Y	
BRANIG	<i>Brassica nigra</i>	N		Y	Y	Y	
BRODIA	<i>Bromus diandrus</i>	N			Y		Y
BROHOR	<i>Bromus hordaceus</i>	N					Y
CARPYC	<i>Carduus pycnocephalus</i>	N		Y			
CENMEL	<i>Centaurea melitensis</i>	N				Y	Y
CLAPER	<i>Claytonia perfoliata</i>	Y		Y	Y		
CONMAC	<i>Conium maculatum</i>	N		Y			
CYLPRO	<i>Cylindropuntia prolifera</i>	Y					Y
CYNCAR	<i>Cynara cardunculus</i>	N		Y	Y	Y	
DIPAUT	<i>Diplacus aurantiacus</i>	Y		Y	Y		Y
ENCCAL	<i>Encelia californica</i>	Y		Y	Y	Y	Y
ERIFAS	<i>Eriogonum fasciculatum</i>	Y	Y		Y	Y	Y
ERICON	<i>Eriophyllum confertiflorum</i>	Y		Y			Y
ERISUM	<i>Erigeron sumatrensis</i>	N	Y	Y			
HELECH	<i>Helminthotheca echioides</i>	N			Y	Y	Y
HETARB	<i>Heteromeles arbutifolia</i>	Y			Y		
ISOMEN	<i>Isocoma menziesii</i>	Y	Y			Y	Y
LYSARV	<i>Lysimachia arvensis</i>	N	Y	Y			Y
MARMAC	<i>Marah macrocarpa</i>	Y		Y			
MARVUL	<i>Marrubium vulgare</i>	N					Y
MELOFF	<i>Melilotus officinalis</i>	N	Y				
NASPUL	<i>Nassella pulchra</i>	Y					Y
OPULIT	<i>Opuntia littoralis</i>	Y			Y	Y	Y
OXAPES	<i>Oxalis pes-caprae</i>	N				Y	
PSEBIO	<i>Pseudognaphalium bioletti</i>	Y		Y			
PSECAL	<i>Pseudognaphalium californicum</i>	Y	Y	Y	Y	Y	Y
PSESTR	<i>Pseudognaphalium stramineum</i>	Y	Y				
RHUINT	<i>Rhus integrifolia</i>	Y		Y			
RUMCRI	<i>Rumex crispus</i>	N		Y		Y	
SALAPI	<i>Salvia apiana</i>	Y			Y		Y
SALMEL	<i>Salvia mellifera</i>	Y		Y	Y	Y	Y
SAMNIG	<i>Sambucus nigra</i>	Y		Y			
SANCRA	<i>Sanicula crassicaulis</i>	Y		Y			
SISBEL	<i>Sisyrinchium bellum</i>	Y					Y
SONASP	<i>Sonchus asper</i>	N		Y	Y		Y
		Total	9	22	16	15	21