



# County of San Diego

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**January 19, 2016**

**Granger Solar Major Use Permit  
PDS2015-MUP-15-019  
PDS2015-ER-15-02-006**

## **Response to Comments**

The following are staff's responses to comments received during the public review period for the draft Mitigated Negative Declaration dated October 30, 2015. The draft Mitigated Negative Declaration was circulated for public review from November 5, 2015 through December 21, 2015. Comments were received that will require preparation of errata to the Biological Resources Letter Report and changes in project conditions of approval.

### **Response to comments received from California Department of Fish and Wildlife:**

- A1. The County acknowledges and appreciates this comment. Based on a January 6, 2016 field meeting involving regulatory agency staff from the U.S. Fish and Wildlife Services (USFWS) and California Department Fish and Wildlife (CDFW), the Diegan coastal sage scrub (CSS) onsite has been remapped such that the previously identified areas of disturbed CSS are no longer considered/mapped as a "disturbed" phase of this onsite vegetation community. This is because CSS is showing signs of recovery within the previously mapped patches of disturbance that are characterized by a greater-than-50% coverage of bare dirt, ash deposits from unauthorized burns, trash, and/or non-native weedy species.

Because all onsite areas of CSS and flat-topped buckwheat scrub habitats are considered to be of medium or high habitat value, project impacts to these vegetation communities are required to be mitigated at a 2:1 compensation ratio in accordance with the County of San Diego Draft North County MSCP Subarea Plan Habitat Evaluation Model. The draft Mitigated Negative Declaration (MND) and conditions of approval for biological resources have been updated to reflect the change in mitigation ratio for CSS and flat-topped buckwheat scrub habitats from 1:1 to 2:1. A total of 20.50 acres of CSS shall be preserved off-site to mitigate impacts to 10.25 acres of CSS onsite. A total of 1.74 acres of flat-topped buckwheat scrub shall be preserved off-site to mitigate impacts to 0.87 acres of flat-topped buckwheat scrub onsite. The Biological Resources Letter Report has been revised as denoted by strike-out/underline changes in the errata to the report.

- A2. The County acknowledges and appreciates this comment. All of the habitat-based mitigation measures include a mitigation option that requires purchase of habitat credit “located within a County-approved mitigation bank within North County” to be “approved by the California Department of Fish & Wildlife.” Alternatively, if habitat credit cannot be purchased in a mitigation bank, then “the applicant shall provide for the conservation of habitat of the same amount and type of land located in North County.” It is intended that these mitigation options occur within Pre-Approved Mitigation Area (PAMA) lands identified in the Draft North County MSCP Subarea Plan. The State CEQA Guidelines (Section 15126.4(a)(1)(B)) does not require a specific mitigation location to be set within the project’s Mitigated Negative Declaration (MND), as long as “performance standards are specified which would mitigate the significant effects and which may be accomplished in more than one specified way.” The final location of each mitigation option is required to be identified and secured prior to grading as a condition of project approval, MND adoption, and the County’s Habitat Loss Permit (HLP) to be approved by the Wildlife Agencies.
- A3. The County acknowledges and appreciates this comment. The draft HLP has been updated to reflect the County’s analysis and conclusion of the Granger Solar project’s consistency with the Southern California Coastal Sage Scrub NCCP Conservation Guidelines, as described in more detail in response to Comment A1. The NCCP Flowchart has been revised to indicate that the quality of habitat supported on the Granger Solar project site is defined as being “Medium Value.”
- A4. The County acknowledges and appreciates this comment. The HLP evaluation has been updated to reflect the County’s most recent CSS accounting. The total and remaining CSS allotment numbers have been revised to be consistent in the HLP and Initial Study.
- A5. The County concurs with this comment. The requested edits to condition of approval BIO#3-Resource Avoidance have been made. Mitigation Measure Bio-1 (Avian Breeding Season Requirements) in the project’s Biological Resources Letter Report has been revised as denoted by strike-out/underline changes in the errata to the report.
- A6. The County concurs with this comment. The requested edits to the HLP conditions BIO#1-Biological Monitoring and BIO#2-Temporary Fencing have been made.
- A7. (B.1) The County acknowledges and appreciates this comment. As indicated in the project Biological Resources Letter Report, the onsite oak trees are the result of a previous commercial orchard/nursery that operated on the site from the 1980s to 2013. As part of the orchard/nursery operation, the oaks were planted inside 24” boxes in the ground and when ready for commercial sale, the boxes and trees together were removed for transport. The trees that are currently growing onsite were the result of being abandoned when the orchard/nursery ceased operating on the site and are in various degrees of health. Because these trees were commercially grown and not naturally occurring, and because there are no native understory elements beneath these oaks, they are not considered coast live oak woodland (CLOW) habitat. In addition, these trees do not meet the definition of CLOW habitat under the California Oak Woodlands Conservation Act (Article 3.5, Sections 1360-1372 of the California Fish and Game Code) because the overall oak canopy cover of all the commercially-grown individual oaks and oak stands combined presently comprises less than 10 percent of the total area of non-native grassland and fallow agricultural habitats within which these trees occur. Section 21083.4(d)(3) of the California Public Resources Code exempts

