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## RESPONSES

In Reply Refer To:  
 FWS/CDFG-FWS/CDFG-09B0146-09TA0385

Mr. Devon Muto  
 County of San Diego  
 Department of Planning and Land Use  
 5201 Ruffin Rd., Suite B  
 San Diego, CA 92123-1666

January 30, 2009

**Re: Comments on the San Diego County Draft General Plan: A Plan for Growth, Conservation and Sustainability (November 2008) and Implementation Plan**

Dear Mr. Muto:

This letter provides comments from the California Department of Fish and Game (Department) and the U.S. Fish and Wildlife Service (Service) on the November 2008, draft of the County's General Plan (GP) Update and Implementation Plan (IP). Additional recommendations and/or comments may follow pending further review and discussions. The comments provided herein address the Draft GP, Chapters 1-10. Comments on the GP IP (separate volume) may be provided in a separate letter, although general comments on the IP are provided via comments on Chapter 10 of the Draft GP.

The Department and Service (collectively "Wildlife Agencies" [WAs]) offer our comments and recommendations in this letter and attached table to assist the County in the preparation of its final GP and IP. The WAs commend the County for the many meetings and work that staff and the public have invested in the GP to date. The GP provides a unique opportunity to develop and refine County-wide policies and strategies that could lead to more effective implementation of resource conservation and species protection, including, compliance with State and Federal endangered species acts and Natural Community Conservation Planning (NCCP)/Habitat Conservation Plans (HCP) (e.g., County's approved Multiple Species Conservation Program [MSCP] and the in process North County MSCP). Our comments are meant to complement existing work completed to date and provide guidance on how to finalize the County's Draft GP so that it complements, and does not result in any conflict between, existing and future plans and regulations for species protection (e.g., MSCP, LSAA, DFG Code 3500, et. seq., etc.) that have received, or are anticipated to receive State and Federal permits.

DPLU appreciates the comments from the Wildlife Agencies. Responses to specific comments are provided on the following pages.

The following are the WAs' major comments on the Draft GP, with more specific and additional comments presented in the accompanying table (Attachment A); editorial changes have also been

prepared in a “mark-up” version that will be transmitted separately. Our comments focus on several GP issues, including: GP consistency; the current emphasis in the conservation element; trails in open space; open space as a distinct regional category; vegetation/fuel management; management-enforcement issues; and, agency coordination. Where applicable, our comments should also be addressed in the environmental document that will be prepared for the GP. Last, comments that the WAs previously transmitted on the Notice of Preparation (NOP) for the related Draft Environmental Impact Report (DEIR) for the proposed GP (SCH# 2002111067), dated April 28, 2008 and a second dated December 16, 2002, are incorporated by reference and included as Attachments B and C, respectively; only major comments from these previous NOPs are repeated in the body of this letter and are denoted with an asterisk (\*):

#### A. GENERAL PLAN CONSISTENCY AND FORMATTING:

1. The policies and IP for the GP should be internally consistent with other elements and with implementing ordinances (e.g., zoning code, Biological Mitigation Ordinance [BMO], Resource Protection Ordinance [RPO]) as required by State law. To ensure that the GP is consistent with the adopted South County MSCP (and future NCCP/HCPs in progress), the County should provide specific direction in the GP that using development clustering to best achieve County NCCP/HCP goals will not be precluded by the County’s Subdivision Code, BMO, RPO or other implementing ordinance or regulation. In addition, community character should not override open space protection when clustering could be used to achieve a biologically superior project. Where rural clustering is used to maximize biological open space preservation, the County should make it an explicit policy that the open space resulting from the clustering is dedicated to the MSCP for biological purposes and cannot be converted to other uses in the future.
2. \*The GP should use clear terminology and language that does not lead to re-interpretation during Plan implementation. There are many references throughout the Draft GP to policies and related tasks that the County will accomplish in the future related to the approval and implementation process of the GP. Please replace “may”, “should”, and other non-committal verbs with “will” or “shall”. Examples of other potentially vague words that need better definitions, and/or stronger language/standards include: minimize, maintain, protect, maximum extent, and recommend.
3. The Conservation Element (CE) combines several important areas commonly associated with open space, including recreation, trails, biological conservation, water-resource issues, global climate change, etc. We recommend including language that would establish biological conservation as the primary objective within the MSCP preserve system wherever potential recreation or other resource conflicts may become an issue. Alternatively, a Recreation Element could be included in the GP, so that a clear distinction can be made between more conservation-oriented land uses and active recreational uses.
4. Some policies appear to be internally inconsistent with the intent of GP law, inconsistent with other elements, and potentially undermine existing adopted plans (e.g., MSCP). The GP should be reorganized to include all biological preservation-related topics (e.g., MSCP, trails, vegetation management) in one element (e.g., Conservation) with references to other relevant elements where appropriate. For example, the discussion on trails in the CE should focus on how they are required to be compatible with species preservation. Also, the GP should not address conservation-related policies for trails in the Mobility Element (ME). As currently presented, the Draft CE and ME appear to be internally inconsistent, and, may create conflicts with the County’s existing South County MSCP and future North County and East County MSCPs. The GP must

## RESPONSES

Responses to the specific comments within Attachment A are provided along side of Attachment A on the pages following this letter.

[A.1](#) DPLU agrees with the statement regarding internal consistency and the draft General Plan was written to accomplish this. By law, implementing ordinances must be consistent with the General Plan. However, DPLU does not agree with the statement about community character and clustering. Clustering must be done in a manner that is sensitive to community character and DPLU believe that there are many strategies for accomplishing this without sacrificing open space protection. The preservation of open space in perpetuity is supported in the draft General Plan. [Not all open space achieved through clustering will be applied to MSCP as not all projects will be located within MSCP boundaries and not all open space will be for the protection of biological resources \(i.e., some open space may be for agricultural or cultural resources\).](#)

[A.2](#) DPLU appreciates this comment and notes that the large majority of the policies of the draft General Plan are written, [or have been revised](#), as definitive directives. However, the County is not always in a position to mandate a policy and in some cases requires flexibility.

[A.3](#) Text has been added to the Guiding Principles for Conservation and Open Space (page 5-3) to distinguish between habitat preserves and open space. Staff does not agree that a separate Recreation Element is necessary.

[A.4](#) DPLU does not agree with the statement on inconsistency or the suggestion on reorganization. However, revisions have been made to improve the connection between trails and biological preservation. [Revisions were made to M-11.8 and M-12.9 regarding trails and biological resources. More specific trail design requirements are outlined in the CTMP, which would not conflict with the GP Update.](#)

make it clear that it does not override or replace the MSCP obligations where trails and other resource-based uses are designated/allowed under the GP.

