

2 Public Access and Recreation

2.1 Introduction

The San Dieguito Park constitutes the largest contiguous tract of recreational open space (125 acres) within the County's Coastal Zone. The park is located southeast of the San Elijo Lagoon Ecological Reserve, bounded by Highland Drive, Linea Del Cielo, and a northeastern sliver of El Camino Real. The day-use park offers diverse recreation opportunities such as picnic areas, a fully accessible baseball field, a basketball court, equestrian and multi-use trails, multi-purpose pavilions for events, a wedding gazebo, and playgrounds (San Diego County 2015b). Restrooms, drinking fountains, and parking are available. The park is a popular recreational destination, garnering approximately 95,000 visitors annually. It is planned that ultimately, trails within the park will connect to local and regional trail networks. At this time, the Sun Valley/Lomas Santa Fe Connector Trail, connects to the El Camino Real/Sun Valley Road Path. The Road Path terminates 0.75 miles north of the planned San Dieguito River Park Trail (also the regional Coast to Crest Trail), at the boundary between County and City property. The park serves as a publicly accessible open space within the County's Coastal Zone, which is otherwise surrounded by residential and private recreational areas.

The County's Coastal Zone is within the San Dieguito Community Trails and Pathways Plan area of the San Diego County Community Trails Master Plan (2009). This plan notes that the popularity of hiking and horseback riding has increased significantly in recent years in this portion of the county. The San Dieguito community character is described as "clearly oriented toward a rural, estate residential life style." Horse ownership and various equestrian activities are an essential part of the San Dieguito community. The Community Trails Master Plan states that the qualities of the Plan Area indicate that a public investment in equestrian trails in San Dieguito is not only likely to be successful, but, in the long run, should be a vital, permanent part of the regional recreation system (Community Trails Master Plan 2009). At this time, County trails in the Plan Area are multi-use, and therefore accommodate pedestrians, bicyclers, and equestrians.

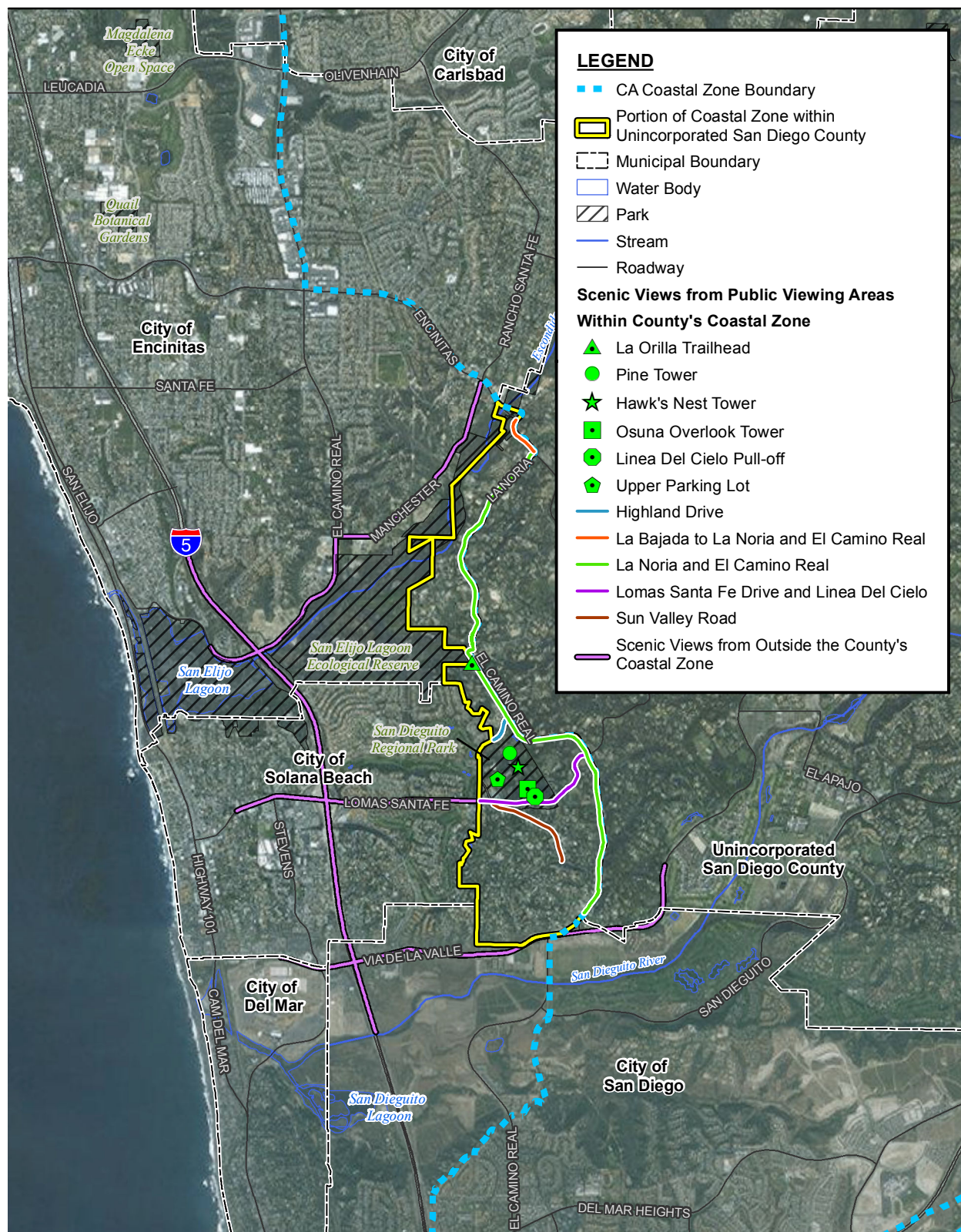
The Mobility Element road network that provides primary access to recreational areas within the Coastal Zone consists of existing two-lane light collector roads (2.2 F Light Collector) roadways with 12-foot wide travel lanes and 2-foot shoulders. The main roads are La Noria which turns into El Camino Real (north/south corridor), Via de la Valle (southern boundary), and Lomas Santa Fe Drive, see Figure 2. The Mobility Element roadways within the Coastal Zone are not planned for expansion under the existing 2011 General Plan.

2.1.1 Regional Trail Networks

California Coastal Trail

The California Coastal Trail (CCT) was recognized as a statewide and national resource in 2000. The vision for the CCT is to provide public trail access along California's 1,100-mile-long coast as a continuous system that connects parks, beaches, bicycle routes, hostels, and other state and local trail networks (San Diego County, 2009). According to the Community Trails Master Plan (2009), San Diego County has

76 miles of the coastal trail, with the creation of trails in progress in North County and San Diego Bay. Access to the CCT from the County's Coastal Zone is possible starting from the La Orilla Trailhead (16398 El Camino Real in Rancho Santa Fe; identified in Figure 6, Publicly Accessible Vantage Points), trekking through the southern portion of San Elijo Lagoon (Figure 7, Regional Trail Network and Points of Interest).



Source: SanGIS 2016; NAIP 2014.

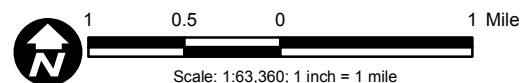
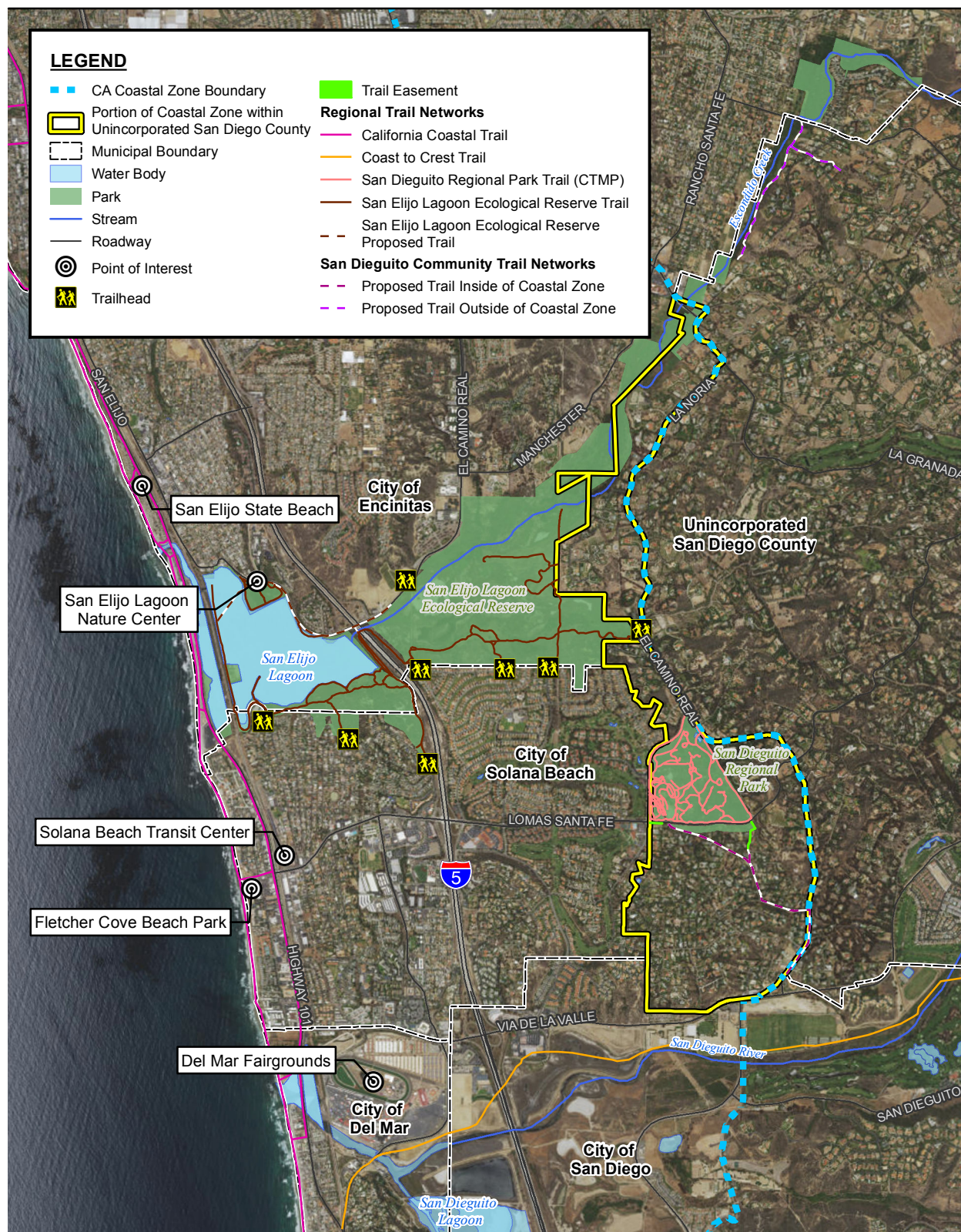


Figure 6
Publicly Accessible Vantage Points



Source: SanGIS 2016; NAIP 2014.

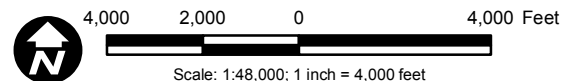


Figure 7
Regional Trail Network
and Points of Interest

Coast to Crest Trail

The Coast to Crest Trail, also called the San Dieguito River Park Trail, is located within the San Dieguito Lagoon and covers a distance of approximately 55 miles, extending from the beaches at Del Mar to the San Dieguito River's source at Volcan Mountain (north of Julian), and does not enter the County's Coastal Zone. The ultimate goal for this Coast to Crest Trail is to create a multi-use trail system for hikers, bicyclists, and horseback riders, though trail segments are still in progress. This trail is connected to the CCT, southwest of the Del Mar Fairgrounds. The Coast to Crest Trail runs south of Via de la Valle, and there are no trail connections or access points to the Coast to Crest Trail from the County's Coastal Zone.

San Elijo Lagoon Ecological Reserve: The San Elijo Lagoon Ecological Reserve contains approximately 7 miles of hiking and multi-use trails, which allow for use by pedestrians, equestrians, and mountain bikers. While the lagoon trail network has multiple trailheads along the southern boundary of the San Elijo Lagoon Ecological Reserve (Figure 7), La Orilla Trailhead (Figure 6) is the only publicly accessible trailhead within the County's Coastal Zone. The La Orilla Trailhead is located on El Camino Real in the central portion of the County Coastal Zone. This trailhead includes approximately ten off-street, unpaved parking spots and no restrooms or other developed facilities.

There are no developed facilities that service the southern trails that run through the San Elijo Lagoon Ecological. Restrooms and water are available at the Nature Center, located on the north side of the lagoon (2710 Manchester Avenue). Designed and constructed with the implementation of "green" building concepts, the Nature Center also contains interactive exhibits about the history and development of, and flora and fauna found in, the Ecological Reserve. The Nature Center provides regional value as an educational resource and serves as a rentable venue for meetings and events (San Diego County 2016b). The Nature Center is outside of the County's Coastal Zone, but is accessible from the La Orilla Trailhead via the trail network within the San Elijo Lagoon Ecological Reserve.

2.1.2 Public Access Points

The majority of publicly accessible trails within the County's Coastal Zone are located within the San Dieguito Park. Points of interest near the shoreline between the cities of Encinitas and Del Mar are identified on Figure 7, though these points are not located within the County's Coastal Zone. These points of interest are not directly accessible via trails from the County's Coastal Zone. Access to these points of interests is most convenient via Manchester Avenue (northern end of County's Coastal Zone), Lomas Santa Fe (central portion of County's Coastal Zone along southern boundary of the Park), and Via de la Valle (south of County's Coastal Zone).

Public access points to coastal resources are limited in the County's Coastal Zone. Based on existing conditions, establishing more public access points within the County's Coastal Zone may be constrained by the surrounding residential communities. There may be some potential for additional public access in the northern region of the County's Coastal Zone, adjacent to San Elijo Lagoon Ecological Reserve, where several areas have land uses and zoning designations for open space or preserves.