these trees from the California Oak Woodlands Conservation Act because they occur on former agricultural land “used to process plant products for commercial purposes.”

With respect to the California Oak Woodlands Protection Act of 2014 (Article 6.5, Sections 1625-1636 of the California Fish and Game Code), these trees do not meet the definition of CLOW habitat (Section 1628(j)). Specifically, due to the continual planting and removal of commercially-grown oaks associated with the prior nursery operations, the project site would never “have historically supported greater than ten (10) percent [overall] oak canopy cover” relative to the total onsite area within which these trees were grown. Furthermore, removal of these trees is exempt from the oak removal permit requirements of the California Oak Woodlands Protection Act (Section 1629(a) of the California Fish and Game Code) because none are “greater than or equal to 20” diameter at breast height.”

Despite the findings above and as indicated in the comment, the trees and understory have biological value because they provide cover, nesting and perching opportunities for avian species. As such, in addition to project conditions of approval BIO#3-Resource Avoidance, BIO#1-Offsite Mitigation (habitat-based compensatory mitigation for impacts to CLOW), and BIO#5-Offsite Mitigation (habitat-based compensatory mitigation for impacts to non-native grassland and extensive agriculture), the applicant proposes to transplant as many of the on-site oak trees as possible, to the extent practical and feasible, as perimeter landscape screening along the north, west, and south project frontages. In addition to providing landscape screening to lessen visual impacts of the solar panels, any transplanted oaks would also serve a biological benefit because they are expected to be of continued use to native wildlife for foraging, breeding and nesting activities. The Biological Resources Letter Report has been revised as denoted by strike-out/underline changes in the errata to the report.

- A8. (B.2) The County acknowledges and appreciates this comment. Please refer to the response to Comment A2.

**Response to comments received from Dan Silver representing the Endangered Habitats League (EHL):**

- B1. The County acknowledges and appreciates this comment. As stated on pages 1-2 of the Biological Resources Letter Report, the proposed project would be sited on approximately 27 acres in the west “portion of the [40-acre] property that has been disturbed due to previous operation of a commercial orchard and a tree nursery. The [remaining 13 acres of] unaffected [land in the east portion of the property] would remain in its present (undeveloped) state upon implementation of the proposed Project, and would not be part of the proposed MUP Project area.” Therefore, the proposed solar facilities would be sited on the lowest value habitats onsite which include disturbed lands, fallowed and non-productive agricultural lands, non-native grasslands, and fragmented native habitats.

In reference to your comment that the “County needs to develop policies and procedures that direct solar development to low value lands,” this is not a project-specific comment requiring response.

- B2. The County acknowledges and appreciates this comment. Based on a January 6, 2016 field meeting involving regulatory agency staff from the U.S. Fish and Wildlife Services (USFWS) and California Department Fish and Wildlife (CDFW), the Diegan coastal sage scrub (CSS) onsite has been remapped such that the previously identified areas of

disturbed CSS are no longer considered/mapped as a “disturbed” phase of this onsite vegetation community. This is because CSS is showing signs of recovery within the previously mapped patches of disturbance that are characterized by a greater-than-50% coverage of bare dirt, ash deposits from unauthorized burns, trash, and/or non-native weedy species.