**B. INTRODUCTION AND VISION/GUIDING PRINCIPLES:**

1. One of the central themes of the GP is to focus future development in existing urban areas and limit development in the backcountry. This theme is carried throughout the Introduction, Vision and Guiding Principles and Land Use Element (LUE) of the Draft GP, but not the CE. In various locations, the GP extols the virtues of using clustering to achieve aesthetic, climate change, land use and other environmental benefits (e.g., avoid flood hazards), but not biological preservation. The Draft GP (page 2-3) emphasizes that the County provides, “low-density alternative to the urbanized San Diego coastline and inlands areas, with many of us living in small scale villages or on large lots with agriculture and open space. Our villages are compact to minimize intrusion into agricultural lands and open spaces....” These guiding principles and statements in Chapter 2 set the tone for the GP and underscore the low-impact and minimizing impacts to open, natural resources and the backcountry. Moreover, page 1-14 of the GP (Introduction) notes that, “[a]n underlying premise of the County of San Diego GP is to conserve natural resources and develop lands and infrastructure more sustainably in the future.” These principles and themes must be carried throughout the Draft GP, including the Conservation Element (CE) and the IP. Specifically, conservation and open space protection in the County should not be a secondary priority in the GP.
2. Guiding Principle 4 of the GP emphasizes biological protection of sensitive species and habitats. The GP should include an emphasis on management and monitoring in the LUE, CE and IP as part of the program for species protection and environmental stewardship.
3. \*The GP LUE, CE and ME should include policies that direct locating public use trails along the edges of urban lands uses adjacent to the proposed core lands and linkages and avoiding encroachment into sensitive habitats or defined (or subsequently identified) wildlife movement areas. Furthermore, the GP and IP should make it a policy that lands purchased and counted towards NCCP/HCP commitments cannot have a net increase in trails on-site without an agency-approved compatibility study, and that any proposed new trails must avoid increased impacts to sensitive resources; otherwise, any difference must be credited back or otherwise offset. This should also be incorporated into the County’s Trails Plan (CTP), the Community Trails Master Plan (CTMP), Resource Management Plans (RMPs) and public access plans. Last, the GP should clearly define the relationship between population-based park standards and habitat-related conservation to ensure that appropriate restrictions are placed on NCCP/HCP lands and that they are managed accordingly.
4. The GP should include a policy that monitoring and enforcement is a critical part of natural resource planning and NCCP/HCP implementation (e.g., encroachment, trail management). Without enforcement (e.g., adequate number of rangers, ensuring that new, unauthorized trails are not being cut/maintained, etc.), realization of conservation goals set forth in the CE and other goals in the GP may be problematic.
5. The GP should include a policy that actions to meet the requirements of AB 375 for sustainable community planning should not be at the expense of multi-species preservation or implementation of the County’s existing or future NCCP/HCPs. For instance, green infrastructure should be viewed as less sustainable in the backcountry versus in existing urban area (viewed as more sustainable). In this case, the latter would be more sustainable because there is no trade-off between green infrastructure and natural habitat. In other words, the push for green infrastructure should not conflict with the County’s MSCP or other regulations that

[B.1 DPLU tried to limit development guidelines within the Conservation and Open Space Element, and instead focus those criteria within the Land Use and Mobility Elements.](#)

It is not the County’s intention to make conservation and open space protection a secondary priority. [In response to these comments, many revisions were made to goals and policies to emphasize the principles regarding conservation of natural resources \(also see the attached list of selected goals and policies related to concerns raised in this letter\).](#)

[B.2](#) The text has been revised to include management and monitoring.

[B.3](#) The County agrees that trail locations are very important and should be located to limit the effects to biological resources, but trails cannot always be located to avoid the entire biological corridor.

Staff does not agree that the GP should be so specific to address net increase and agency approval of trails. This is already appropriately addressed by the [County Trails plan and the Resource Management Community Trails Master Plan, as well as in Area Specific Management Directives \(ASMDs\)](#).

The Parks and Rec section has been revised to better differentiate open space, [parks](#) and preserves.

Staff does not agree that the GP should be so specific to address net increase and agency approval of trails. This is already appropriately addressed by [preserve specific the Resource Management Plans](#).

[B.4](#) Noted. [See policies COS-1.3, COS-1.7, COS-1.11, and goal COS-23.](#)

[B.5](#) Staff does not agree that these projects need to be treated differently than other projects with regard to species preservation or MSCP compliance. [If more specific restrictions apply, they should first be described in the MSCP Plans themselves.](#)

promote species and habitat protection (e.g., BMO, RPO, etc.). As an example, although a “wind farm” may be a “green project,” it may not be consistent with the goals and objectives of MSCP.

6. The GP should include policies that fully integrate global climate change into the NCCP/HCP planning process to demonstrate that measures to reduce Greenhouse Gases (GHGs) are consistent with multiple-species planning and conservation principles. For example, the following policies currently in the Draft GP in some form would achieve both NCCP/HCP and GHGs goals: directing development into existing urban nodes where adequate infrastructure exists and not in the backcountry; using native, drought-tolerant plants in landscaping; and, preserving large block of connected habitats, which maximizes carbon sinks.

#### C. CONSERVATION ELEMENT (CE):

1. In several places of the GP, emphasis is placed inappropriately on maximizing development or other potential incompatible uses in NCCP/HCP preserve lands (e.g., introduction of Conservation Element, Mobility Element [Policy M-12.5]). The GP should be revised to emphasize and prioritize policies that are consistent with each element. For example, the primary focus of the Conservation Element should be to conserve the natural resources in the County. The primary goal should not be “...to provide direction to balance the accommodation of future growth and development in the County of San Diego with the following:” Rather, it should be consistent with the summary provided for the Conservation/Open Space Element on page 3-6 (Relationship to Other GP Elements), which states that, “[t]he primary goal of the Conservation Element is to provide for the preservation, conservation, sensitive development and use of natural resources.” The first bullet on page 5-2, which states, “[t]he conservation, management and utilization of natural resources”, is another good example of a primary focus for the Conservation Element.
2. \*The GP should clearly demonstrate how it is consistent with the protection of habitat, natural communities and species diversity on a landscape or ecosystem level as set forth in the County’s existing NCCP/HCP. This would include showing that the GP would not affect protections for reserve systems and conservation in NCCP/HCP planning areas and that the proposed shift from a minimum lot size to density-based land use designation would not affect the rough proportionality between development impacts on habitat or covered species and conservation measures.
3. The GP should include a policy that the County will direct biological mitigation to occur in the Pre-Approved Mitigation Area (PAMA). Moreover, for areas located outside of an adopted NCCP/HCP, the County will only accept mitigation lands that: would be connected to existing conserved open space; contribute to establishing large blocks of habitat or are otherwise critical for covered species and/or build-out of PAMA (e.g., connections); is protected (e.g., by a conservation easement); and will be adequately managed. Lands used for mitigation and/or NCCP/HCP implementation should focus on acquisition and management/conservation of larger lots, with a potential for in-lieu fee payment for smaller mitigation requirements that do not contribute to the regional preserve system and could otherwise be exempt from CEQA (e.g., mitigation of two acres or less, minor impacts [0.1 acre] in an existing urban setting, etc.) where it would not compete with existing conservation banks, where feasible. This fund (separate and protected from the general fund) would include costs for long-term management and would be used to secure larger blocks of habitat within the PAMA. This policy should be incorporated into the GP LUE, CE and IP (through the County’s I-117 Policy [Mitigation Lands]).
4. The GP should include a comprehensive list of all plans, ordinances, and regulations that implement the County’s resource-based goals and policies, including implementation of the County’s existing and future