2.1.3 Community Trails Master Plan

The Community Trails Master Plan (CTMP) has established two forms of non-motorized facilities called “Trails” and “Pathways” that provide passive recreational and alternative modes of transportation. “Trails” are typically separate from vehicular roads that are primarily recreational in nature but also can serve as an alternative mode of transportation. “Pathways” are a non-motorized transportation facility located within a parkway or road right-of-way. A riding and hiking trail located in the road right-of-way is considered a pathway. “Pathways” are soft-surfaced facilities intended to serve both circulation and recreation purposes. Pathways help make critical connections and are an integral part of a functional trail system. They are soft-surface facilities for single or multiple uses by pedestrians, equestrians, and mountain bicyclists. (CTMP 2009)

One “Trail” and one “Pathway” are proposed within the County’s Coastal Zone, noted in the CTMP (CTMP Table 5) and shown on Figure 7 south of the Park:

- Trail #37: El Camino Real / Sun Valley Road Pathway (estimated length of 1.28 miles), which would connect the San Diego Park Loop Trail to the border with the City of San Diego; and
- Trail #38: Sun Valley / Lomas Santa Fe Connector Trail (estimated length of 0.05 mile), which would connect a trail easement to Trail #37.

There are also two existing trail easements noted on the San Dieguito Community Trails and Pathways Plan map (2009)

- The segment of Lomas Santa Fe Drive (as it turns into Linea Del Cielo) between Sun Valley Road and Highland Drive (estimated length of 500 feet); and
- The Sun Valley/Loma Santa Fe Trail Easement, a north-south pathway between private residences, starting from Linea Del Cielo near La Floresta and ending at Echo Hill Lane (estimated length of 900 feet), which connects to proposed Trail #38 (The 410 foot Sun Valley/Lomas Santa Fe Connector Trail).

The CTMP includes a Trails Management Program that provides guidance for management, maintenance, and operations.

2.2 Coastal Act Policies

This section incorporates the principal Coastal Act policies relevant to public access.

Section 30210

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse. (Amended by Ch. 1075, Stats. 1978.)

Section 30211

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated access way shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the access way.

(b) For purposes of this section, "new development" does not include:

- (1) Replacement of any structure pursuant to the provisions of subdivision (g) of Section 30610.
- (2) The demolition and reconstruction of a single-family residence; provided, that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than 10 percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure.
- (3) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10 percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure.
- (4) The reconstruction or repair of any seawall; provided, however, that the reconstructed or repaired seawall is not a seaward of the location of the former structure.
- (5) Any repair or maintenance activity for which the commission has determined, pursuant to Section 30610, that a Coastal Development Permit will be required unless the commission determines that the activity will have an adverse impact on lateral public access along the beach.

As used in this subdivision "bulk" means total interior cubic volume as measured from the exterior surface of the structure.

(c) Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution. (Amended by: Ch. 1075, Stats. 1978; Ch. 919, Stats. 1979; Ch. 744, Stats. 1983.)

Section 30212.5

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

Section 30213

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Section 30214

- (a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:
 - (1) Topographic and geologic site characteristics.
 - (2) The capacity of the site to sustain use and at what level of intensity.
 - (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.
 - (4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.
- (b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.
- (c) In carrying out the public access policies of this article, the commission and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs. (Amended by: Ch. 919, Stats. 1979; Ch. 285, Stats. 1991.)

Section 30221

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30223

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Section 30252

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

Section 30253

New development shall do all of the following: (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

Section 30254

New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries

vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

Section 30604(c)

Every Coastal Development Permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that the development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200).

2.3 Land Use Plan Policies

This section provides land use policies relevant to the provision of public access and recreation.

2.3.1 Open Recreational Space and Access

Policy 2.1

The County will continue to actively protect and defend the public's constitutionally guaranteed right of physical access to the shoreline.

Policy 2.2

Projects with open space shall design contiguous open space areas that protect wildlife habitat and corridors; preserve scenic vistas and areas; and connect with existing or planned recreational opportunities. Require adjacent residential development to locate their peripheral open space areas next to each other in order to maximize the beneficial effect provided by such a use.

Policy 2.3

Open space associated with future development intended to be preserved in perpetuity shall either be:

- (1) Retained in private ownership of the property owner or a third party with a restrictive easement that limits use of the land as appropriate; or
- (2) Transferred into public ownership of an agency that manages preserved open space.

The owner of the open space will be responsible for the maintenance and any necessary management unless those responsibilities are delegated through an adopted plan or agreement. Restrictive easements shall be dedicated to the County or a public agency (approved by the County) with responsibilities that correspond with the purpose of the open space. When transferred to a third party or public agency, a funding mechanism to support the future maintenance and management of the property should be established to the satisfaction of the County.

Policy 2.4

Enhance health and safety and conserve natural resources through the preservation of open space.

Policy 2.5

Provide recreational opportunities through the preservation of open space.

Policy 2.6

Preserve publicly and privately owned open space easements.

Policy 2.7

New facilities in or adjacent to protected open space areas shall be limited to only those improvements that provide or enhance public access or recreation activities. Accessibility improvements may be permitted when sited and designed to minimize adverse impacts to public access, visual resources, Environmentally Sensitive Habitat Area (ESHA), and marine resources. Any permitted structures shall be the alternative with the least impact on coastal resources, access and recreation, the minimum size necessary, and shall provide any necessary mitigation.

Policy 2.8

The County shall not close, abandon, or render unusable by the public any existing access-ways which the County owns, operates, maintains, or is otherwise responsible for without first obtaining a site development permit unless it is determined to be necessary on a temporary basis for public safety. Any access-ways which the County or any other managing agency or organization determines cannot be maintained or operated in a condition suitable for public use shall be offered to another public agency or qualified private association that agrees to open and maintain the access-way for public use.

Policy 2.9

Recreation and access opportunities at existing public parks shall be protected, and where feasible, enhanced as an important coastal resource. Public parks should maintain lower-cost parking fees (if any), and maximize hours of use to the extent feasible, in order to maximize public access and recreation opportunities.

Policy 2.10

Public access-ways and trails to the shoreline and public parklands shall be a permitted use in all land use and zoning designations. Where there is a future offer to dedicate, easement, or deed restriction for lateral, vertical or trail access or related support facilities e.g. parking, the County shall encourage the construction of necessary access improvements to allow the access-ways to be opened and operated for its intended public use.

Policy 2.11

Changes to existing public access ways required as part of an existing Coastal Development Permit shall not allow a reduction in access. Any such changes to public access would be required to be reviewed through a Coastal Development Permit amendment process.

Policy 2.12

Trails will be maintained at or near original or intended standards. This includes numerous efforts ranging from mowing and brush removal to replacement of damaged signs to reconstruction of the trail.

Policy 2.13

New subdivisions shall not include gates, guardhouses, or other features that would limit existing public access points.

Policy 2.14

Public parking shall not be discouraged through the use of unauthorized "no parking" signs placed on public or private property.

Policy 2.15

Maintain public access to key points of interest in and adjacent to the coastal zone through La Orilla Trailhead, the San Dieguito Park, Manchester Avenue, and Lomas Santa Fe.

Policy 2.16

Explore opportunities for new points of land and water access adjacent to San Elijo Lagoon Ecological Reserve, where several parcels containing land use and zoning designations for open space or preserve currently exist.

2.3.2 Alternative Modes of Travel for Coastal Recreation**Policy 2.17**

The County shall undertake planning efforts that promote infill and redevelopment of uses that accommodate walking and biking within communities.

Policy 2.18

The County will support increased public transportation service and funding in relation to the County's Coastal Zone within the unincorporated County boundary.

Policy 2.19

The County shall provide a range of trail lengths and types, including long distance trails, short distance trails, and loop experiences. Where possible, trails should provide coastal access and connect with other public trail systems, such as the California Coastal Trail, points of interest or transit facilities.

Policy 2.20

A network of multi-use trails shall be located along natural scenic areas, (e.g. Escondido Creek and San Elijo Lagoon) where possible. Trails shall be continuous and shall connect into existing and proposed adjacent trails, such as the California Coastal Trail, in the surrounding area.

Policy 2.21

Safely separate pedestrian, bicycle and vehicular traffic when these modes share rights-of-way, as development occurs and improvements are implemented.

Policy 2.22

Establish and maintain a separate system of hiking trails, bicycle paths and equestrian trails from which motorized vehicles will be banned.

Policy 2.23

The County will support the development of additional bicycle facilities in the County's Coastal Zone, with the construction of bicycle routes on El Camino Real from the San Diego City Boundary to Linea Del Cielo, and on Linea Del Cielo Drive from San Valley Road to El Camino Real.

Policy 2.24

Provide a network of trails for horseback riding, biking, and hiking; and minimize the cost of the trail system by utilizing floodplains, existing trails, public lands and major utility rights-of-way. Trails within floodplains will be designed to be ephemeral, to the extent feasible.

Policy 2.25

When locating specific trail segments, locations that avoid significant impacts to sensitive environmental resources shall be prioritized.

Policy 2.26

The County shall identify trail routes that enhance public access and connectivity while recognizing the concerns of private property owners, safety requirements, and land use concerns and environmental protection goals.

2.3.3 Active Transportation Priorities

Policy 2.27

The provision of bicycle and other Complete Streets improvements on County Mobility Element roads within the Coastal Zone shall be maximized to provide a safe and continuous bicycle and pedestrian network in rural areas that can be used for recreation or transportation purposes, while retaining rural character.

Policy 2.28

The County shall promote pedestrian and bicycle facility standards for facility design that are tailored to a variety of urban and rural contexts according to their location.

Policy 2.29

Provide and expand the variety of trail experiences that provide recreational opportunities, including urban/suburban, rural, wilderness, multi-use, staging areas, and support facilities.

Policy 2.30

Trail opportunities shall be promoted by obtaining easements, dedications, license agreements, or joint-use agreements from other government agencies and public and semi-public agencies.

Policy 2.31

Specific trail segments shall be sited, designed, and maintained to minimize impacts to sensitive environmental resources, ecological system and wildlife linkages and corridors, and agricultural lands.

Within the Draft North County Multiple Species Conservation Plan (MSCP) preserves, conform siting and use of trails to County MSCP Plans and MSCP resource management plans.

Policy 2.32

Trail route design shall meet a public need and highlight the County's biological, recreational and educational resources, including natural, scenic, cultural, and historic resources.

Policy 2.33

Manage, operate and maintain trails so that proper use is encouraged, and user safety, resource conditions, the environment, and adjacent land uses are not compromised. Public access to natural and cultural (where allowed) resources shall be provided through effective planning that conserves the County's native wildlife, enhances and restores a continuous network of connected habitat and protects water and cultural resources.

2.3.4 Recreational Facilities and Lodging

Policy 2.34

The County shall provide parks and recreation facilities that create opportunities for a broad range of recreational experiences to serve user interests.

Policy 2.35

Park design shall reflect community character and identity, incorporate local natural and cultural landscapes and features, and consider the surrounding land uses and urban form and cultural and historic resources.

Policy 2.36

Public parks shall be connected to trails and pathways and other pedestrian or bicycle networks where feasible to provide linkages and connectivity between recreational uses.

Policy 2.37

The County shall provide local park facilities that are appropriate for the individual neighborhoods and communities in which they are located. The development of public recreation facilities shall be encouraged throughout the County's Coastal Zone.

Policy 2.38

Retention of existing, lower cost visitor serving and recreation facilities, including overnight accommodations, shall be encouraged and lower cost overnight accommodations shall be protected.

Policy 2.39

County Department of Public Works is responsible for maintenance of designated pathways within County right-of-way. Maintenance guidelines shall include:

- Keeping the pathway free of weeds, brush, rocks, or other obstructions.
- Trimming trees and other vegetation to maintain a minimum vertical (overhead) clearance in accordance with County policy and standards.
- Repairing erosion in a timely manner by grading, placement of new base material, or installing engineered drainage controls.
- Ensuring driveway approaches crossing designated pathways have a natural or rough surface; and enforcing the removal of non-permitted polished or slick surfaces.

Policy 2.40

All trails located adjacent to or within ESHA shall be for non-motorized use only and are required to comply with the following:

- All activities involved with trail design, construction, usage, and maintenance will incorporate appropriate methods that reduce potential impact to ESHA, including:
 - Utilizing a trail design and construction methods that are least impactful to ESHA.
 - Utilizing non-mechanized equipment for trail construction and maintenance.
- Trail tread will be constructed with native soil (or disintegrated granite if necessary) and trail width will be minimized to reduce impacts to critical habitat and resources.
- Site design objectives will include avoidance and/or minimization of impacts to biological resources.
- Access, non-native predators, and other non-native and invasive species, illumination, point source drain water, non-point source runoff, and noise will all be taken into consideration during planning and construction of trails.
- Sufficient signs and appropriate barriers will be located to clearly identify access.

Policy 2.41

For any new development adjacent to, or within 100 feet of a public park, beach, trail, or recreation area, notice of proposed developments shall be provided, as applicable, to the San Elijo Lagoon Conservancy and the California Department of Parks and Recreation for their review with regard to potential impacts to public access, recreation, ESHA, and any other sensitive environmental resources.

Policy 2.42

The County shall coordinate with the California Department of Parks and Recreation, the San Elijo Lagoon Conservancy, and Caltrans to provide a comprehensive signage program to identify public parks, trails and accessways.

Policy 2.43

New development shall provide off-street parking in accordance with regulations established in the IP and consistent with the County's Zoning Ordinance, and sufficient to serve the approved use in order to minimize impacts to public street parking available for coastal access and recreation.

Policy 2.44

The implementation of restrictions on public parking, which would impede or restrict public access to beaches, trails or parklands, (including, but not limited to, the posting of “no parking” signs, red curbing, physical barriers, imposition of maximum parking time periods, and preferential parking programs) shall be prohibited except where such restrictions are needed to protect a documented threat to public safety and where no other feasible alternative exists to provide public safety. Where feasible, an equivalent number of public parking spaces should be provided nearby as mitigation for impacts to coastal access and recreation.