Because all onsite areas of CSS and flat-topped buckwheat scrub habitats are considered to be of medium or high habitat value, project impacts to these vegetation communities are required to be mitigated at a 2:1 compensation ratio in accordance with the County of San Diego Draft North County MSCP Subarea Plan Habitat Evaluation Model. The draft Mitigated Negative Declaration (MND) and conditions of approval for biological resources have been updated to reflect the change in mitigation ratio for CSS and flat-topped buckwheat scrub habitats from 1:1 to 2:1. A total of 20.50 acres of CSS shall be preserved off-site to mitigate impacts to 10.25 acres of CSS onsite. A total of 1.74 acres of flat-topped buckwheat scrub shall be preserved off-site to mitigate impacts to 0.87 acres of flat-topped buckwheat scrub onsite. The draft HLP has been updated to reflect these changes, and the NCCP Flowchart has been revised to indicate that the quality of habitat supported on the Granger Solar project site is defined as being “Medium Value.” The Biological Resources Letter Report has been revised as denoted by strike-out/underline changes in the errata to the report.

- B3. The County acknowledges and appreciates this comment. The project MND identifies mitigation measures that would reduce potentially significant impacts to biological resources to less than significant, per the County of San Diego Guidelines for Determining Significance for Biological Resources. No further evidence of the feasibility of a less impactful project is required.



State of California – Natural Resources Agency  
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EDMUND G. BROWN JR., Governor  
CHARLTON H. BONHAM, Director



December 16, 2015

Mr. Benjamin Mills  
County of San Diego  
Planning and Development Services  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123  
Benjamin.Mills@sdcountry.ca.gov

**Subject: Comments on the Draft Findings for the Habitat Loss Permit and Draft Mitigated Negative Declaration for the Granger Solar Project; PDS2015-MUP-15-019, LOG NO. PDS2015-ER-15-02-006 (SCH# 2015111021)**

Dear Mr. Mills:

The California Department of Fish and Wildlife (Department) has reviewed the above referenced draft Mitigated Negative Declaration (DMND) dated November 5, 2015 (and associated Biological Resources Letter Report, dated October 2015) for the Granger Solar Project (Project). The comments provided herein are based on information provided in the DMND, our knowledge of sensitive and declining vegetation communities in the County of San Diego (County), and our participation in regional conservation planning efforts. The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA; §§ 15386 and 15381, respectively) and is responsible for ensuring appropriate conservation of the state's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (CESA, Fish and Game Code §2050 *et seq.*) and other sections of the Fish and Game Code. The Department also administers the Natural Community Conservation Planning (NCCP) program (DFG Code Section 2800, *et seq.*). The County has signed a Planning Agreement with the Department for the development of the draft North County Multiple Species Conservation Program Subregional Plan (NC-MSCP)<sup>1</sup>, and this NCCP/HCP is currently in development for unincorporated lands in north San Diego County. The County's Habitat Loss Permit (HLP) process implements the interim take of coastal sage under the section 4(d) Special Rule of the Federal Endangered Species Act to address impacts to the federally listed California gnatcatcher (*Poliioptila californica californica*) while the County completes its NC-MSCP.

On November 5, 2015, the U.S. Fish and Wildlife Service (Service) and the Department, collectively referred to as the Wildlife Agencies, received the County's notice of intent (dated November 5, 2015) to adopt a DMND and draft HLP Findings for the Project. The Wildlife

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<sup>1</sup> County of San Diego. 2014a. Planning Agreement By and Among the County of San Diego, the California Department of Fish and Wildlife, and the United States Fish and Wildlife Office Regarding the North and East County Multiple Species Conservation Plans: Natural Community Conservation Program Plans and Habitat Conservation Plans. November 15, 2013. Revised and Amended May 12, 2014.

Agencies met with the County and the Project applicant during the November 19, 2015 batching meeting to discuss preliminary review of the Project. Comments on the draft HLP and DMND were requested by the County no later than December 21, 2015.

The Project is a Major Use Permit (MUP) for a 2.5-megawatt unstaffed photovoltaic (PV) solar farm on approximately 27.1 acres of a larger 40.1 acre parcel (Assessor's Parcel Number [APN] number 129-162-07). The Project site is located at the northeast corner of the intersection of Mesa Crest Road and Avenida Annalie in the community of Valley Center in unincorporated San Diego County.

The Project would require approval of a MUP from the County to allow for the construction, operation, and maintenance of such facilities for the long-term generation of solar energy.