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**B.6** The Introduction identifies General Plan policies that address [Global Climate Change \(GCC\) commencing on Page 1-15](#). [Staff does not agree that these policies should be simultaneously tied to NCCP/HCP in this manner.](#) Policies specific to GCC and HCP planning are more appropriately [outlined in the actual NCCP/HCP documents](#), [addressed in Resource Management Plans](#).

**C.1** The intro to the COS was revised to remove balance.

**C.2** The County has used the same data when developing both the draft General Plan and MSCP plans. The GP’s effect on NCCP/HCP planning areas is addressed in the Draft EIR and all indications are that the Draft GP would improve the situation [and allow for better preserve design](#).

**C.3** A policy has been added concerning assemblage of biological mitigation lands ([COS-1.1 and COS-1.6](#)). The specific details of directing [where](#) biological mitigation should occur are more appropriately addressed by [Resource Management Plans](#) [the MSCP Plans and their implementing documents \(i.e., BMO\)](#).

A policy has been added that addresses funding ([see COS-1.5, COS-1.7, and COS-1.8](#)).

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NCCP/HCPs. Included should be the BMO; RPO; Country Trails Plan; Open Space Subdivision Ordinance; Policy I-117 (Mitigation Lands); Vector Management; Vegetation Management; and, clarification that if all or portions of a property are sold off for biological conservation purposes (e.g., conservation easement sold to another party), then that portion has no development potential and the developable area and density decreased correspondingly with the prior easement.

5. \*The GP should incorporate the PAMA and related development limitations (e.g., 75% preservation) as the primary land use tool to implement conservation in the County's NCCP/HCP reserve areas. Low land use density designations (e.g., 1/40, 1/60 or 1/80 dwelling units per acre) should not be used to replace existing conservation tools available to meet goals in the NCCP/HCP. Low-density designations alone could still allow direct and indirect impacts to species and habitat through disturbance not associated with density per se (e.g., agriculture conversions, brush clearing, etc.). However, the low density designations could be used to supplement existing County regulations (e.g., MSCP, BMO, RPO) to help protect natural resources and achieve NCCP/HCP obligations.
6. WA staff is currently working on the draft North County MSCP and East County MSCP. Page 45 of the current draft North County MSCP states that the current GP update may change the conservation associated with private development. The GP must describe any changes to the North County and East County MSCP conservation goals that would result from its implementation.
7. The GP should provide a policy in the Conservation Element that provides adequate interim protection of biological resources from the period between the discretionary approval and issuance of grading permits. This time period should also be tracked in County records. Often, there is a considerable lag time between the hearing approval and ministerial permits, which leaves "protected" resources at risk. In most cases, the Applicant needs to be clearly held responsible for protecting these resources until the management responsibility has been transferred (along with any endowment or funding mechanism) to another entity approved by the County. Failure to account for this interim protection potentially results in management organizations refusing to assume unanticipated clean-up or restoration obligations and could affect the County from achieving conservation goals for covered species and habitats.
8. \*The GP should acknowledge the County's open space network (including NCCP/HCP preserve lands) as "green capital or infrastructure." This infrastructure is essential to the County's responsibility to balance the preservation of environmental resources with its obligation to meet the region's growth needs. The GP should include policy language that clearly defines and demonstrates that adequate funding (aside from speculative regional funding sources) is available to carry-out the Plan's "green infrastructure," including implementing the conservation actions, management activities, and necessary enforcement in the adopted South County MSCP and the planned North and East County MSCPs.
9. \*To ensure that the County's NCCP/HCP preserve is assembled in a proper and timely manner in rough proportion to development, the Draft GP should establish a policy that in the MSCP-PAMA, land outside the permitted developable area shall be conveyed to the preserve through an appropriate mechanism (e.g., conservation easement, fee title, etc.) as a condition of approval. These lands can be used to meet mitigation and adjustment requirements for the proposed project; however, they cannot be used (i.e., "banked") to mitigate for future projects. This policy should be incorporated into the BMO as a standard permit requirement and incorporated in the GP IP. Typically, the conveyance should occur prior to issuance of grading authorization, or building/occupancy permits if no grading is involved.

[C.4](#) These regulations ~~will be~~ documented in the Implementation Plan, which ~~will go out for external review in Summer 2009~~ [is out for public review](#).

[C.5](#) Low densities also are not meant to replace conservation tools. County regulations will continue to direct where development can go, etc.

[C.6](#) The GP Update does not propose any changes to [adopted or draft MSCP Plans](#).

~~[C.7](#) This is more appropriately addressed by Resource Management Plans. It is not a GP issue.~~ [Mitigation measures, including established management/funding of preserve areas, are typically required to occur prior to impacts \(i.e., grading, construction, final map, or ministerial actions\). There is no nexus for requiring protection measures at tentative approval stages.](#)

[C.8](#) Policy that addresses funding has been added ([see COS-1.5, COS-1.7, and COS-1.8](#)).

[C.9](#) This is more appropriately addressed ~~by Resource Management~~ [in the MSCP Plans](#).

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10. The GP and/or IP should identify the target number of rangers and preserve managers per 1,000 acres of open space (categorized into biological, active, passive, etc.) and identify an overall goal to have at least one preserve manager in each region or NCCP/HCP plan area of the County.
11. The Draft Conservation Element should set forth a strategy to integrate NCCP/HCPs with watershed planning, greenhouse gas reductions (global climate change) and other regional planning involving natural resources. This would potentially allow the County to maximize access to multiple sources of grant funding for conservation-related purposes.