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3 Environmentally Sensitive Habitats

3.1 Introduction

The Coastal Act sets high standards for the protection of Environmentally Sensitive Habitat Areas (ESHA), including various types of wetlands, riparian areas, native coastal grasslands, and woodlands, and other natural resources in the coastal zone.

3.1.1 Biological Resources Overview

The following is summarized from the Biological Resources Summary Memorandum prepared for the County (AECOM 2016).

Historical Records of Natural Resources within the County's Coastal Zone

The following resources were reviewed to determine what historically recorded natural resources occur, or have the potential to occur, within the County's Coastal Zone. Select information pertaining to both common and special-status resources in the County's Coastal Zone was reviewed for the update of the LCP. The following sources were consulted to obtain public information relevant to the County's Coastal Zone:

- U.S. Fish and Wildlife Service (USFWS) regional species database (USFWS 2015);
- County of San Diego SanGIS Geographic Information System (GIS) Data for Species (SanGIS 2016);
- County of San Diego SanGIS Data for Vegetation Communities (SanGIS 2006 and 2012);
- San Diego Bird Atlas (Unitt 2005);
- California Natural Diversity Data Base (CNDDB) (California Department of Fish and Wildlife [CDFW] 2016a);
- California Native Plant Society (CNPS) Electronic Inventory (CNPS 2016); and
- San Dieguito Community Plan - Escondido Creek Resource Conservation Area (RCA) Rare Species List (County of San Diego 2014).

For the CNDDB and CNPS database queries, special-status species records within the Del Mar, Encinitas, and Rancho Santa Fe United States Geological Survey (USGS) 7.5-minute topographic quadrangles were searched. These three quadrangles were included in the search because they contain the portion of the County's Coastal Zone that encompasses and surrounds the LCP area. The traditional nine-quadrangle search could not be implemented because of the County Coastal Zone's proximity to the Pacific Ocean.

Biological resources were considered special status if they met at least one of the following criteria:

- Listed or proposed for listing (including candidate species³) under the federal Endangered Species Act (ESA) and California Endangered Species Act (CESA);
- CDFW Species of Special Concern;
- CDFW Watch List Species;
- CDFW Fully Protected species;
- Listed by CNPS as California Rare Plant Ranks (CRPR) 1A (presumed extinct in California and rare/extinct elsewhere); 1B (rare, threatened, and endangered in California and elsewhere); 2A (presumed extinct in California, but more common elsewhere); or 2B (rare, threatened, or endangered in California, but more common elsewhere) (CNPS 2016). All plants constituting CRPR 1A, 1B, 2A, and 2B meet the definitions of Sections 2062 and 2067 (CESA) of the California Fish and Game Code (CNPS 2016);
- Some, but not all, CRPR 3 and 4 species. Some plants constituting CRPR 1A, 1B, 2A, and 2B meet the definitions of Sections 2062 and 2067 (CESA) of the California Fish and Game Code (CNPS 2016). CRPR 3 plants are those for which more information is needed (a review list), and CRPR 4 plants are those of limited distribution (watch list) (CNPS 2016);
- Species covered by the San Diego County MSCP (SanGIS 2016); and/or
- Rare Terrestrial Natural Communities as described in the CDFW Natural Communities List (CDFW 2010), which is based on *A Manual of California Vegetation, Second Addition* (Sawyer et al. 2009)

Vegetation Communities and Other Land Cover Types

Vegetation communities and other land cover types within the LCP area were assessed using the aforementioned San Diego County SanGIS vegetation community databases (SanGIS 2006 and 2012). The most recent vegetation data (2012) were used to map and characterize the communities and land cover types, while the 2006 data were used to fill gaps in the 2012 data. Nomenclature in the SanGIS data follows *Draft Vegetation Communities of San Diego County* (Oberbauer et al. 2008). The LUP did not include ground-truthing the location and extent of the vegetation communities mapped in the SanGIS database.

Roughly 21 vegetation communities and other land cover types are estimated to occur within the County's Coastal Zone based on literature and database review. Table 1 includes the acreages for each vegetation community or land cover type within the County's Coastal Zone, as illustrated in Figure 8, Vegetation Communities and Other Cover Types.

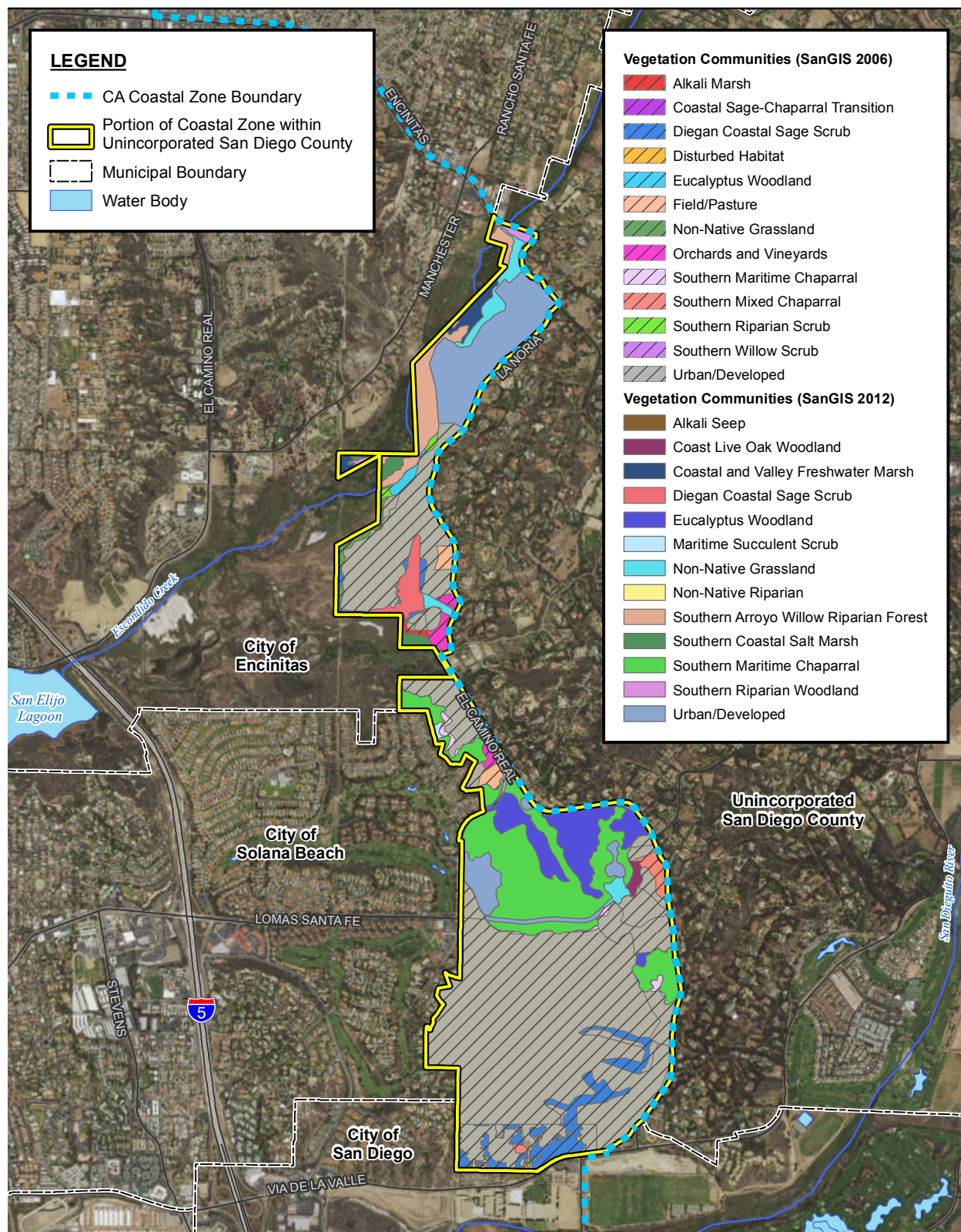
³ Candidate species are those petitioned species that are actively being considered for listing under the federal ESA, as well as those species for which the USFWS has initiated an ESA status review, as announced in the Federal Register. Proposed species are those candidate species that warrant listing as determined by USFWS and have been officially proposed for listing in the Federal Register. Under the California Endangered Species Act, candidate species are those species currently petitioned for state-listing status.

Table 1. Vegetation Communities and Other Land Cover Type Acreages in the County's Coastal Zone

Vegetation Community/Land Cover Type	Acreage
Marsh/Wetland/Riparian	
Alkali Marsh*	2.5
Alkali Seep*	0.6
Coastal Valley Freshwater Marsh*	11.0
Non-Native Riparian*	0.8
Southern Arroyo-Willow Riparian Forest*	31.5
Southern Coastal Salt Marsh*	9.3
Southern Riparian Scrub*	2.6
Southern Riparian Woodland*	4.0
Southern Willow Scrub*	0.04
Uplands	
Coastal Sage-Chaparral Transition*	0.8
Coast Live Oak Woodland*	3.1
Diegan Coastal Sage Scrub*	61.7
Disturbed Diegan Coastal Sage Scrub*	0.5
Eucalyptus Woodland	57.8
Maritime Succulent Scrub*	1.2
Non-Native Grassland*	25.3
Southern Maritime Chaparral*	141.7
Southern Mixed Chaparral*	8.9
Other Land Cover Types	
Field/Pasture	8.8
Orchards and Vineyards	10.1
Urban/Developed	677.2
TOTAL	1,059.4

*Considered an ESHA based on the preliminary analysis described in this chapter.

Please see Section 2.3 for a full discussion of ESHA delineation.



Source: SanGIS 2016; NAIP 2014.

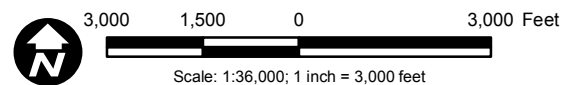


Figure 8
Vegetation Communities
and Other Cover Types

Rare Terrestrial Natural Communities

Rare Terrestrial Natural Communities were considered special-status if they were listed and described in the CDFW Natural Communities List (CDFW 2010), which is based on *A Manual of California Vegetation, Second Addition* (Sawyer *et al.* 2009). The CNDDDB was not used to determine the location of historically occurring sensitive vegetation communities, as the CDFW List of Natural Communities replaced all other lists of terrestrial natural communities and vegetation types developed for the CNDDDB (CDFW 2016b). Instead, the SanGIS vegetation communities (Oberbauer *et al.* 2008) mapped in Figure 8 and listed in Table 1 were used to determine the location of Rare Terrestrial Natural Communities by creating a crosswalk between the SanGIS (Oberbauer *et al.* 2008) and the CDFW (Sawyer *et al.* 2009) classification systems. The crosswalk was created by looking at the community descriptions in each system and determining which were the most similar based on dominant, co-dominant and associated species. More weight was given to dominants over co-dominants and co-dominants over associated species. Table 2 is included in Section 3.1.3 – *Rare Terrestrial Natural Communities and Wetlands*, along with a list of the Rare Terrestrial Natural Communities found within the LCP area.

Special-Status Species

Based on a desktop analysis of the resources listed in Section 3.1.1, 71 special-status wildlife species and 107 special-status plants have been historically recorded within the three-quadrangles that overlap the County's Coastal Zone (Encinitas, Del Mar, and Rancho Santa Fe) and, therefore, may have some potential to occur within the LCP area based on the presence of suitable habitat. Each species, along with their listing status and habitat requirements, are included in Appendix B. Focused surveys and detailed vegetation mapping are required on a project-by-project basis to determine the presence, absence or potential for a species to occur within the County's Coastal Zone.

Figure 9, Historical Special-Status Species Records, illustrates the locations of special-status species found in the vicinity of the County's Coastal Zone according to the GIS databases that were queried during the literature search. These include the SanBIOS (SanGIS 2016), San Diego Bird Atlas (Unitt 2005), and USFWS GIS (USFWS 2015) databases. It is noted that, although the GIS database search area included three USGS topographic quadrangles, Figure 9 was scaled down to give a regional context that includes the significant ecological landmarks or wildlife refuges around the LCP area. These are Escondido Creek, San Elijo Ecological Reserve, San Elijo Lagoon, the Park, San Dieguito Reservoir, and San Dieguito Lagoon.

Multiple Species Conservation Program

It should be noted that the County is currently working on the MSCP North County Plan. The County's Coastal Zone is located within the boundaries of the North County Plan. Thus, additional biology policies may apply to the County's Coastal Zone once the North County Plan is finalized. In order for these policies to be included in the County's LCP, a future LCP amendment will be required.

Steep Slopes

Coastal mixed chaparral and coastal sage scrub thrive on hilly terrain and steep slopes within the County's Coastal Zone (County of San Diego 2014). Steep slopes, as defined in County Zoning Ordinance 5957(a), are natural slopes of 25% grade or greater and occur throughout the County Coastal Zone, as

shown on Figure 10, Steep Slopes. Improper management of steep slopes can degrade these habitats, contribute to erosion issues, and potentially exacerbate coastal hazards, such as hillside-related geologic hazards. Policies to protect steep slopes have been included in Section 3.3.

3.1.2 Natural Resource Definitions

Environmentally Sensitive Habitat Areas

Coastal Act Section 30107.5 Definition of Environmentally Sensitive [Habitat] Areas

"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and development.