The Project would result in 24,000 cubic yards of grading. PV solar panels would be mounted on a single-axis tracking (SAT) system. The maximum height of the top of the PV panel would measure an average of eight feet at full tilt; in certain cases where the ground undulates under the panels, the panel height could reach a maximum of approximately 12 feet as measured from the ground surface. The PV solar panels would be manufactured at an off-site location and transported to the Project site.

The inverter and transformer equipment pad would be approximately 16 feet wide by 33 feet long; the switchgear pad would be approximately 7.5 feet wide by 7.5 feet long. Each pad would support two 1,500 kilowatt (kW) inverters and one 3 megavolt ampere (MVA) transformer which would measure a maximum of approximately 10 feet in height (above pad elevation). All inverter, transformer, and switchgear structures would be constructed of non-flammable materials (e.g. steel). The AC power from the inverter stations would be transmitted via underground AC cable to the switchgear. The switchgear would contain breakers, relays, and monitoring and metering equipment necessary to provide for the safe and efficient transfer of power to San Diego Gas & Electric (SDG&E).

The Project would connect to an existing SDG&E 12 kilovolt distribution line/pole within the Mesa Crest Road right-of-way located adjacent to the site, ultimately connecting to the Lilac Substation. No off-site improvements to either the existing transmission lines or substation are proposed. The Project includes perimeter chain link fencing up to eight feet in height and perimeter landscape screening (including coast live oaks) as well as a system of 20- to 24-foot wide, all-weather internal fire access roads.<sup>2</sup>

The Department offers the following comments and recommendations to assist the County in avoiding, minimizing, and adequately mitigating project-related impacts to biological resources, to provide a project that meets HLP requirements, and to ensure the project is consistent with, and does not adversely effect, ongoing regional habitat conservation planning efforts.

A. Consistency with the North County HLP Requirements

1. As discussed during the November 19th batching meeting, the Department continues to recommend that the final HLP and DMND be revised to reflect a minimum mitigation to impact ratio of 2:1 for impacts to coastal sage scrub (CSS) and flat-topped buckwheat scrub, which would result in 20.50 acres of CSS, and 1.74 acre of flat-topped buckwheat mitigation. Currently, the draft HLP and DMND propose to mitigate these habitats at a

1:1 ratio, resulting in mitigation of only 10.25 acres of coastal sage scrub and 0.87 acre of flat-topped buckwheat scrub<sup>(2)</sup>. Based on our review of NC-MSCP resources and Biological Resources Letter Report (2015), the site is currently mapped as containing moderate or better quality values within the County's NC-MSCP Habitat Evaluation Model (HEM)<sup>(3)</sup> and is confirmed by the existing mosaic of habitat which serves as a larger functional landscape. Similarly, the Biological Resources Letter Report (2015) for the Project also indicates that habitat values are high in the north, east, and south portions of the property with areas of disturbed-CSS in the northwest, north-central, and south central portions of the site. Subsequent to the November 19, 2015 batching meeting with the County, the Department reaffirmed the recommendation for a 2:1 mitigation ratio for impacts to CSS and flat-topped buckwheat scrub for the reasons given above, with additional consideration given in recognition of the large patch size of the impacted habitats (27 acres), the site's adjacency to medium or better quality HEM lands in the area and lands that have existing conservation easements, and the site's proximity to the draft NC-MSCP preapproved mitigation area (PAMA).

2. As also discussed during the November 19 batching meeting, the Department continues to recommend siting mitigation options within the NC-County MSCP PAMA. The Project would impact 10.25 acres of CSS, and 0.87 acre of flat-topped buckwheat scrub within the draft NC-MSCP.<sup>4</sup> Currently, neither the draft HLP nor DMND identifies a specific mitigation location to offset the Project impacts. As a condition of the County's HLP approval by the Wildlife Agencies, the final location of the mitigation would need to be identified and secured before grading can occur.
3. The draft HLP should be updated to reflect the County's analysis and conclusion of the Granger Solar project's consistency with the Southern California Coastal Sage Scrub NCCP Conservation Guidelines.<sup>5</sup> Please review and update the NCCP Flowchart provided in the draft HLP to reflect the current Project.
4. The CSS NCCP Process Guidelines document (1993) establishes a maximum allowable threshold of five (5) percent of overall loss of CSS during the interim planning of a NCCP subregional plan. As required by the County's HLP protocol<sup>6</sup>, both the draft HLP and the DMND provide an analysis of the County's total and remaining CSS allotment under the 4(d) rule. However, there appears to be a discrepancy between the dates of each evaluation and the remaining coastal sage scrub acreage available between page 26 of the Initial study (IV. Biological Resources, subsection e) the HLP Findings (Environmental Findings 1.a). Please update the 4(d)/HLP evaluation to achieve consistency and to reflect the County's most recent CSS accounting.