### D. LAND USE ELEMENT (LUE):

1. The GP should include a regional land use category in the LUE entitled “Open Space Resources” or equivalent. A resource of such importance and linked to the County’s identity should warrant its own regional category. This category would apply to all open space lands that exist, or are planned to be part of the County’s open space network, including NCCP/HCP preserve lands. Having an “Open Space Resources” regional category would allow better management and reduce conflicts between multiple-uses in County open space. The land use designations under the “Open Space Resources” regional category could be used to clearly distinguish between which type of uses are allowed within each type of “Open Space Resource” (e.g., NCCP/HCP conservation, recreation, watershed protection, viewshed protection, cultural/archaeological resources, etc.). This would promote improved land use/environmental planning of the County’s open space resources.
2. The Draft GP LUE should include a “Resource Conservation and Management” subsection in the Land Use Element. Similar to the Community Services and Infrastructure subsection currently in the LUE, this new subsection would tie together all of the key land use element-related goals and policies that implement resource conservation principles set forth in the Conservation and other elements. As an alternative to a subsection in the LUE, the Open-Space, Conservation, Safety, Land Use (resources issues) elements could also be combined into an Environmental Resources Management Element (ERME), or equivalent, that focuses on resource-related issues in each GP element.
3. The GP should include an overarching policy that the goals and policies in the LUE for energy facilities should not supercede the biological goals and objectives outlined in the County’s NCCP/HCP, in particular within the MSCP’s existing or planned PAMA areas. See page 3-23 (LU-4.6; Planning for Adequate Energy Facilities).
4. \*The GP should accurately reflect the County’s ongoing North and East County MSCP Planning efforts. The preserve boundaries and major policy issues from these plans (in-progress) should be consistently incorporated into the GP. Important policy issues include, but are not limited to: the value of agricultural land for conservation; brush clearing; open space management; funding and land conveyance; trails; and, participant contributions to the preserve assembly. Additionally, the GP should consistently identify open space activities and any restrictions consistent with adopted and planned NCCP/HCPs.
5. \*The GP should include policies to ensure that all public facilities identified in the GP (e.g., roads, parks, schools, etc.) are consistent with those identified in on-going NCCP/HCPs (e.g., North County and East County MSCPs). For instance, the GP should limit water facility and other infrastructure deemed “essential public facilities” to areas outside of the preserve boundaries.

**C.10** This is more appropriately addressed by [the preserve Resource-specific Resource](#) Management Plans. It is not a GP issue.

**C.11** Staff feels that this is adequately addressed by policy COS-1.5, which requires collaboration to seek funding that achieves common resources management goals.

**D.1** Staff asserts that the Open Space (Conservation) land use category is adequate. [Recreation and conservation open space has been further distinguished. Applying a category indicating that privately-owned land is intended to be a preserve could directly impact land values and be considered a “taking” of property rights.](#)

**D.2** DPLU does not agree with the recommended reorganization to include a separate subsection; however, conservation-related policies are consolidated under Goal LU-6 in the LUE.

**D.3** DPLU does not agree that the recommended language is necessary since policy LU-4.6 does require that adverse impacts are minimized [and does not conflict with MSCP goals or objectives](#).

**D.4** Staff intends to consistently update the GP, as necessary so that changes to preserve boundaries are incorporated. All GP documents are consistent with HCPs.

**D.5** Policy LU-12-4 revised to address locating public facilities outside preserve areas.

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6. The GP should include a definition for “Open Space Park” (See page 10-27). These Open Space Parks could be further distinguished into OS-Resource Parks, OS-Conservation, OS-Recreation, etc. In addition, the definition for Open Space Preserve should identify that the primary purpose for this land use is biological, species and landscape preservation and management.
7. The GP should include a policy that all existing and planned NCCP/HCP conserved lands that contribute to biological preservation will be redesignated to open space-conservation (OC) as part of the GP planning and implementation program. The underlying zoning could remain unchanged under the GP, but then rezoned as an action item in the IP (e.g., as part of Community Plan updates.) This would shift the land use development in the NCCP/HCP preserve areas (PAMA) from a land development first focus to a biological minimization focus that is more sensitive to the natural environment.
8. The GP and/or supporting documentation (e.g., IP) should clearly demonstrate how the County’s zoning code will be updated to achieve consistency with the GP, in particular the County’s BMO, RPO, Open Space Subdivision Ordinance, County Trails Plan, vegetation management, vector management, low-impact development guidelines, trails planning/management, and any other GP goal/policy that would affect NCCP/HCP implementation and species conservation (See page 9-1 [3<sup>rd</sup> bullet]).
9. The GP should include a policy that the County shall not allow variances or other project approvals where it would result in direct or indirect impacts to public and/or NCCP/HCP-preserve lands (e.g., brush management, lighting, trails, road access, etc). (See page 3-22 (LU2.5; Development Near Neighboring Jurisdictions).

### E. MOBILITY ELEMENT (ME)/TRAILS:

1. The emphasis in the Mobility Element (pages 4-1 to 4-33) to “maximize the provision of bicycle facilities...” should be replaced with “provide for adequate bicycle facilities...”, especially where facilities would be within or adjacent to NCCP/HCP-PAMA lands. The term “maximize” implies a higher priority over other elements, such as the CE. This directive should also be carried through other sections of the Mobility Element, Land Use Element, Conservation Element and the IP (e.g., County Trails Plan).
2. The GP should clearly distinguish between “active” and “passive” recreational uses (i.e., provide an inclusive list of both) and describe which uses would be allowed on and adjacent to various types of open space (e.g., NCCP/HCP lands, active parks, urban amenity, etc.). Moreover, the GP and IP should describe how much annual funding goes into administrative versus stewardship and monitoring, management and enforcement. This information is necessary so that trails and public use do not take precedence over habitat/species considerations, especially within the PAMA, and are consistent with the Subregional MSCP and County’s existing MSCP. Section 6.2.1 of the MSCP Subregional Plan (August 1998) states that, “Riding and hiking trails will be allowed within **appropriate** portions of the preserve to provide passive recreational opportunities for the public.” Section 1.9 of the County’s existing South County MSCP Subarea Plan states trails are typically considered compatible uses in the preserve, provided that, “H. Trails including equestrian, hiking and bicycles in accordance with the management plan”; that, “[a]ppropriate recreational activities shall be **accommodated** in concurrence with the goals of the MSCP and County Subarea Plans”; and “[e]questrian, hiking, and bicycles may be allowed when in accordance with approved management plans and are consistent with the County of San Diego Subarea Plan.” “Accommodate” means “to give consideration to” based on some overriding factor (in this case, if it is appropriate or “suitable” with the main goal of the MSCP-species and habitat preservation). Based on these guiding principles, trails are considered

**D.6** The Parks, Recreation, and Open Space section has been revised to better differentiate between ~~open-space~~ preserves and parks.