Section 30240(a) of the Coastal Act restricts development within ESHA to only those uses that are dependent on the resource and requires that ESHA be protected against significant disruption of habitat values. Section 30240(b) requires that areas adjacent to ESHA and parks and recreation be sited and designed to prevent degradation of those areas to be compatible with the continuance of those habitat and recreation areas. Pursuant to Section 30107.5, in order to determine whether an area constitutes an ESHA, and is therefore subject to the protections of Section 30240, the CCC has asked if either of the following conditions have been met: 1) There are rare species or habitat in the subject area; 2) There are especially valuable species or habitat in the area, which is determined based on: a) whether any species or habitat that is present has a special nature, OR b) whether any species or habitat that is present has a special role in the ecosystem. Valuable species or habitats that have a special nature or a special role in the ecosystem include those resources defined as "special-status" in Section 3.1.1. When the CCC has found that either of these two conditions is met, it has assessed whether the habitat or species meeting these conditions is easily disturbed or degraded by human activities and developments. If they are, the CCC has found the area to be an ESHA. It should be noted that disturbed or degraded habitats may constitute ESHA if the habitat meets the criteria for an ESHA designation.

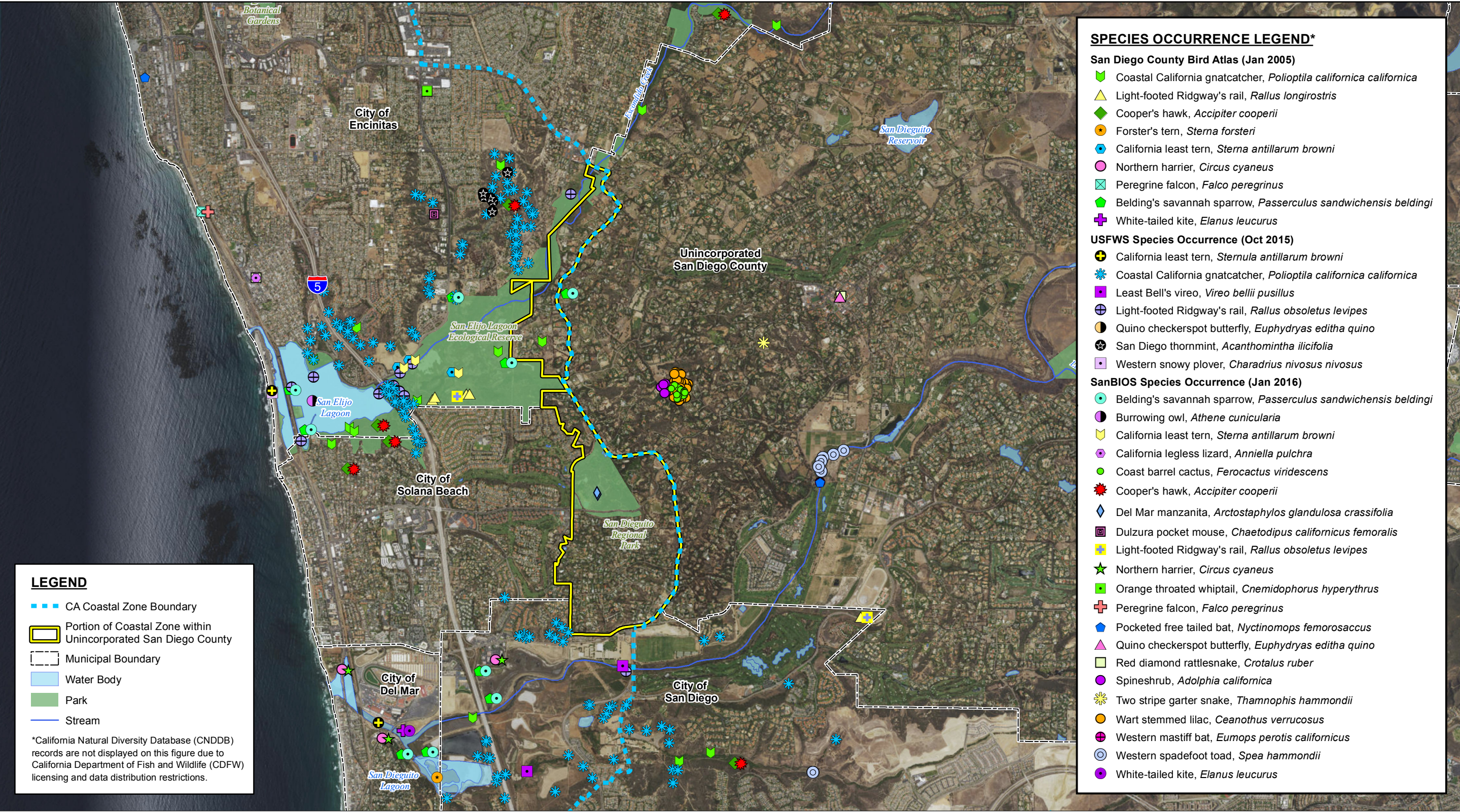
Wetlands

Wetlands provide many benefits such as fish and wildlife habitats, natural water quality improvement, flood storage, shoreline erosion protection, opportunities for recreation and aesthetic appreciation, and natural products for our use at little or no cost. Protecting wetlands can, in turn, protect our health and safety by reducing flood damage and preserving water quality. Wetlands are among the most productive ecosystems in the world. They also are a source of substantial biodiversity in supporting numerous species from all of the major groups of organisms – from microbes to mammals.

Within the vicinity of the County's Coastal Zone, wetlands occur primarily along Escondido Creek, San Elijo Lagoon, and along a few urban drainages in the City. Jurisdictional areas include wetlands and non-wetland waters (e.g., reservoirs, lagoons, and streams) subject to California Fish and Game Code Section 1600 et seq. and Section 404 of the federal Clean Water Act. Table 1 provides a list of the wetland communities and the approximate acreages that occur within the County's Coastal Zone; each is briefly described below.

As shown on Figure 8, approximately 2.5 acres of Alkali Marsh are located at the toe of a slope near the intersection of El Camino Real and La Orilla. Along Escondido Creek, wetland areas include approximately 2.5 acres of Southern Riparian Scrub; several small, scattered patches of Southern Willow Scrub totaling around 0.04 acre; two patches of Coastal and Valley Freshwater Marsh, comprising 11 acres; approximately 0.6 acres of Alkali Seep located near the northern tip of the County's Coastal Zone; 31.5 acres of Southern Arroyo Willow Riparian Forest; three patches of Southern Coastal Salt Marsh, comprising 9.3 acres; and three patches of Southern Riparian Woodland totaling four acres.

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Source: NAIP 2014; SanGIS 2016 (SanBIOS Species Occurrence); USFWS 2015 (Species Occurrence); San Diego County Bird Atlas 2005.

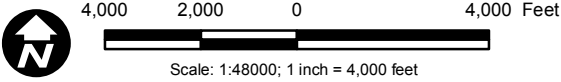


Figure 9
Historical Special-Status Species Records

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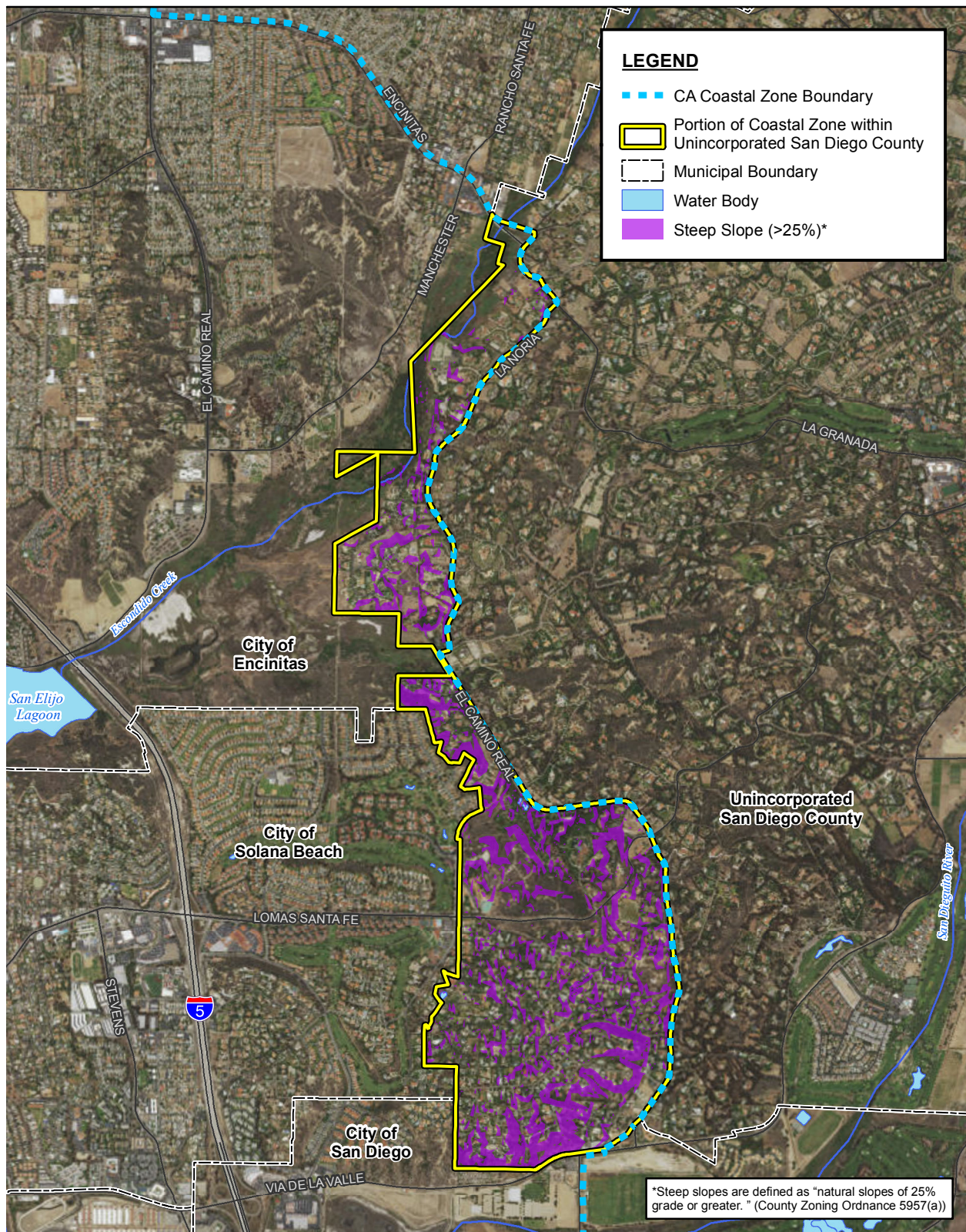


Figure 10
Steep Slopes

Coastal Act Section 30121 Definition of Wetland

"Wetland" means lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

CCR Section 13577(b) (in part)

Wetland shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate.

Based on these definitions, to be classified as a wetland under the Coastal Act, areas need to display one of the three wetland parameters typically used to define wetland areas, unlike the U.S. Army Corps of Engineers, which uses a three-parameter definition under its federal authority. The presence of the hydrology parameter raises additional criteria that must be met for a land area to be classified as a wetland, as described above in CCR Section 13577(b).

The Coastal Act definition of wetland (§ 30121) does not distinguish between wetlands according to their quality. Thus, under the Coastal Act, poorly functioning or degraded areas that meet the definition of wetlands are subject to wetland protection policies. To ensure consistency with the Coastal Act, therefore, the condition of the wetland would not affect its regulatory status as a defined wetland under the LCP.

3.1.3 Identification of ESHAs

Per the natural resource definitions described in Section 3.1.1, a preliminary identification of ESHAs within the County's Coastal Zone was based on the presence of one or more of the following parameters:

- Vegetation community mapped within the County's Coastal Zone by the County of San Diego SanGIS database (SanGIS 2006 and 2012) is considered a Rare Natural Terrestrial Community by CDFW (CDFW 2010);
- Vegetation community mapped within the County's Coastal Zone by the County of San Diego SanGIS database (SanGIS 2006 and 2012) qualifies as a wetland under the definition provided in Section 3.1.2;
- Vegetation community mapped within the County's Coastal Zone by the County of San Diego SanGIS database (SanGIS 2006 and 2012) has the potential to support one or more special-status species based on records yielded within the County's Coastal Zone during the historical

literature and database review described in Section 3.1.1 (USFWS 2015, SanGIS 2016, Unitt 2005, CDFW 2016a, and County of San Diego 2014).

A total of approximately 305 acres of habitat were mapped as ESHA within the County's Coastal Zone per the aforementioned parameters. The ESHAs, delineated in Figure 11 Environmentally Sensitive Habitat Areas, represent those areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and development. This section and Figure 11 do not represent an exhaustive compilation of the areas that meet ESHA or wetland definition; rather, they are an illustrative tool to help identify potential resources, and it is the actual presence of ESHA on the site that should dictate whether ESHA policies apply to a site. No site visits were conducted as part of this preliminary assessment.