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<sup>2</sup> Michael Baker International, Inc., October 2015. Biological Resources Letter Report, Granger Solar (Case # PDS2015-MUP-15-019; Environmental Log # PDS2015 ER-15-02-006.

<sup>3</sup> Draft North County Habitat Evaluation Model.

<sup>4</sup> County of San Diego Planning and Development Services, 2015. Notice of Intent to adopt a mitigated negative declaration and draft habitat loss permit.

<sup>5</sup> CDFG and Cal. Resources Agency, 1993. Southern California Coastal Sage Scrub NCCP Process Guidelines.

<sup>6</sup> Ibid.

5. The Department recommends that the following edits be added to the HLP condition BIO#3-Resource Avoidance measure. Please note that strikethrough edits are representative of suggested deletions, while underlined text are recommended additions.

*"In order to avoid direct impacts to nesting raptors and migratory birds, which are sensitive biological resources pursuant to CEQA, the Migratory Bird Treaty Act, and California Fish and Game Code, breeding season avoidance shall be implemented on all plans. **Description of Requirement:** There shall be no brushing, clearing, and/or grading such that none will be allowed between January 15 and August 31. The Director of PDS [PDS, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the Department of Fish and Wildlife, provided that no nesting or breeding birds are present in the vicinity or within 300 feet (a minimum of 500 feet for raptors) of the brushing, clearing, grading, based on a pre-construction survey conducted by a County-approved biologist within 10 days prior to the proposed start of grading. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition provided that no nesting or breeding birds are present in the vicinity as described above. No grading shall occur until concurrence is received from the County and the Wildlife Agencies.*

6. The Department understands that the eastern portion of the Project site is not proposed for formal dedication through open space easements (buffer, limited building zone, etc.). The Department recommends that HLP conditions BIO#1 and BIO#2-Resource Avoidance measures be revised to reflect that while the eastern portion of the Project site is neither proposed for development nor open space dedication, it will nevertheless be identified as containing sensitive biological habitats and included as a "Resource Avoidance Area" for in-situ protection (BIO#2) and monitored for compliance (BIO#1) as part of local County permitting (pages 227-228 of the Land Use & Environmental Conditions of Approval Manual, 2009).

**B. Comments on the Mitigated Negative Declaration and Initial Study**

1. A Biological Resources Letter Report prepared by Michael Baker International (October 2015) identified approximately 150 coast live oaks (*Quercus agrifolia*) within the Project area, noting that "The trees were abandoned when the commercial orchard/nursery ceased operating on the site, and are in various degrees of health. Because these trees were commercially grown and not naturally occurring, they are not considered a sensitive biological resource." The Department acknowledges that the coast live oak trees were commercially grown; however, we believe that they should be considered a sensitive biological resource regardless of being commercially planted. Mature coast live oaks afford raptor and avian perching and nesting opportunities. As evidenced in the Biological Resources Letter Report (October 2015) these oaks, in conjunction with the adjoining non-native grasslands, provide suitable foraging and perching habitat for Cooper's hawk (*Accipiter cooperii*), ferruginous hawk (*Buteo regalis*), turkey vulture (*Cathartes aura*), red-shouldered hawk (*Buteo lineatus*), white-tailed kite (*Elanus*

*caeruleus*), and prairie falcon (*Falco mexicanus*), which are all County Group 1 listed species<sup>7</sup>.