**D.7** DPLU appreciates your comment, but does not agree with this methodology. [See also Response #11 below.](#)

**D.8** Concur. This info is included in the Implementation Plan, ~~which will be distributed for external review during Summer 2009.~~

**D.9** Staff does not agree that this is necessary. Most policies in the draft GPU are written in the format of an implied “shall”. [In limited cases, these land uses are allowed within MSCP preserve lands \(Subarea Plan Section 1.9\) or can be approved with mitigation and concurrence.](#)

**E.1** The intention of the Mobility Element is not to construct a transportation network at the expense of sensitive resources as evidenced by policies M-2.3 and M-4.5. Policies that appear to be competing with be balanced during implementation of development projects.

**E.2** [The goals and policies for trails in the draft GP do not conflict with the specific requirements of MSCP, CTP, CTMP, or RMPs.](#) Staff does not agree that ~~this the~~ [suggested](#) level of detail is appropriate in the GP. It is more appropriately addressed in implementing plans and ordinances.

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Trails are evaluated on a case-by-case basis through CEQA.

“conditionally compatible” in the preserve; they should not be simply assumed to be an allowed use without careful consideration, on a case-by-case basis, of the potential direct and indirect effects and without ensuring that that will be no loss of preserve function and wildlife value. This further requires a diligent effort to monitor and enforce the use of trails, and that uses be limited to only authorized trails. The GP and IP must be consistent with the MSCP and identify the use of trails as “conditionally compatible.” As previously mentioned, this principle should also be incorporated into the CTP, CTMP, RMPs and public access plans.

3. The Mobility Element (page 4-25) discusses the CTP, including the CTMP design and management guidelines. The GP and IP should clarify that the CTP, CTMP, RMPs and related guidelines identify trails as “conditionally compatible” within or adjacent to existing or planned NCCP/HCP preserve lands and must place priority on species/habitat protection of species/habitat first, including respecting all narrow endemics, vernal pools, breeding seasons, etc. Any potential conflicts between species conservation and trail use within or adjacent to the preserve must be evaluated and any conflicts should be resolved, erring on the side of species protection.
4. The “Bicycle, Pedestrian, and Trail Facilities” subsection of the Draft Mobility Element (page 4-25) should be revised to clearly direct that trails within the County NCCP/HCP preserve lands are guided by species protection and resource protection first. The Draft GP should clearly state in the LUE, CE and ME that “[t]rails within or adjacent to open space preserves are guided by ecological principles and the County’s MSCP, which require resource protection first, active recreational uses are subservient and err on the side of species protection if there are potential conflicts.” Additionally, DFG believes that additional CEQA, and possibly CESA, review and/or compliance should be required for many of the trails planned within the County’s MSCP and/or where natural habitat and/or sensitive species exist.
5. The Draft Mobility Element has several policies that emphasize the maximum development of trails within open space and NCCP/HCP lands. This policy must be revised to reflect the current policies on trails in the MSCP, which requires that the footprint for trails be minimized within PAMA, that existing roads should be used, that easements should be co-located with trails, that trails be limited or excluded from core resource areas, that trail management (including waste pick-up) must occur for all trails in the CTP, and trails may have seasonal closure provisions to protect sensitive species (See Section 1.9 of the County’s South County MSCP).
6. A new policy (M-12.11) should be included in the GP that requires the co-location of trails with existing easements and access roads in environmentally sensitive areas (e.g., County’s MSCPs-PAMA).

### F. SAFETY ELEMENT (SE)/FUEL MODIFICATION:

1. The County’s Vegetation Management Plan should be incorporated into the GP and IP, including a clear indication if it is intended to be used to implement brush management regulations throughout the County, including the County’s existing and future NCCP/HCPs. Please describe how the provisions in the plan would be implemented on NCCP/HCP-related lands (e.g., through ASMDs, RMPs, etc.). DFG believes that additional CEQA and CESA review and/or compliance would be required to implement many of the recommendations (e.g., controlled burns; goats; cumulative issues) in the plan within the County’s MSCP and/or where natural habitat and/or sensitive species exist. Last, this section should include a reference to the County’s SEE where brush management is discussed.

**E-3.** Clarification has been added to text stating that for trails located within or adjacent to biological preserves are guided by ecological principles and the County’s MSCP, which require mitigation of impacts to biological resources.

**E-4.1.** Staff does not agree that revisions to the Draft ME section are necessary to direct trails that are guided by species protection.

**E-4.2.** CEQA is required for trails planned within [MGSP](#) [MSCP](#) or where sensitive [habitats](#)/species exist. [CESA requirements not covered by the MSCP should always be evaluated per state regulations.](#)

**E-5.** Staff does not agree with recommended revisions to this policy as the issue is addressed by the Mitigated Negative Declaration (MND) that supports the Community Trails Master Plans states that trail location will ~~it~~ comply with the Biological Mitigation Ordinance (BMO) and per CTMP policies CP4.7 (When locating specific trail segments, prioritize locations that avoid significant impacts to sensitive environmental resources). [Trail management is addressed by preserve specific Resource Management Plans.](#)

**E.6** See above response. Also addressed by CTMP policy CP4.8 (Establish and designate trails, whenever feasible, that correspond to existing (non-designated) trails, paths, or unpaved roadbeds that already have a disturbed tread).