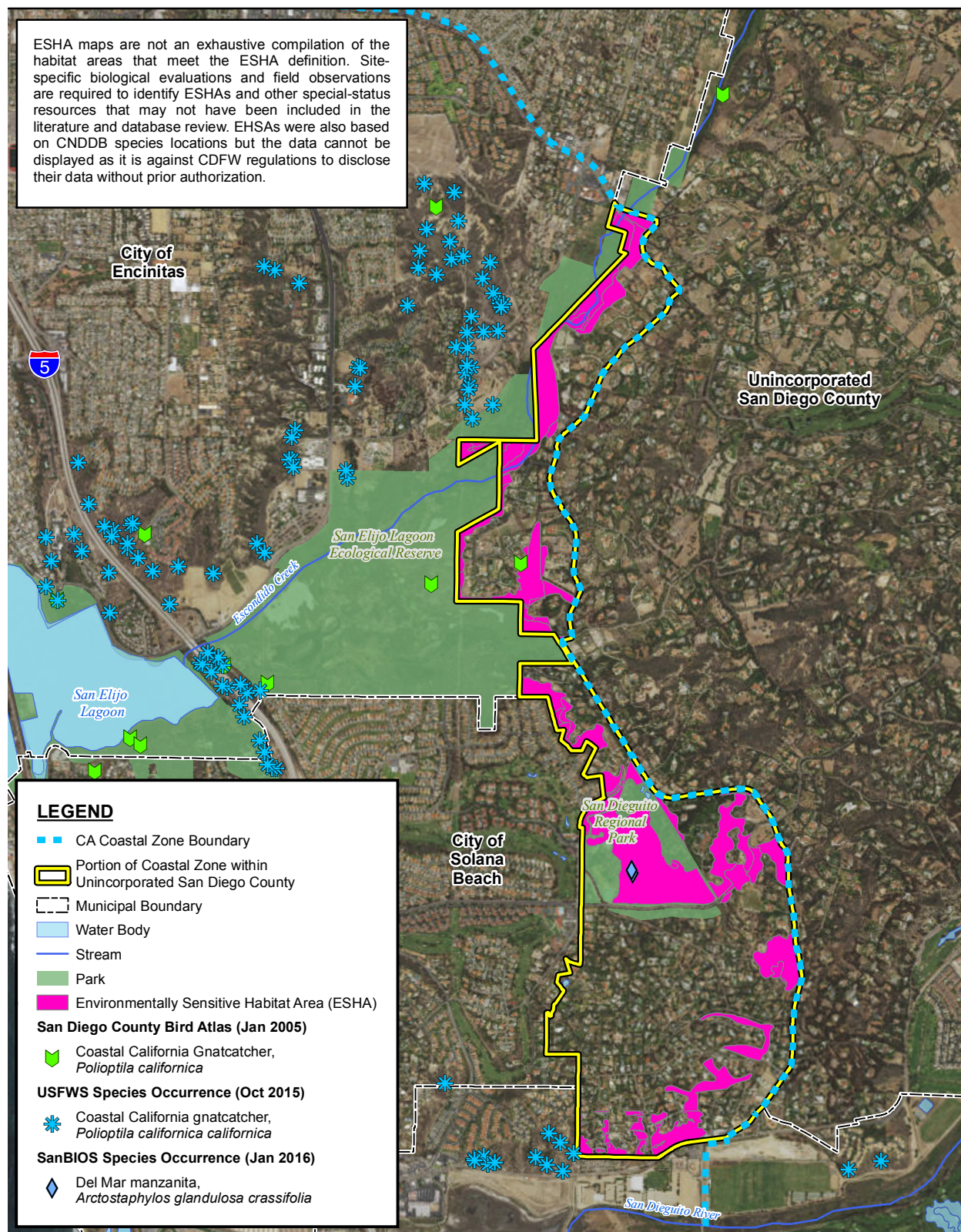
Site-specific biological evaluations and field observations shall be required as part of future specific project review to identify ESHAs and other special-status resources that may not have been included in the literature and database review. If an area is not designated on the ESHA Map as ESHA, it will be treated as ESHA if a site-specific study at the time of the proposed development shows that it meets the criteria for an ESHA designation. The LUP policies establish that the presence of ESHA not already designated on the ESHA map shall be determined on the basis of site-specific study prior to the approval of any development. Such determinations shall be reviewed by PDS. Any changes to the ESHA map will require an amendment to the LCP to update the map. Regardless of the mapped ESHA designation of any particular area, habitat area found to meet the definition of ESHA shall be accorded all protection provided for ESHA by the LUP.

Rare Natural Terrestrial Communities and Wetlands

The following vegetation communities mapped within the County's Coastal Zone by the County of San Diego SanGIS database (SanGIS 2006 and 2016) are either considered a Rare Natural Terrestrial Community by CDFW (CDFW 2010) or qualify as a wetland under the definition provided in Section 3.1.2. Therefore, the following vegetation communities were delineated as ESHAs (Figure 11):

Special-Status Species

Two historical special-status species records are located within the County's Coastal Zone: coastal California gnatcatcher (*Polioptila californica californica*), a special-status bird (Federally Threatened) that nests in Diegan Coastal Sage Scrub (CNDDDB 2016); and Del Mar manzanita (*Arctostaphylos glandulosa* ssp. *crassifolia*), a perennial special-status plant (Federally Endangered/CNPS List 1B.1) that occurs in Southern Maritime Chaparral (CNPS 2016). Coastal California gnatcatcher and Del Mar manzanita are proposed as covered species in the MSCP North County Plan. While these are historical records from databases that may be slightly inaccurate with regard to exact location, the ESHA boundary was delineated around these data points per the requirements of the LCP Update Guide. For the coastal California gnatcatcher location, the ESHA includes all Diegan Coastal Sage Scrub habitat within the County's Coastal Zone; including the Coastal Sage-Chaparral Transition areas (see Figures 8 and 11). For the Del Mar manzanita location, the ESHA includes all Southern Maritime Chaparral habitat within the County's Coastal Zone (see Figures 8 and 11).



Source: NAIP 2014; SanGIS 2016 (SanBIOS Species Occurrence); USFWS 2015 (Species Occurrence); San Diego County Bird Atlas 2005.

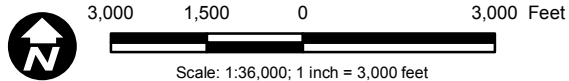


Figure 11
Environmentally Sensitive
Habitat Areas (ESHAs)

Table 2. Rare Natural Terrestrial Communities and Wetlands in the County's Coastal Zone

SanGIS Database (Oberbauer <i>et al.</i> 2008)	CDFW Natural Communities List (Sawyer <i>et al.</i> 2009)
Wetlands	
Alkali Marsh	Warm Semi-Desert/Mediterranean Alkali-Saline Wetland
Alkali Seep	<i>Juncus acutus</i> Provisional Alliance
Coastal Valley Freshwater Marsh	<i>Schoenoplectus americanus</i> Alliance
Non-Native Riparian	Naturalized Warm-Temperate Riparian and Wetland Semi-Natural Stands
Southern Arroyo-Willow Riparian Forest	<i>Salix lasiolepis</i> Alliance
Southern Coastal Salt Marsh	<i>Frankenia salina</i> Alliance
Southern Riparian Scrub	Southwestern North American Riparian, Flooded and Swamp Forest
Southern Riparian Woodland	<i>Salix gooddingii</i> Alliance
Southern Willow Scrub	Southwestern North American Riparian, Flooded and Swamp Forest
Rare Terrestrial Natural Communities	
Coastal Sage-Chaparral Transition	N/A
Coast Live Oak Woodland	<i>Quercus agrifolia</i> Alliance
Diegan Coastal Sage Scrub	<i>Artemisia californica</i> - <i>Eriogonum fasciculatum</i> Alliance
Disturbed Diegan Coastal Sage Scrub	N/A
Maritime Succulent Scrub	<i>Opuntia littoralis</i> Alliance
Non-Native Grassland	Mediterranean California Naturalized Annual and Perennial Grassland Semi-Natural Stands
Southern Maritime Chaparral	<i>Adenostoma fasciculatum</i> Alliance
Southern Mixed Chaparral	<i>Quercus berberidifolia</i> Alliance

In addition, although no records of historical occurrence were identified, the potential for Encinitas baccharis (*Baccharis vanessae*), coastal cactus wren (*Campylorhynchus brunneicapillus*), least Bell's vireo (*Vireo bellii pusillus*), and Belding's savannah sparrow (*Passerculus sandwichensis beldingi*) to occur within the County's Coastal Zone should be considered on a case-by-case basis due to the proximity of known occurrences and suitable habitat adjacent to the County's Coastal Zone. Because these four species and their habitats are in close proximity to the region covered by this LCP, they were included among those to be evaluated in making ESHA determinations. Suitable habitat for Encinitas baccharis includes several chaparral habitat types below 3,000 feet; therefore, the designated ESHA includes all Southern Maritime Chaparral and Southern Mixed Chaparral within the County's Coastal Zone. These habitats also support the federally listed California gnatcatcher. The closest known occurrence of Encinitas baccharis is located approximately 1.75 miles north of the County's Coastal Zone (pers.com. Jonathan Dunn 2016). Suitable habitat for coastal cactus wren includes Maritime Succulent Scrub and Diegan Coastal Sage Scrub with abundant prickly pear (*Opuntia littoralis* and *O. oricola*) and coastal cholla (*O. prolifera*) for nesting; therefore, the designated ESHA includes all Maritime Succulent Scrub and Diegan Coastal Sage Scrub within the County's Coastal Zone. The closest known occurrence of coastal cactus wren is located 0.5 mile west of the County's Coastal Zone (CDFW 2016a). Suitable habitat for least Bell's vireo includes riparian woodland and riparian scrub communities; therefore, the designated ESHA includes all Southern Riparian Scrub, Southern Willow Scrub, Southern Arroyo Willow Riparian Forest, and Southern Riparian Woodland within the County's Coastal Zone. The closest known

occurrence of least Bell's vireo is located approximately 1,000 feet south of the County's Coastal Zone within the San Dieguito River (USFWS 2015) (Figure 9). Suitable habitat for Belding's savannah sparrow includes grasslands with few trees, including meadows, grassy roadsides, and sedge wetlands. Near oceans, they also inhabit tidal saltmarshes and estuaries. Therefore the ESHA designated in this document includes all non-native Grassland, Coastal and Valley Freshwater Marsh, and Southern Coastal Salt Marsh within the County's Coastal Zone. The closest known occurrence of Belding's savannah sparrow is just outside of the western boundary of the County's Coastal Zone within the San Elijo Lagoon Ecological Reserve (Unitt 2004) (Figure 9).

It is noted that other vegetation communities within the County's Coastal Zone have the potential to support special-status species and therefore possibly qualify as an ESHA. Based on a desktop analysis of the resources listed in Section 3.1.1, 71 special-status wildlife species and 107 special-status plants have been historically recorded within the Encinitas, Del Mar and Rancho Santa Fe quadrangles, therefore may have some level of potential to occur within the County's Coastal Zone based on the presence of suitable habitat. Each species, along with their listing status and habitat requirements, are included in Appendix B. Focused surveys and detailed vegetation mapping are required on a project-by-project basis to determine the presence, absence or potential for a species, as well as their habitat to occur within the County's Coastal Zone.

3.1.4 Coastal Act Provisions

A chief objective of the Coastal Act is the preservation, protection, and enhancement of coastal resources, including land and marine habitats, and water quality. The rarest and most ecologically important habitats are to be protected from impacts related to development.

Section 30240 requires the protection of ESHA against any significant disruption of habitat values. No development, with the exception of uses dependent on the resources, is allowed within any ESHA. This policy further requires that development adjacent to ESHA be sited and designed to prevent impacts that would significantly degrade ESHA and to be compatible with the continuance of the habitat areas. Finally, development adjacent to parks and recreation areas must be sited and designed to prevent impacts. If the application of the ESHA policies would result in taking private property for public use, without the payment of just compensation, then a use that is not resource dependent may be permitted in accordance with the policies in this chapter of the LUP. The LUP policies below set forth the process and parameters for approval of such a use.

In addition to the protection of ESHA, streams and associated riparian habitat also are protected in order to maintain the biological productivity and quality of coastal waters. Section 30231 requires that natural vegetation buffer areas that protect riparian habitats be maintained and that the alteration of natural streams be minimized. Section 30236 limits channelizations, dams, or other substantial alterations of rivers and streams to only three purposes: necessary water supply; protection of existing structures where there is no feasible alternative; or improvement of fish and wildlife habitat. Such projects also must incorporate the best mitigation measures feasible.

Marine resources are protected to sustain the biological productivity of coastal waters and to maintain healthy populations of all species of marine organisms. Section 30230 requires that marine resources be maintained, enhanced and, where feasible, restored. Uses of the marine environment must provide for the biological productivity of coastal waters and maintain healthy populations of marine organisms. Section 30233 provides that the diking, filling, or dredging of open coastal waters, wetlands, or estuaries may only be permitted for a small number of allowable uses, where there is no less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects.

3.2 Coastal Act Policies

This section incorporates the principal Coastal Act policies relevant to environmentally sensitive habitats.

Section 30107.5

"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

Section 30121

"Wetland" means lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

Section 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30233

(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

- (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

- (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
 - (3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.
 - (4) Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
 - (5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.
 - (6) Restoration purposes.
 - (7) Nature study, aquaculture, or similar resource-dependent activities.
- (b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for these purposes to appropriate beaches or into suitable longshore current systems.
 - (c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the CDFW, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California," shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.

Section 30240

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

3.3 Land Use Plan Policies

This section provides land use policies related to the preservation of environmentally sensitive habitats. The LUP establishes policies calling for the protection of areas adjacent to ESHA through the provision of buffers. Native vegetation buffer areas must be provided around ESHA that are adequate to prevent impacts that would significantly degrade these areas. Development, including required fuel modification activities, shall not be permitted within required buffer areas. The LUP policies require that new development be sited and constructed to avoid impacts, including fuel modification, which could

significantly degrade ESHA. Graded and other disturbed areas in or adjacent to ESHA must be landscaped or revegetated with native, drought tolerant, salt-tolerant, non-invasive drought and fire resistant plants at the completion of grading. Fencing should be limited, in or adjacent to ESHA, and should be sited and designed to allow wildlife to pass through except where needed to mitigate fire risk.

The LUP policies require that new development minimize the removal of natural vegetation. The policies acknowledge that vegetation is sometimes required by the Fire Marshal to be removed, thinned or otherwise modified in order to minimize the risk of hazard for properties located in the Wildland Urban Interface (WUI). A memorandum of understanding (MOU) between the U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), California Department of Forestry, the San Diego Fire Chief's Association and the Fire District's Association of San Diego County establishes guidelines and a cooperative mechanism whereby the USFWS and the CDFW assess, minimize and help account for potential effects to sensitive species and habitats resulting from vegetation abatement activities necessary to reduce wildfire risk.

Policy 3.1

ESHAs are areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. ESHAs are shown on the LUP ESHA Maps. The ESHAs in the County's Coastal Zone are shown in Figure 11. Regardless of whether streams and watercourses are designated as ESHA, the policies and standards in the LCP applicable to ESHA shall apply.