2. In addition to specifically addressing impacts and mitigation to CSS and flat-topped buckwheat scrub through the County's HLP process as described above, the location of the final mitigation for the Project needs to be identified and secured for proposed impacts to 5.91 acres of southern mixed chaparral, 0.05 acre of coast live oak woodland, 8.38 acres of non-native grassland, and 0.56 acre of extensive agriculture (fallow) before habitat is removed from the Project site. The Wildlife Agencies and the County of San Diego (County) are currently preparing the draft NC-MSCP. The County entered into a Planning Agreement with the Wildlife Agencies for NC-MSCP. Section 6.6 of the North County Planning Agreement addressed interim project processing (Exhibit B), and identifies the guidelines that have been agreed to by all parties to "...ensure that development, construction, and other projects or activities approved or initiated in the Planning Areas before completion of the Plans are consistent with preliminary conservation objectives and do not compromise successful completion and implementation of the Plan...".

We appreciate the opportunity to comment on the draft HLP Findings and DMND for the Granger Solar Project. With inclusion of the above listed recommendations in the final HLP and final MND, the Department believes that the Project would be consistent with the County's interim 4(d) process and existing NC-MSCP Planning Agreement. If you have any questions pertaining to this letter, please contact Eric Weiss at [Eric.Weiss@wildlife.ca.gov](mailto:Eric.Weiss@wildlife.ca.gov) or (858) 467-4289.

Sincerely,



Gail Sevens  
Environmental Program Manager  
California Department of Fish and Wildlife

cc: Scott Morgan, (State Clearinghouse)  
Eric Porter, U.S. Fish and Wildlife Service

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<sup>7</sup> Michael Baker International, Inc., October 2015. Biological Resources Letter Report, Granger Solar (Case # PDS2015-MUP-15-019; Environmental Log # PDS2015-ER-15-02-006.



**Re: Granger Solar PDS2015-MUP-15-019**

Dan Silver [dsilverla@me.com]

**Sent:** Thursday, November 12, 2015 7:10 AM

**To:** Mills, Benjamin

Thanks for acknowledging. I should have noted that EHL's position is that rooftop solar should be the top priority, of course. Regards Dan

Sent from my iPhone

On Nov 12, 2015, at 6:43 AM, Mills, Benjamin <[Benjamin.Mills@sdcountry.ca.gov](mailto:Benjamin.Mills@sdcountry.ca.gov)> wrote:

Dan,

Thank you for your comment. The message has been received.

Best,

**Benjamin Mills**

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County of San Diego, Planning & Development Services  
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**From:** Dan Silver [mailto:dsilverla@me.com]

**Sent:** Wednesday, November 11, 2015 8:56 AM

**To:** Mills, Benjamin

**Cc:** Wardlaw, Mark; Gretler, Darren M; Lacey, Cara; Mindy Fogg; Farace, Joseph; Citrano, Robert; Karen Goebel; Doreen Stadtlander; Michelle Durflinger; Susan Wynn; Gail Sevrens; David Mayer; Randy Rodriguez

**Subject:** Granger Solar PDS2015-MUP-15-019

November 11, 2015

Benjamin Mills  
Department of Planning and Development Services  
5520 Overland Ave  
San Diego, CA 92123

**RE: Granger Solar PDS2015-MUP-15-019**

Dear Mr Mills:

This proposal for a medium size solar facility is problematic both on policy, technical, and procedural grounds.

The project would impact about 25 acres of intact wildlife habitat, which is connected to a larger off site habitat block. Instead, solar facilities should be sited on low value lands, such

1 as fragmented habitat with little long-term ecological value, already disturbed lands, or fallowed or non-productive agricultural land. There is plenty of such land in San Diego County. Just because a site does not meet the very high bar of NC MSCP draft PAMA, it does not mean that it should be developed for solar energy. *The County needs to develop policies and procedures that direct solar development to low value lands.* At this time, it is advancing projects absent an apparent overall strategy.

2 Technically, on the basis of patch size and off-site connectivity, we strongly differ with the conclusion in the draft HLP that the coastal sage scrub is "low value". *Medium value* is the accurate classification, as low value is typically reserved for small, isolated parcels. The proposed low mitigation ratios, both in the CEQA and HLP documents, do not reflect the true value of the intact wildlife habitat onsite. A ratio of 2:1 is typically used for medium value coastal sage scrub absent an approved, comprehensive MSCP. Revision is indicated. (Due to the draft HLP also being processed, the wildlife agencies are also copied.)

3 Procedurally, we find no evidence that a less impactful project to minimize significant impacts is not feasible. No factual information is provided.

Thank you for considering our view. Confirmation of your receipt would be appreciated.

Yours truly,  
Dan Silver

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