**F.1** This comment refers to a report (Vegetation Management [Plan Report](#)), which is a report used as an informational tool, rather than as a plan that would constitute County policy. Brush management actions are subject to CEQA. [See also Implementation Measure 6.2.2.D.](#)

## RESPONSES

2. The goals and policies in the Draft SEE (e.g., page 7-7: Defensible Space; 1<sup>st</sup> bullet) should be revised to clearly state that for optimal protection against wildfires, “hardening of the structure” should occur first, then defensible space can supplement structural design requirements. A new policy called “Building and Site Design” (or equivalent) should be added that requires UBC/structural “hardening” measures (e.g., boxed eaves, fire rated windows/walls, fire retardant native vegetation, etc.) in project design as part of, and preceding, defensible space measures, especially where located within or adjacent to NCCP/HCP preserve and/or Wildlife Agency lands. All defensible space should be included within the project footprint and property boundary of project applicants. The GP should establish a policy that the County will not allow variances or other project approvals where it would result in impacts to Wildlife Agency and/or NCCP/HCP-preserve lands (e.g., brush management).
3. \*The GP should take into account all proposed fuel modification zones and maintenance activities (including a buffer area) when planning conservation goals and habitat preserves, and acknowledge that these zones/activities should be undertaken outside the preserve boundaries, consistent with the obligations of NCCP/HCP. If such zones/activities have to occur in the preserve boundaries due to new fire regulations, then the GP should identify a policy of no net habitat loss from fuel modification within the preserves and require mitigation and/or a boundary line adjustment to fully replace the area of the Preserve being impacted.
4. The GP should include a policy (i.e., SE) that the County will actively consult and work with Calfire and the WAs to incorporate appropriate review and mitigation (e.g., CEQA) for impacts to habitat and species into vegetation management projects.

### G. IMPLEMENTATION PLAN (IP) AND AGENCY COORDINATION:

1. The GP should include a policy that the County will actively work with the WAs through regularly scheduled meetings with management to discuss planning and implementation of the existing and future County NCCP/HCPs and/or other DFG-related issues (e.g., SAA, CESA), including (See LU-2.5, page 3-22):
  - a. Eliminating off-road vehicle use and related impacts to MSCP and Wildlife Agency lands. One strategy would be to work with other agencies in the region to obtain the County’s fair-share of open space-related licensing fees to improve monitoring and enforcement on NCCP/HCP lands. The WAs will support the County in pursuing its fair-share of funding for open space management.

| [F.2](#) Revised to include the importance of hardening the structure. Policy added to require fire-retardant construction measures.

| [F.3](#) Current regulations require that fire clearing be implemented outside preserves. This will also be addressed by the MSCP plans ~~in the Unforeseen Circumstances section.~~

| [F.4](#) Policy added (S-4.2) to solicit input from CAL FIRE and wildlife agencies.

| [G.1](#) This is included as a measure in the Implementation Plan. [See Implementation Measure 5.1.1.J Wildlife Agency Coordination]

## RESPONSES

- b. Solve biological issues related to fires, including staging areas, access, through monthly- or bi-monthly meetings with management to discuss implementation of the NCCP/HCP and/or other DFG-related issues.
2. \*The GP should include policies on how it would be implemented across the various departments within the County. There needs to be a commitment from all of the departments to comply with the GP and an organizational structure that allows the department given the responsibility of implementation (including project review, management, and monitoring) to ensure compliance. As an example, the Parks and Recreation Department is generally charged with monitoring and managing preserve areas, yet has resisted accepting management of critical preserve lands (e.g., the Lindsey parcel, which occupies a critical connection to the existing MSCP) unless the parcel is part of a trail system. Another example is that the County has to ensure that vector control practices will follow the MSCP guidelines.
3. \*As a major program in the County, the GP should demonstrate how the MSCP is implemented across various departments to meet GP and NCCP/HCP goals/objectives, from project review to conveyance of land and perpetual management. A flow-chart showing these relationships would be helpful in this regard.
4. Any dedicated funding being considered for NCCP/HCP implementation (e.g., landfill fees for trail management/enforcement) should be clearly acknowledged in the GP, IP and related documentation.

Thank you for providing the WAs with a copy of the County's Draft GP. The WAs appreciate the opportunity to review and comment on the Draft GP and to assist the County of San Diego in developing County-wide policies that minimize and mitigate impacts to biological resources from implementation of the GP. Our goal is to assist the County in developing a plan that works synergistically with MSCP and provides the County with region-wide policies that best protect and manage species and habitat. We look forward to working with your staff in finalizing the GP, and resolving any issues identified in this letter and supporting attachments, in a timely manner. If you have any questions or comments regarding this letter, please contact Randy Rodriguez of the Department at (858) 637-7100 or Susan Wynn of the Service at (760) 431-9440 ext. 216.



Karen A. Goebel  
Assistant Field Supervisor  
U.S. Fish and Wildlife Service

Sincerely,



Stephen M. Juarez  
Environmental Program Manager  
California Department of Fish and Game

- Enclosure (3):
- A. Specific comments by General Plan chapter
  - B. Prior DFG 2008 comments on the NOP of a Draft Environmental Impact Report for the County of San Diego General Plan Update (Log No. 02-ZA-001, SCH# 2002111067)
  - C. Prior DFG 2002 comments on the NOP of a Draft Environmental Impact Report for the proposed General Plan Update 2020 (SCH# 2002111067)

**G.1** This is included as a measure in the Implementation Plan.  
[See Implementation Measure 5.1.1.J Wildlife Agency Coordination]

**G.2** Staff appreciates the comment, but does not feel that this is necessary. The Implementation Plan ~~will~~ includes the needed clarification of roles and responsibilities (the lead is underlined in the IP). Also, State law requires annual reports on the implementation ~~OF THE~~ of the General Plan.

**G.3** This is more appropriately addressed by **Resource Management** MSCP Plans.

**G.4** Noted.

## Attachment A – Specific Comments by General Plan Chapter

Please see attached table showing numbered comments

### Chapter 1

1. Page 1-4. Text revised ([see #5 on Page 1-4](#)). Marked up comments were not received.
2. Page 1-4. ~~Text revised~~ [Staff agrees with comment about primary objective within MSCP preserve system. MSCP discussion was added to Chapter 1 on Page 1-13.](#) Staff does not agree that a separate Recreation Element is necessary.
3. Page 1-9. Staff does not agree. These are too numerous to include.
4. Page 1-12. Text revised to add MSCP [on Pages 1-13 to 1-14](#).
5. Page 1-14. Noted. [Many changes were made to the COS Element to clarify primary focus.](#)
6. Page 1-14. [A Vegetation Management Report was presented to the Planning Commission on 1/9/09. This report is not related to the General Plan Update.](#) ~~This information is more appropriately included in the Implementation Plan [see~~ [However, the County proposes](#) Implementation Measure 6.2.2.F<sub>1</sub> Vegetation Management Program, [which has not yet been drafted.](#)]

### Chapter 2

7. Noted. ~~P~~ [Consolidating development footprint and](#) preserving biological resources is an objective of the Conservation Subdivision Program being proposed to implement this concept. [The Conservation Subdivision Program is available for review at http://www.sdcounty.ca.gov/dplu/gpupdate/conssub.html.](http://www.sdcounty.ca.gov/dplu/gpupdate/conssub.html)
8. ~~Noted.~~ [Clustering is discussed in the Biological Mitigation Ordinance, which is the implementation document for the MSCP. This same concept is reinforced throughout the draft General Plan Update and will be implemented further through the Conservation Subdivision Program.](#)
9. ~~GP #4.~~ Text has been revised to address monitoring and management ([see page 2-11](#)).