Policy 3.2

Any area mapped as ESHA shall not be deprived of protection as ESHA, as required by the policies and provisions of the LCP, on the basis that habitat has been illegally removed, degraded, or species that are rare or especially valuable because of their nature or role in an ecosystem have been eliminated.

Policy 3.3

The diking, filling, or dredging of wetlands and watercourses (including but not limited to estuaries, streams, and rivers) may be permitted in accordance with all policies of the LCP, where there is no feasible less environmentally damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

- (a) Restoration purposes.
- (b) Nature study or similar resource dependent activities.
- (c) Incidental public service purposes.

Policy 3.4

If a Multi-Species Conservation Plan (MSCP) or other similar habitat plan is prepared in the future that includes lands within the County's Coastal Zone, it shall be submitted to the Coastal Commission for certification as an amendment to the LCP.

Policy 3.5

The LUP ESHA Maps shall be reviewed every ten years and updated to reflect current information, including information on rare, threatened, or endangered species. Areas subject to habitat restoration projects shall also be considered for designation as ESHA. Revisions to the map depicting ESHA shall be treated as LCP amendments and shall be subject to the approval of the CCC.

Policy 3.6

If a site-specific biological study contains substantial evidence that an area previously mapped as ESHA does not contain habitat that meets the definition of ESHA, the County Planning & Development Services Director shall review all available site-specific information to determine if the area in question should no longer be considered ESHA and not subject to the ESHA protection policies of the LUP. If the area is determined to be adjacent to ESHA, LUP ESHA buffer policies shall apply. The County Planning & Development Services Director shall provide recommendations to the County Board of Supervisors as to the ESHA status of the area in question. If the Board of Supervisors finds that an area previously mapped as ESHA does not meet the definition of ESHA, a modification shall be made to the LUP ESHA Maps, as part of an LCP map update and LCP Amendment. If an area is not ESHA or ESHA buffer, LCP policies and standards for protection of ESHA and ESHA buffer shall not apply and development may be allowed (consistent with other LCP requirements) after the ESHA map and LCP has been amended.

Policy 3.7

Development shall include an inventory conducted by a qualified biologist of the plant and animal species present on the project site. If the initial inventory indicates the presence or potential for sensitive species or habitat on the project site, a detailed biological study shall be required. Sensitive species are those listed in any of three categories: federally listed, state listed, and California Native Plant Society (CNPS) categories 1B and 2.

Policy 3.8

Any area not designated on the LUP ESHA Maps that meets the ESHA criteria is ESHA and shall be accorded all the protection provided for ESHA in the LCP. The following areas shall be considered ESHA, unless there is compelling site-specific evidence to the contrary:

- (a) Any habitat area that is rare or especially valuable from a local, regional, or statewide basis
- (b) Areas that contribute to the viability of plant or animal species designated as rare, threatened, or endangered under State or Federal law.
- (c) Areas that contribute to the viability of species designated as Fully Protected or Species of Special Concern under State law or regulations.

- (d) Areas that contribute to the viability of plant species for which there is compelling evidence of rarity, for example, those designated by the California Native Plant Society as 1B (Rare or endangered in California and elsewhere), or as 2B (rare, threatened or endangered in California but more common elsewhere).

Policy 3.9

ESHA shall be protected against significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

Policy 3.10

Wetlands shall be defined and delineated consistent with the definitions of the Coastal Act and the Coastal Commission Regulations, as applicable, and shall include, but not be limited to, lands within the coastal zone which may be covered periodically or permanently with shallow water and include freshwater, brackish and saltwater marshes, swamps, bogs, and fens shall be designated as wetland. Any unmapped areas that meet these criteria are wetlands and shall be accorded all of the protections provided for wetlands in the LCP.

Wetland shall be further defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands.

Policy 3.11

Applications for new development within, or adjacent to wetlands shall include evidence of the preliminary approval of the California Department of Fish and Wildlife, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and other resource management agencies, as applicable.

Policy 3.12

The biological productivity and the quality of wetlands shall be protected and, where feasible, restored.

Policy 3.13

Non-Motorized trails are considered resource dependent uses. Non-motorized trails located within or adjacent to ESHA shall be sited to minimize impacts to ESHA to the maximum extent feasible and in general should be located around the periphery of sensitive habitat areas. Measures, including but not limited to signage, placement of boardwalks, and limited fencing shall be implemented as necessary to protect ESHA.

Policy 3.14

If the application of the policies and standards contained in this LCP regarding use of property designated as ESHA or ESHA buffer, including the restriction of ESHA to only resource-dependent use, would likely constitute a taking of private property without just compensation, then a use that is not consistent with the ESHA provisions of the LCP shall be allowed on the property, provided such use is consistent with all other applicable policies of the LCP, the approved project is the alternative that would result in the fewest or least significant impacts, and it is the minimum amount of development necessary to avoid a taking of private property without just compensation. In such a case, the development shall demonstrate the extent of ESHA on the property and include mitigation, for unavoidable impacts to ESHA or ESHA buffers from the removal, conversion, or modification of natural habitat for new development, including required fuel modification and brush clearance. On-site mitigation will be prioritized over off-site mitigation. However, mitigation shall not substitute for implementation of a feasible project alternative that would avoid adverse impacts to ESHA.

Policy 3.15

New development shall be sited and designed to avoid impacts to ESHA. For development permitted pursuant to Policy 3.14, if there is no feasible alternative that can eliminate all impacts, then the alternative that would result in the fewest or least significant impacts shall be selected. Impacts to ESHA that cannot be avoided through the implementation of siting and design alternatives shall be fully mitigated, with priority given to on-site mitigation. Off-site mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on-site or where off-site mitigation is more protective. Mitigation shall not substitute for implementation of the project alternative that would avoid impacts to ESHA. Mitigation for impacts to ESHA shall be provided at a 3:1 ratio.

Policy 3.16

Mitigation measures for impacts to ESHA that cannot be avoided through the implementation of siting and design alternatives, including habitat restoration and/or enhancement shall be monitored for a period of no less than five, and no more than ten years following completion. Specific mitigation objectives and performance standards shall be designed to measure the success of the restoration and/or enhancement, and compared against an appropriate reference site, where feasible. Adaptive management techniques shall be implemented if necessary. Monitoring reports shall be provided to the County annually and at the conclusion of the monitoring period that document the success or failure of the mitigation. If performance standards are not met by the end of five years, the applicant may request that the monitoring period be extended until the standards are met. However, if at any time after five years the applicant concludes that performance standards cannot be met, or if ten years have elapsed and performance standards have still not been met, the applicant shall submit an amendment proposing alternative mitigation measures.

Policy 3.17

ESHA shall be protected and, where feasible, enhanced. Where pedestrian access through ESHA is permitted, well-defined footpaths or other means of directing use and minimizing adverse impacts shall be used. Nesting and roosting areas for sensitive birds such as coastal California gnatcatcher, least Bell's vireo, and Belding's savannah sparrow, shall be protected by means, which may include, but are not limited to, fencing, signage, or seasonal access restrictions.

Policy 3.18

Mosquito abatement within or adjacent to ESHA shall be limited to the implementation of the minimum measures necessary to protect human health, and shall minimize adverse impacts to ESHA.

Policy 3.19

Wildfire burn areas shall be allowed to revegetate naturally, except where re-seeding is necessary to minimize risks to public health or safety. Where necessary, reseeding shall utilize a mix of native plant seeds appropriate for the site and collected in a similar habitat within the same geographic region, where feasible. Wildfire burn areas that were previously subject to fuel modification or brush clearance for existing structures, pursuant to the requirements of the Fire Authority Having Jurisdiction, may be revegetated to pre-fire conditions using appropriate native propagules.

Policy 3.20

Interpretive signage may be placed in ESHA to provide information to the public about the value and need to protect sensitive natural resources.

Policy 3.21

Where the required initial site inventory indicates the presence or potential for wetland species or indicators, the County shall require the submittal of a detailed biological study of the site, with the addition of a delineation of all wetland areas on the project site. Wetland delineations shall be based on the definitions contained in Section 13577(b) of Title 14 of the California Code of Regulations.

Policy 3.22

Limit development in steep hillside areas to minimize potential impacts on native plant and animal species and protect native habitat.

Policy 3.23

Limit redevelopment and development in environmentally sensitive areas, such as upland slopes and watershed areas draining to watercourses and water bodies downstream to activities supporting the preservation of these watercourses and water bodies.

Policy 3.24

New development adjacent to parklands or conservation areas, where the purpose of the park is to protect the natural environment and ESHA, shall be sited and designed to minimize impacts to habitat and recreational opportunities, to the maximum extent feasible. Natural vegetation buffer areas shall be provided around parklands. Buffers shall be of a sufficient size to prevent impacts to parkland resources, but in no case shall they be less than 50 feet in width.

Policy 3.25

New development, including, but not limited to, vegetation removal, vegetation thinning, or planting of non-native or invasive vegetation shall not be permitted in ESHA, ESHA buffer areas, or park buffer areas, unless ordered by the Fire Authority, and in consultation with the Resource Agencies (CDFW, USFWS, and CCC). Habitat restoration and invasive plant eradication may be permitted within required buffer areas if designed to protect and enhance habitat values.

Policy 3.26

Required buffer areas shall extend from the outer edge of the tree or shrub canopy of ESHA.

Policy 3.27

Modifications to required development standards that are not related to ESHA protection (street setbacks, height limits, etc.) shall be permitted where necessary to avoid or minimize impacts to ESHA.

Policy 3.28

Protection of ESHA and public access shall take priority over other development standards and where there is any conflict between general development standards and ESHA and/or public access protection, the standards that are most protective of ESHA and public access shall have precedence, except where health and safety codes prevail.

Policy 3.29

Permitted development located within or adjacent to ESHA and/or parklands that can adversely impact those areas shall include open space or conservation restrictions or easements over ESHA, ESHA buffer, or parkland buffer in order to protect resources.

Policy 3.30

Channelization or other substantial alterations of streams shall be prohibited except for: (1) necessary water supply projects where no feasible alternative exists; (2) flood protection for existing development where there is no other feasible alternative, or (3) the improvement of fish and wildlife habitat. Any channelization or stream alteration permitted for one of these three purposes shall minimize impacts to

coastal resources, including the depletion of groundwater, and shall include maximum feasible mitigation measures to mitigate unavoidable impacts. Bioengineering alternatives shall be preferred for flood protection over "hard" solutions such as concrete or riprap channels. Limit channelization of Escondido Creek, unless necessary to protect existing development or for flood control. Ongoing maintenance and clearing as necessary to protect existing structures in the flood plain, and incorporating any necessary mitigation measures maintaining Escondido Creek in a manner that protects flood capacity while enhancing open space and habitat value over the long term.

Policy 3.31

Restrict and regulate development or land alteration draining into a coastal lagoon or wetland area to protect important water quality and biological resources.

Policy 3.32

Identification of wetland acreage through a wetland delineation report that identifies onsite wetlands consistent with the Coastal Act's wetland definition (CCR Section 13577b) shall precede any consideration of use or development on sites where wetlands are present or suspected. With the exception of development for the primary purpose of the improvement of wetland resource value, all public and private use and development proposals which would intrude into, reduce the area of, or reduce the resource value of wetlands shall be subject to alternatives and mitigation analyses, and shall be limited to those uses listed in Policy 3.35. Practicable project and site development alternatives which involve no wetland intrusion or impact shall be preferred over alternatives which involve intrusion or impact. Wetland mitigation, replacement or compensation shall not be used to offset impacts or intrusion avoidable through other practicable project or site development alternatives.

Policy 3.33

Where wetland fill or development impacts are permitted in wetlands in accordance with the Coastal Act and any applicable LCP policies, mitigation measures shall include, at a minimum, creation or substantial restoration of wetlands of the same type lost. Adverse impacts will be mitigated at a ratio of 4:1 for all types of wetland, and 3:1 for non-wetland riparian areas. Replacement of wetlands on-site or adjacent to the project site, within the same watershed, shall be given preference over replacement off-site or within a different watershed. Areas subjected to temporary wetland impacts shall be restored to the pre-project condition at a 1:1 ratio. Temporary impacts are disturbances that last less than 12 months and do not result in the physical disruption of the ground surface, death of significant vegetation within the development footprint, or negative alterations to wetland hydrology.

Policy 3.34

Provide a buffer of at least 100 feet in width from the upland edge of wetlands and at least 50-feet in width from the upland edge of riparian habitat. Where oak woodland occurs adjacent to the wetland, the wetland buffer shall include the entirety of the oak habitat (not to exceed 200 feet in width). Buffers

should take into account and adapt for rises in sea level. Under this policy, the CDFW, USFWS, and USACE must be consulted in such buffer determinations and in some cases, the required buffer could be greater than 100 feet. Uses and development within buffer areas shall be limited to minor passive recreational uses, with fencing, desiltation or erosion control facilities, or other improvements deemed necessary to protect the habitat, to be located in the upper (upland) half of the buffer area; however, water quality features required to support new development shall not be constructed in wetland buffers. All wetlands and buffers identified and resulting from development and use approval shall be permanently conserved or protected through the application of an open space easement or other suitable device. All development activities, such as grading, buildings and other improvements in, adjacent to, or draining directly to a wetland must be located and built so they do not contribute to increased sediment loading of the wetland, disturbance of its habitat values, or impairment of its functional capacity.

Policy 3.35

Development adjacent to ESHAs shall minimize impacts to habitat values or sensitive species to the maximum extent feasible. Native vegetation buffer areas shall be provided around ESHAs to serve as transitional habitat (not fuel modification zones) and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect. All buffers around (non-wetland) ESHA shall be a minimum of 100 feet in width. All wetland buffers shall be a minimum of 100-feet in width or a minimum of 50 feet in width around riparian areas. A smaller width may be approved by Planning & Development Services and the Fire Marshal in consultation with the CDFW, USFWS, and CCC when conditions of the site as demonstrated in a site specific biological survey, the nature of the proposed development, etc. show that a smaller buffer would provide adequate protection. In such cases, the CDFW must be consulted and agree that a reduced buffer is appropriate and the County, or Coastal Commission, must find that the development could not be feasibly constructed without a reduced buffer. However, in no case shall the buffer be less than 50 feet, excluding fuel modification zones. Fuel modification zones shall occur outside, not within ESHA buffers.

Policy 3.36

When fuel modification is necessary, new development shall be sited so that fuel management protects structures and avoids impacts to native vegetation and sensitive habitats. Fuel modification should occur as determined necessary by the Fire Authority Having Jurisdiction (FAHJ) and should preserve sensitive habitats and native vegetation to the maximum extent feasible.

Policy 3.37

Cut and fill slopes and other areas disturbed by construction activities (including areas disturbed by fuel modification or brush clearance) shall be landscaped or revegetated at the completion of grading. Landscape plans for development activities shall provide that:

- Plantings shall be native, non-invasive drought-tolerant and fire resistant plant species, and consistent with existing natural vegetation and natural habitats on the site, except as noted below.
- Invasive plant species that tend to supplant native species and natural habitats shall be prohibited.
- Non-invasive ornamental plants and lawn may be permitted in combination with native, drought-tolerant and fire resistant species within the irrigated zone(s) required for fuel modification nearest approved residential structures.
- Landscaping or revegetation shall provide 90 percent coverage within five years, or that percentage of ground cover demonstrated locally appropriate for a healthy stand of the particular native vegetation type chosen for restoration. Landscaping or revegetation that is located within any required fuel modification thinning zone shall provide 60 percent coverage within five years.
- Any landscaping or revegetation shall be monitored for a period of at least five, and no more years than ten years following the completion of planting. Performance criteria shall be designed to measure the success of the plantings. Adaptive management techniques shall be implemented if necessary. If performance standards are not met by the end of five years, the applicant may request that the monitoring period be extended up to an additional five years until the standards are met. However, if at any time after five years the applicant concludes that performance standards cannot be met, or if ten years have elapsed and performance standards have still not been met, the applicant shall submit an amendment proposing alternative mitigation measures.
- All landscaping must comply with state-mandated water restrictions.

Policy 3.38

New development shall be sited and designed to preserve oak, sycamore, alder, willow, toyon, or other native trees that are not otherwise protected as ESHA. Removal of native trees shall be prohibited except where no other feasible alternative exists. Structures, including roads or driveways, shall be sited to prevent any encroachment into the root zone and to provide an adequate buffer outside of the root zone of native trees, which can extend well beyond the tree canopy, of individual native trees in order to allow for future growth.

Policy 3.39

New development on sites containing native trees shall include a tree protection plan.

Policy 3.40

Where the removal of native trees cannot be avoided through the implementation of project alternatives or where development encroachments into the protected zone of native trees result in the loss or worsened health of the trees, mitigation measures shall include, at a minimum, the planting of replacement trees on-site with trees of comparable size, if suitable area exists on the project site, at a

ratio of 1:1 for every tree removed. Where onsite mitigation is not feasible, off-site mitigation shall be provided through planting replacement trees. The number of replacement trees allowed to be planted within a fire hazard severity zone shall be approved by the Fire Marshal. Proper spacing of tree trunks and canopies will be maintained in accordance with the Fire Code for trees in this zone. Any new or replacement tree planted in this zone shall be fire resistive and on the Planning and Fire Department approved planting list.

Policy 3.41

Impacts to ESHA will be prohibited except where no other feasible alternative exists. Where ESHA impacts are permitted in accordance with the Coastal Act and any applicable LCP policies, adverse impacts will be mitigated at the following ratios:

- 1:1 for native tree replacement (e.g. oaks, walnut, sycamore), for a tree of comparable size.
- 4:1 for wetlands
- 3:1 for riparian habitats
- 3:1 for other habitats that support state or federal rare, threatened, or endangered species, species of special concern or CNPS 1b or 2 listed plants
- 2:1 for coastal sage scrub not occupied by listed species.

Areas subjected to temporary upland habitat impacts shall be restored to the pre-project condition at a 1:1 ratio. Temporary impacts are disturbances that last less than 12 months, and do not result in the physical disruption of the ground surface, death of significant vegetation within the development footprint, or negative alterations to wetland hydrology.

Policy 3.42

For development in locations known, or determined by environmental review, to potentially have breeding or nesting sensitive or migratory bird species, or other sensitive amphibian, reptilian or mammalian species, two weeks prior to any scheduled development, a qualified biological monitor shall conduct a preconstruction survey of the site and within 600 feet of the project site. Sensitive bird species are those species designated “threatened” or “endangered” by state or federal agencies, California Species of Special Concern, California Fully Protected Species, raptors, and large wading birds. In addition, surveys must be conducted every two weeks for sensitive nesting birds during the breeding season. If nesting sensitive birds are detected at any time during the breeding season, the California Department of Fish and Wildlife shall be notified and an appropriate disturbance set-back will be determined and imposed until the young-of-the-year are no longer reliant upon the nest. The set-back or buffer shall be no less than 100 feet.

Policy 3.43

The County should coordinate with the CDFW and USFWS, NMFS, and other resource management agencies, as applicable, in the review of development applications in order to ensure that impacts to

ESHA and marine resources, including rare, threatened, or endangered species, are avoided and minimized.

Policy 3.44

The County shall encourage the removal of invasive species to restore natural drainage systems, habitats, and natural hydrologic regimes of watercourses.

Policy 3.45

The use of insecticides, herbicides, rodenticides or any toxic chemical substance which has the potential to significantly degrade ESHA, shall be prohibited within and adjacent to ESHAs, except where necessary to protect or enhance the habitat itself, such as eradication of invasive plant species, or habitat restoration or as required for fuel modification. Application of such chemical substances shall not take place during the winter season or when rain is predicted within a week of application, except when invasive pests are detected.

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4 Water Resources

4.1 Introduction

The County economy and quality of life is dependent on a safe and reliable water supply and sustainment of the County's natural environment. The northern portion of the County's Coastal Zone is part of the Carlsbad Watershed, and the southern portion is part of the San Dieguito River Watershed (Figure 12, Watersheds). Though the County's Coastal Zone does not contain any marine resources, Escondido Creek and La Orilla Creek traverse the County's Coastal Zone and feed into San Elijo Lagoon, while the San Dieguito River runs just south of the County's Coastal Zone. San Elijo Lagoon is a critical regional resource that provides freshwater and estuarine habitats for numerous plant and animal species. Urbanization in and around the Carlsbad and San Dieguito River watersheds present challenges to the water and habitat qualities of San Elijo Lagoon due to sediment loading from upstream sources and urban runoff. Total phosphorus, nitrogen, and fecal coliform are the main pollutants of concern for the San Dieguito River Watershed, and the same is true for the Carlsbad Watershed with the addition of total suspended solids. Management of upstream development and activities that contribute to urban runoff are of key concern for the ongoing restoration projects in San Elijo Lagoon, which are aimed at improving water and habitat qualities.

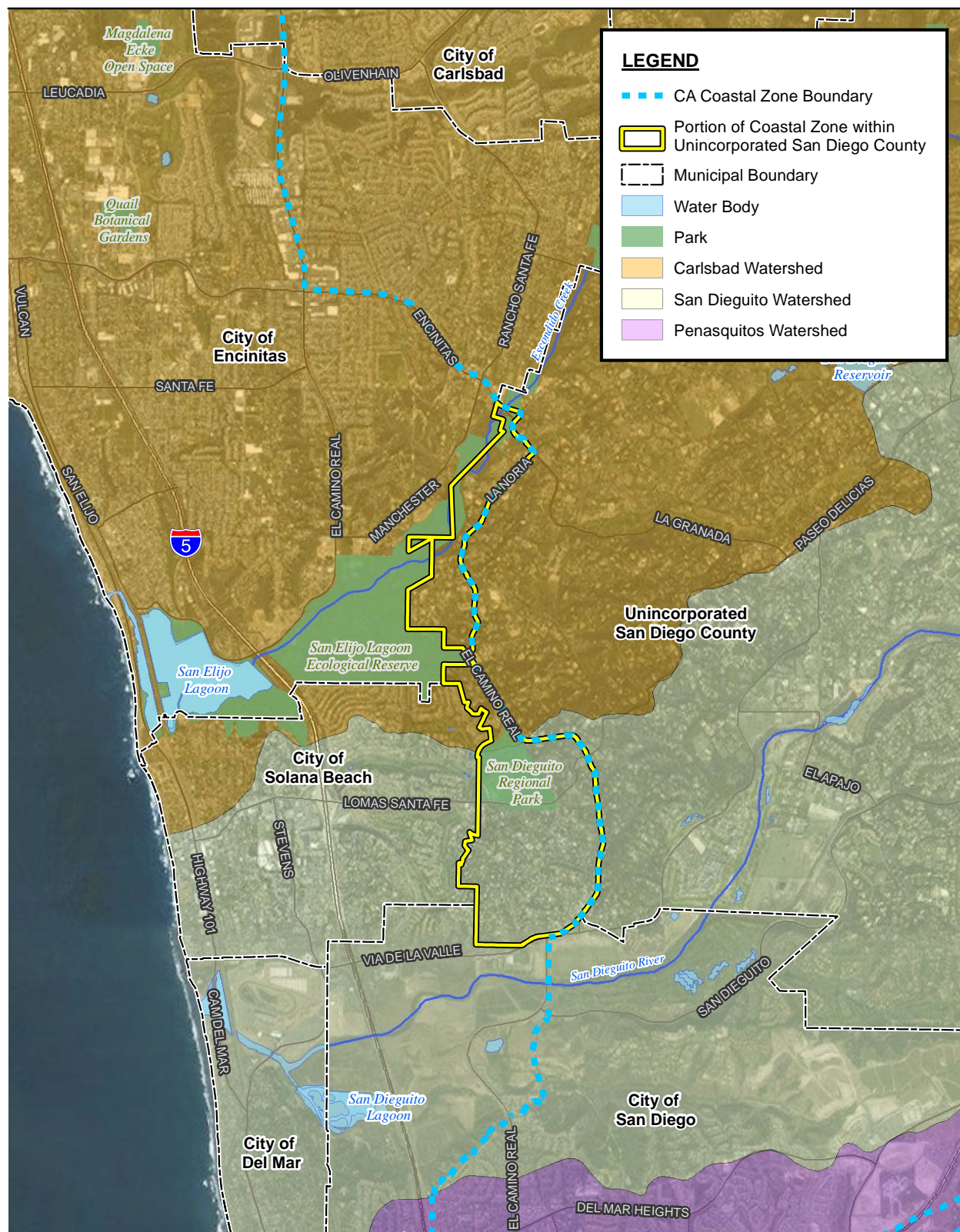
4.1.1 Coastal Wetlands

San Elijo Lagoon Ecological Reserve contains a large wetland habitat area and is adjacent to the northern portion of the County's Coastal Zone. San Elijo Lagoon is approximately 1,000 acres and includes the 590-acre San Elijo Ecological Reserve managed by the CDFW and the County Department of Parks and Recreation (DPR). San Elijo Lagoon has been recognized as a national and state resource due to the presence of valuable habitat that is of biological significance for resident and migratory waterbirds along the Pacific Flyway. Currently, most of the lagoon habitat in the eastern basin consists of brackish/freshwater marsh, non-tidal flats, and open water.

San Dieguito Lagoon is southwest of the County's Coastal Zone, and though the wetland may be affected by drainage from the upland habitat within the County's Coastal Zone, there are no direct riverine or creek connections between the County's Coastal Zone and San Dieguito Lagoon. Wetland policies for the County Coastal Zone are identified in Section 3.3, above.

4.1.2 Water Supply

The County's Coastal Zone is primarily within the Santa Fe Irrigation District. A few areas in the northern portion of the County's Coastal Zone, adjacent to San Elijo Lagoon, fall within the Olivenhain Municipal Water District. Water supply provided by the Santa Fe Irrigation District consists of local water from Lake Hodges and imported water purchased from the San Diego County Water Authority (SDCWA). Water supply provided by the Olivenhain Municipal Water District is fully sourced from the SDCWA. The SDCWA in turn purchases its water from the Metropolitan Water District of Southern California (MWD), which imports water from the Colorado River and the Sacramento-San Joaquin Bay-Delta.



Source: SanGIS 2016; NAIP 2014.

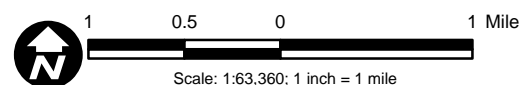


Figure 12
Watersheds

4.1.3 Non-point Source Pollution

The water quality of San Elijo Lagoon, and ultimately ocean water, are impacted by urban runoff from human activities within the County's Coastal Zone and surrounding communities. Water quality protection has long been a priority at all levels of government. California's Non-point Source Pollution Control Program (CA NPS Program) addresses federal requirements under both the Clean Water Act and the Coastal Zone Management Act (Section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990), by implementing California's Coastal Nonpoint Pollution Control Program on a statewide basis.

The lead State agencies responsible for implementing the CA NPS Program are the SWRCB and the San Diego Regional Water Quality Control Board (RWQCB) (designated as the lead water quality agency) and the California Coastal Commission (designated as the lead coastal zone management agency). The San Diego RWQCB adopted an amended Municipal Stormwater Permit (National Pollution Discharge Elimination System (NPDES) Permit Order No. R9-2013-0001 as amended by Order No. R9-2015-0001 and R9-2015-0100, also called the San Diego RWQCB MS4 permit) cover the co-permittees of San Diego, Orange, and Riverside Counties. Section 67.801 et seq. of the County's Watershed Protection Ordinance (WPO) provides the County with the legal authority to implement the SDRWQCB MS4 permit.

4.2 Coastal Act Policies

This section incorporates the principal Coastal Act policies relevant to water resources.