### Chapter 3

10. Conservation-related policies are grouped under Goal LU-6, [and are also primarily located within the Conservation and Open Space Element.](#)

11. Figure LU-1. ~~Concur, all preserve land is designated Open Space (Conservation) with no development potential (refer to Table LU-1)~~ Most of PAMA is located in privately owned residential or commercial areas. This is true for the existing General Plan as well as the proposed General Plan Update. Areas of PAMA that are placed into open space would not undergo General Plan Amendments to revise their general plan designations. As such, it would also be inconsistent to modify those areas as part of this comprehensive General Plan Update. In addition, the extensive change in density calculations that would result from this approach would substantially alter the current framework of the GP Update. However, once the open space network within PAMA for South and North County MSCP is in preserve, a GP Amendment may be appropriate. In the interim, MSCP open space is shown on Figure C-1.
12. Alternatives section? Densities are assigned according to the guiding principles, which include minimizing impacts to biological constraints. Proximity to PAMA, by itself, does not provide justification for lower densities.
13. Identified land uses allowed under each designation is included in the Zoning Ordinance, rather than the GP. A comprehensive update to the Zoning Ordinance is being prepared.
14. Page 3-21. Noted.
15. Page 3-5. The difference between Open Space (Conservation) and Open Space (Recreation) is described in the Other Land Use Designations section commencing on Page 3-16.
16. Page 3-6. COS Element text has been revised as appropriate (e.g., see Pages 5-1 and 5-2).
17. Page 3-8. This section has been revised to indicate that Open Space (Conservation) is included under the Semi-Rural and Rural Lands categories (top of Page 3-7). County staff does not agree that an additional regional category is needed. Categories or designations of Open Space over all areas that are either currently preserved or potentially preserved in the future would substantially alter the density calculations and framework of the General Plan Update. The suggested type of land-use regulation is more appropriate for specific plans or habitat conservation plans rather than general plans.  
  
In addition, staff does not agree that all NCCP/HCP conserved lands will be re-designated through General Plan amendments, as this would be extremely costly and time-consuming. However, as noted in Response 11 above, a comprehensive amendment may be possible in the future once the MSCP open-space network is better established.

~~Staff does not agree as this would complicate the intent of the Regional Categories. Preserve lands are clearly shown in the COS Element on Figure COS-1.~~

~~It is a procedure that all preserve lands are designated as Open Space (Conservation). Planned preserve areas that are privately owned and still have development potential must retain an appropriate land use designation to avoid reducing the property value, which could potentially result in a taking.~~

18. Page 3-10. This pie chart ([Page 3-10](#)) shows only those lands with development potential.
19. Page 3-12. Table LU-1 ([Page 3-11](#)) has been revised to show that Open Space (Conservation) is compatible in all Regional Categories.
20. Page 3-18. Noted.
21. Page 3-18. The statement has been revised accordingly ([see Page 3-18](#)).
22. Page 3-22, [LU-1.10](#). This policy could provide a tool for providing buffers between preserve and developed areas.
23. Page 3-22, LU-2.5. Staff does not concur that this would be appropriate as a policy. [In many cases, such uses are allowed \(and often necessary\) within preserve areas.](#)
24. Page 3-23, LU-4.6. That is the intention of the language in the policy to “minimize adverse impacts”. [It should be noted that utility providers need not comply with the County’s MSCP as they obtain their own permit approvals with the wildlife agencies.](#)
25. Page 3-25, LU-6.2. Staff does not agree this is appropriate based on proximity to PAMA as explained in previous responses.
26. Page 3-26, LU-6.9. Staff does not concur that the policy should be changed. This is more appropriately addressed in the Implementation Plan or implementing ordinances. [See Implementation Measure 6.2.2.D Resource Management Plans]
27. Page 3-30, LU-9.11. The policy has been revised to require the adequate protection of streambeds: [however, buffers are not always required. The County has other more specific regulatory processes for determining when buffers are appropriate, such as the Resource Protection Ordinance \(RPO\) or Guidelines for Determining Significance.](#)

#### **Chapter 4**

28. Page 4-12, M-2.3. Policy has been revised as recommended ([see Page 4-14](#)).

29. Page 4-12, M-2.4. Policy has been cross referenced to the Noise Element [\(see Page 4-15\)](#).
30. Page 4-14, M-4.5 ~~(both comments)~~. Policy generally revised as recommended.
31. [Page 4-14, M-4.5. Policy generally revised as recommended.](#)
32. The intention of the Mobility Element is not to construct a transportation network at the expense of sensitive resources as evidenced by policies M-2.3 and M-4.5. Policies that appear to be competing will be balanced during implementation of development projects.
33. Page 4-17, M-5.2. This recommendation is more appropriately addressed in the Implementation Plan. [See Implementation Measure 4.1.1.C Regional Transportation Funding]
34. Page 4-25, M-10.8. [See](#) Policy M-10.7 -- generally revised as recommended.
35. Page 4-25 (last paragraph). Text generally added as recommended [\(see top of Page 4-30\)](#).
36. Page 4-28, M-11.3. Staff does not agree that it is necessary to revise this policy. Policies that appear to be competing will be balanced during implementation of development projects.
37. Page 4-28, M-11.9. Policy 12.9 has been revised to require conformance with MSCP management plans. See also, response to comment E-5.
38. Page 4-28/29. Refer to response above.
39. Page 4-29, M-12.5. Staff does not agree. Refer to previous response to comment E-5.
40. Page 4-29, M-12.8. Staff does not agree that it is necessary to revise this policy. Policies that appear to be competing with be balanced during implementation of development projects.
41. Page 4-29, M-12.9. This is more appropriately addressed in the County Trails Program.
42. Page 4-29, M-12.11. Same as previous response.