Section 30230

Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30233

- (a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible

less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

- (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.
 - (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
 - (3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.
 - (4) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
 - (5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.
 - (6) Restoration purposes.
 - (7) Nature study, aquaculture, or similar resource dependent activities. (c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.
- (b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for these purposes to appropriate beaches or into suitable longshore current systems.
- (c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.

Section 30236

Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

4.3 Land Use Policies

This section provides land use policies intended to protect water resources.

Policy 4.1

Development projects shall be required to avoid impacts to the water quality in local reservoirs, groundwater resources, recharge areas, watersheds, and other local water sources.

Policy 4.2

New or expanded uses in floodways shall be limited to agricultural, recreational, and other such low-intensity uses and those that do not result in any increase in flood levels or substantially interfere with flood flows during the occurrence of the base flood discharge, do not include habitable structures, and do not substantially harm, and fully offset any such harm, to the environmental values of the floodway area. This policy does not apply to minor renovation projects, improvements required to remedy an existing flooding problem, or public infrastructure when no feasible alternative exists.

Policy 4.3

The use of natural channels for County flood control facilities shall be required except where necessary to protect existing structures from a current flooding problem and where natural channel use is deemed infeasible. The alternative must achieve the same level of biological and other environmental protection, such as water quality, hydrology, and public safety.

Policy 4.4

Address runoff management early in the site design planning and alternatives analysis for all development, integrating existing site characteristics that affect runoff (such as topography, drainage patterns, vegetation, soil conditions, natural hydrologic features, and infiltration conditions) in the design of strategies that minimize post-development changes in the runoff flow regime, control pollutant sources, and, where necessary, remove pollutants.

Policy 4.5

Give precedence to a Low Impact Development (LID) approach to stormwater management in all development. LID integrates preventive Site Design strategies with small-scale, distributed Best Management Practices (BMPs) to replicate the site's pre-development hydrologic balance through

infiltration, evapotranspiration, harvesting for later on-site use, detention, or retention of stormwater close to the source.

Policy 4.6

Plan, site, and design development to protect and, where feasible, restore hydrologic features such as stream corridors, drainage swales, topographical depressions, groundwater recharge areas, floodplains, and wetlands.

Policy 4.7

Plan, site, and design development to preserve or enhance non-invasive vegetation to achieve water quality benefits such as transpiration, interception of rainfall, pollutant uptake, shading of waterways to maintain water temperature, and erosion control.

Policy 4.8

Plan, site, and design development to maintain or enhance on-site infiltration of runoff, where appropriate and feasible, to reduce runoff and recharge groundwater.

Policy 4.9

Plan, site, and design development to minimize the installation of impervious surfaces, especially impervious areas directly connected to the storm drain system, and, where feasible, increase the area of pervious surfaces in re-development, to reduce runoff.

Policy 4.10

Use Source Control BMPs, which can be structural features or operational actions, in all development to minimize the transport of pollutants in runoff from the development.

Policy 4.11

In areas in or adjacent to an Environmentally Sensitive Habitat Area (ESHA), plan, site, and design development to protect the ESHA from any significant disruption of habitat values resulting from the discharge of stormwater or dry weather runoff flows.

Policy 4.12

Avoid construction of new stormwater outfalls and direct stormwater to existing facilities with appropriate treatment and filtration, where feasible. Where new outfalls cannot be avoided, plan, site, and design outfalls to minimize adverse impacts to coastal resources from outfall discharges, including consolidation of existing and new outfalls where appropriate.

Policy 4.13

Implement appropriate protocols to manage BMPs (including ongoing operation, maintenance, inspection, and training) in all development, to protect coastal water resources for the life of the development.

Policy 4.14

Minimize water quality impacts during construction by minimizing erosion and sedimentation, minimizing the discharge of other pollutants resulting from construction activities, and minimizing land disturbance and soil compaction.

Policy 4.15

Development within the County's Coastal Zone shall consider and implement the following criteria, as applicable, in respect to watershed impacts:

- (a) Mitigate any unavoidable losses of wetlands, including its habitat functions and values;
- (b) Protect wetlands, including vernal pools, from a variety of discharges and activities, such as dredging or adding fill material, exposure to pollutants such as nutrients, hydromodification, land and vegetation clearing, and the introduction of invasive species;
- (c) Reduce the waste of potable water through use of efficient technologies and conservation efforts that minimize the County's dependence on imported water and conserve groundwater resources;
- (d) Implement efficient irrigation systems and the use of native plant species and non-invasive drought/tolerant/low water use plants in landscaping;
- (e) Maximize natural drainage patterns and retention/use of natural vegetation and pervious surfaces to maximize metered stormwater absorption, filtration, and/or infiltration. This provision shall not apply where documentation has been provided that demonstrates that infiltration practices will cause septic system failures, compromise structure foundations or result in moisture damage, and/or other problems;
- (f) Development with high potential to contaminate groundwater shall implement best management practices and measures to protect water supply sources;
- (g) The use of recycled water and gray water systems shall be promoted, where feasible. The use of recycled water shall be restricted in instances when it increases salt loading in reservoirs;
- (h) Development shall be required to provide necessary on- and off-site improvement to stormwater runoff and drainage facilities.

Policy 4.16

Source Control BMPs must be implemented for all development projects, where applicable and feasible. The Source Control BMPs may include, but is not limited to:

- (a) Prevention of illicit discharges into the stormwater conveyance system;
- (b) Stenciling and marking of all storm drains in accordance with the BMP Design Manual;
- (c) Protection of all outdoor material storage areas from rainfall, run-on, runoff; and wind dispersal;

- (d) Protection of materials stored in outdoor work areas from rainfall, run-on, runoff, and wind dispersal;
- (e) Protection of trash storage areas from rainfall, run-on, runoff, and wind dispersal;
- (f) Implementation of additional BMPs as the County determines necessary to minimize pollutant generation.

Policy 4.17

Minimize water quality impacts during construction by minimizing erosion and sedimentation, minimizing the discharge of other pollutants resulting from construction activities, and minimizing land disturbance and soil compaction. New development shall include construction phase erosion control and polluted runoff control plans. These plans shall specify BMPs that will be implemented to minimize erosion and sedimentation provide adequate sanitary and waste disposal facilities and prevent contamination of runoff by sediment, construction chemicals and materials.

Policy 4.18

At a minimum, the County shall apply regulations approved by the RWQCB intended to preserve the natural drainage and the hydrologic cycle. The County shall impose, in addition to the minimum requirements of the RWQCB, any conditions on development needed to minimize land disturbance, encourage infiltration and minimize the introduction of pollutants into coastal waters in accordance with the Coastal Act.

Policy 4.19

Development involving onsite wastewater discharges shall be consistent with the LCP as well as the rules and regulations of the San Diego RWQCB, including Waste Discharge Requirements, revised waivers and other regulations that apply.

Policy 4.20

All new development and redevelopment, public and private, shall meet or exceed the storm water standards of the County of San Diego through the WPO, RWQCB, and the State of California, with regard to storm water runoff and other polluted runoff.

Policy 4.21

New development and redevelopment shall not result in the degradation of the water quality of groundwater basins or coastal surface waters including the ocean, coastal streams, or wetlands. Urban runoff pollutants shall not be discharged or deposited such that they adversely impact groundwater, the ocean, coastal streams, or wetlands, and meet or exceed the current RWQCB Municipal Stormwater Permit.

Policy 4.22

At a minimum, all new development and redevelopment will implement the site characterization and proposed BMP effectiveness assessment per the County of San Diego BMP Design Manual.

Policy 4.23

At a minimum, all new development and redevelopment will implement Source Control BMPs per the County of San Diego BMP Design Manual.

Policy 4.24

The County shall pursue opportunities to actively participate in watershed level planning and management efforts directed towards reducing storm water and urban runoff impacts to water quality and related resources, including restoration efforts and regional mitigation, monitoring and public education programs. Such efforts will involve coordination with other local governments, applicable resource agencies and stakeholders in the surrounding areas. The County shall participate in the respective watershed groups as defined by the RWQCB to assist neighboring jurisdictions in developing and implementing the Watershed Urban Runoff Management Program (WURMP). The WURMP shall be amended from time to time as required by the RWQCB.

Policy 4.25

The County will support and participate in watershed based planning efforts with the adjacent cities of Encinitas, Solana Beach, and San Diego, and the RWQCB. Watershed planning efforts shall be facilitated by helping to:

- Pursue funding to support the development of watershed plans;
- Identify priority watersheds where there are known water quality problems or where development pressures are greatest;
- Assess land uses in the priority areas that degrade coastal water quality;
- Ensure full public participation in the plan's development.

Policy 4.26

In planning, siting, designing, constructing, and maintaining grounds, landscapes, and structures owned and managed by the County, site objectives should include management and maintenance practices that protect and enhance natural ecosystems. County grounds designers, planners, managers, crews, and their contractors should give priority to:

- (a) Practicing the principles of Integrated Pest Management including the reduced use of pesticides and rodenticides;
- (b) Selecting and using fertilizers that minimize negative impacts on soil organisms and aquatic environments;
- (c) Designing new and renovating existing landscaped areas to suit the site conditions, protect water quality, and support sustainable maintenance.
- (d) Using drought-tolerant native and non-invasive plant species.

(e) Incorporating low impact development design techniques.

Policy 4.27

When development requires a grading permit or local Storm Water Pollution Prevention Plan (SWPPP) landscaping and re-vegetation of graded or disturbed areas shall be required. Any landscaping that is required to control erosion shall use native or drought-tolerant noninvasive plants to minimize the need for fertilizer, pesticides, herbicides, and excessive irrigation. Where irrigation is necessary, efficient irrigation practices shall be required, such as drip irrigation. Landscaping maintenance and irrigation shall be designed and built to avoid or minimize dry weather runoff and shall utilize micro-spray and drip irrigation technology.

Policy 4.28

New development shall include post-development phase drainage and polluted runoff control plans. These plans shall specify site design, source control and treatment control BMPs that will be implemented to minimize post-construction polluted runoff, and shall include the monitoring and maintenance plans for these BMPs.

Policy 4.29

Development must be designed to avoid or minimize to the maximum extent feasible, the introduction of pollutants of concern into coastal waters. To meet the requirement to minimize “pollutants of concern,” new development shall incorporate a BMP or a combination of BMPs best suited to reduce pollutant loading to the maximum extent feasible.

Policy 4.30

Ensure that sewer trunk extensions, treatment plants, ocean outfalls, and development which may be served by these facilities, will not result in any adverse impact upon the environment.

Policy 4.31

Encourage optimum water and sewage reclamation, water conservation, recharging of underground waters, and the use of natural channels for transporting water.

Policy 4.32

Comply with setbacks and buffers from all watercourses to protect property, improve water quality, and enhance the aesthetic beauty of the riparian environment.

Policy 4.33

Natural conditions of drainage should be preserved and any changes to the natural contours shall be minimized and shall not cause damage to nearby properties.

Policy 4.34

All grading plans shall include preparation for an installation of landscaping and shall comply with the County's Landscape and Water Efficient Design Ordinance requirement to utilize drought tolerant landscaping.

Policy 4.35

Grading permits shall be issued at the same time as building permits to minimize erosion.

Policy 4.36

Requirements for all development projects:

- 1) Follow as applicable the approach and criteria described in the State Water Resources Control Board General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities at a minimum.
- 2) Submit a Standard Stormwater Quality Management Plan (SWQMP), with an application for a County permit or other County approval, identifying the measures that will be used for stormwater and non-stormwater management for the project.
- 3) General Requirements. BMPs shall be designed, constructed and maintained as follows:
 - (A) Onsite BMPs must be located so as to remove pollutants from runoff prior to its discharge to any receiving waters, and as close to the source as possible;
 - (B) Structural BMPs may not be constructed in receiving waters; and
 - (C) Onsite BMPs must be designed and implemented with measures to avoid the creation of nuisance or pollution associated with vectors (e.g., mosquitos, rodents, or flies).

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5 Agriculture

5.1 Introduction

The County's Coastal Zone is largely built out, and current agricultural uses are accessory to residential uses, e.g., orchards used for ornamental landscaping. Commercial agricultural activities as defined in County of San Diego Zoning Ordinance 1100 are not occurring within the County's Coastal Zone. Existing agricultural land uses within the County's Coastal Zone are not categorized as Prime Agricultural Land, as defined by Section 30113 of the Coastal Act (see Section 5.2, below). Therefore, policies related to Prime Agricultural Land are not incorporated in the LUP. However, the Coastal Act mandates that all other lands suitable for agricultural use shall not be converted to nonagricultural uses unless continued or renewed agricultural use is not feasible, or such conversion would preserve Prime Agricultural Land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

5.1.1 California Department of Conservation

According to the California Department of Conservation's Farmland Mapping and Monitoring Program, there is no Prime Farmland in the County's Coastal Zone, as mapped in 2012. Similarly, Farmland of Statewide Importance, defined by the California Department of Conservation as "similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture," is not located within the County's Coastal Zone. Non-prime farmland categories that do occur within the County's Coastal Zone include Unique Farmland and Farmland of Local Importance, as defined by the California Department of Conservation and shown in Figure 13, Agricultural Land. Unique Farmland is defined by the California Department of Conservation as "farmland of lesser quality soils used for the production of a state's leading agricultural crops." A small patch of Unique Farmland is located within the gated Stonebridge neighborhood in the northern portion of the County's Coastal Zone. This designation appears to consist of an orchard that may be used for ornamental landscaping. A narrow strip of Farmland of Local Importance is found in the middle of the County's Coastal Zone, just east of El Camino Real and appears to be an isolated narrow strip of land along the eastern edge of a gated residential property. This designation is not currently used for agricultural purposes.

5.1.2 County of San Diego Use Regulations

The County of San Diego Zoning Ordinance specifies uses permitted, lot size, density, height, building types, animal regulations, and other requirements. Use Regulations and associated acreage within the County's Coastal Zone that accommodate agricultural uses are identified in Table 3 below. The use types listed below make up the majority of the County's Coastal Zone acreage.