## **Chapter 5**

43. ~~Noted.~~ [Species are discussed under the first bullet point in the Purpose and Scope Section \(see Page 5-2\)](#)
44. ~~Noted.~~ The Introduction section of the COS Element has been revised to more clearly define its role toward resource preservation.
45. The land use map applies two Open Space designations. The Implementation Plan serves as the specific action program for Open Space issues. [See sections 5.1 Biological Resources and section 5.6 Open Space [of the Implementation Plan](#)].
46. Noted.
47. Noted.
48. Page 5-2. This comment is noted, but staff does not agree that it is appropriate to include the recommended language.
49. Page 5-7, Goal COS-1. Goal revised as recommended.
50. Figure COS-3. Definitions/models of the hydrologic units differ among agencies (USGS, RWQCB, watershed groups etc.-). The figure is based on a model used by the County, rather than true boundaries.
51. Staff does not concur that this would be necessary because the “green infrastructure” would be considered development and be subject to the same requirements [as other projects, many of which will not be located within an adopted MSCP or other conservation plan](#).
52. The following are staff’s numbered responses to this comment:
  - (1) The Introduction has been revised to emphasize this relationship.
  - (2) Staff does not concur. This is more appropriately addressed by Resource Management Plans.
  - (3) ~~See above response.~~ [These programs will be tracked and monitored as part of the Implementation Plan.](#)
  - (4) New policy added as COS-1.9.
  - (5) Staff does not concur that a new policy is necessary. This is addressed under policy COS-24.1.
  - (6) Staff is unclear what this edit is referring to regarding Emergency Projects.

- (7) Staff does not concur. This is more appropriately addressed by Resource Management Plans. [Also see Implementation Plan measure 5.1.1.G.](#)
  - (8) See above response.
  - (9) New policy added as COS-1.8.
  - (10) New policy added as COS-1.7.
  - (11) Staff does not concur. This is more appropriately addressed by Resource Management Plans. [Also see Implementation Plan measure 5.1.1.G.](#)
53. Page 5-2. Concur. Text has been revised to make this clearer.
  54. New OS-1.6~~2~~. Policy COS-23.2 revised to include protection.
  55. Page 5-7, (COS-2) Concur. Text has been revised to make this clearer.
  56. Page 5-7. Noted, but staff does not agree.
  57. Page 5-8, (COS-3.3). Preserve monitoring and management is addressed in policy COS-1.3 and new policy COS-1.7.
  58. [See changes on Pages 5-7 and 5-8.](#)
  59. COS-4.5. This is addressed by policy LU-8.3.
  60. Page 5-12, COS-5.6. Staff does not agree that a new policy is necessary because this is addressed by COS-1.4, and addressed in more detail in the Implementation Plan {Implementation Measure 5.2.3.K Management of Reservoir Buffers}.
  61. Page 5-12, COS-5.7. This is addressed by policy S-10.2.
  62. Page 5-14, COS-6.6. Staff appreciates your comment but does not agree.
  63. Database Policy. This is included in the Implementation Plan. [See Implementation Measure 5.1.1.B Resource Information Database]
  64. Page 5-21, COS-10. Staff appreciates your comment but does not agree. The interest~~sed~~ should be balanced.
  65. Page 5-27, COS-11.3. This is addressed in policy COS-2.2. [Also see the draft Conservation Subdivision Program \(<http://www.sdcounty.ca.gov/dplu/gpupdate/consesub.html>\).](#)

66. Page 5-37, OS. Text has been revised as recommended ([see revisions starting on Page 5-40](#)).

67. Page 5-39, COS-23.4. [See revisions on Page 5-43](#).

## **Chapter 6**

68. Page 6-8. This statement applies to the GP Land Use Map and is intended to address why the opportunities for high density affordable housing sites are limited in those areas.

## **Chapter 7**

69. Page 7-7. ~~The vegetation mapping program is identified in the Implementation Plan.~~ [A Vegetation Management Report was presented to the Planning Commission on 1/9/09. This report is not related to the General Plan Update. However, the County proposes Implementation Measure 6.2.2.F, Vegetation Management Program, which has not yet been drafted.](#)].

70. Page 7-7 (Defensible Space). ~~Staff agrees with the importance of structure hardening, but does not concur that it needs to be addressed in this bullet.~~ [See revised text on Page 7-7.](#)

71. Page 7-7 (Building and Site Design). Bullet has been added ([Page 7-8](#)).

72. Page 7-8, S-3.7. This is addressed by policy S-3.3, as revised.

73. Page 7-8, S-3.1. Policy revised as recommended.

74. Page 7-8, S-3.2. Staff does not concur with the proposed changes. The land use map has already minimized development near ridgelines by applying low densities.

75. Page 7-19, S-9.5. This is addressed in policy COS-2.2. It is also further clarified in the Implementation Plan. [See Implementation Measure 5.1.2.C Conservation Subdivisions]

76. Page 7-19, S-10.1. Policy revised as recommended.

77. Page 7-19, S-10.2. Policy revised as recommended.

78. Page 7-19, S-10.3. Staff does not agree it is appropriate to include the recommendation in this policy. Flood control facilities are development, thus are subject to the same mitigation requirements. [In addition, long-term maintenance of such facilities should be evaluated in the environmental review of the project and not piecemealed.](#)

## **Chapter 8**

79. Page 8-4. Staff appreciates the comment, but does not agree. The purpose of the Noise Element is to address noise issues as they relate to humans. The COS Element is meant to address impact to biological resources.
80. Page 8-9. See above response.

## **Chapter 9**

81. Page 9-1. Noted. This is addressed in the [Implementation Plan](#).
82. Page 9-4. See above comment. [Also see draft Community and Subregional Plans currently available for public review:   
http://www.sdcounty.ca.gov/dplu/gpupdate/draftgp.html#CommunityandSubregionalPlans](http://www.sdcounty.ca.gov/dplu/gpupdate/draftgp.html#CommunityandSubregionalPlans)
83. Page 9-7. See above comment.

## **Chapter 10**

84. Page 10-9. Definition revised as recommended.
85. Page 10-12. Staff does not agree that this should be included, rather it should be left for any implementing regulations / measures to define.
86. Page 10-13. Staff does not agree that the recommendation would be an appropriate addition to the definition.
87. Page 10-17. Staff does not agree that it is necessary to add reference to hardening the structures into the definition.
88. Page 10-24. Definition revised as recommended.
89. Page 10-26. Staff does not agree that the definition should include any absolutes concerning MSCP and open space preserves. This will allow more flexibility as to what is considered an open space preserve.
90. Page 10-27. Staff does not agree as this is not a term that is used by the County when referring to their types of parks. [Distinction among trails is better addressed in the CTMP.](#)
91. Page 10-31. This definition has been deleted.
92. Page 10-33. Staff does not agree. This term is generally meant to address impacts to humans.

93. Page 10-37. Staff does not agree that the recommended change is appropriate for the definition.
94. Page 10-39. The definition has been revised to indicate that wetlands include vernal pools. [State and federal definitions are subject to interpretation and modification by various state and federal agencies and, therefore, are not described here.](#)