



## United States Department of the Interior

### U.S. FISH AND WILDLIFE SERVICE

Ecological Services  
Carlsbad Fish and Wildlife Office  
2177 Salk Avenue, Suite 250  
Carlsbad, California 92008



In Reply Refer To:  
2024-0090648-CEQA-DPEIR-SD

May 17, 2024  
*Sent Electronically*

Elena Pascual  
Senior Environmental Planner  
City Planning Department  
202 C Street  
San Diego, California 92101

**Subject:** Blueprint SD Initiative, Hillcrest Focused Plan Amendment to the Uptown Community Plan, and University Community Plan (Hillcrest FPA) and Local Coastal Program (University CPU)

Dear Elena Pascual:

The U.S. Fish and Wildlife Service (Service) has reviewed the above-referenced Blueprint SD Initiative (Blueprint), Hillcrest Focused Plan Amendment to the Uptown Community Plan (FPA), and University Community Plan Update (UCPU) and Local Coastal Program (LCP) and associated Draft Program Environmental Impact Report (DPEIR) dated March 14, 2024. We received an extension allowing us to provide comments up to May 17, 2024. The Service appreciates the City of San Diego's (City) flexibility and the additional time. Our comments and recommendations are based on our knowledge of sensitive and declining vegetation communities and species in San Diego, and the City's Multiple Species Conservation Program (MSCP) Subarea Plan (SAP) and Vernal Pool Habitat Conservation Plan (VPHCP).

The mission of the Service is working with others to conserve, protect, and enhance fish, wildlife, plants and their habitats for the continuing benefit of the American people. The Service also has legal responsibility for the welfare of migratory birds, anadromous fish, and threatened and endangered animals and plants occurring in the United States and is responsible for administering the Federal Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), including habitat conservation plans (HCP) developed under section 10(a)(1) of the Act. The City participates in the HCP program by implementing its approved SAP and VPHCP.

Blueprint is an update to the City's General Plan that provides a policy framework for land use decisions, balancing the needs of the City and providing a City-wide vision and comprehensive approach for development, public services, and maintenance and enhancement of San Diego's characteristic features. The strategy of the General Plan is based on a City of Villages concept that focuses growth into mixed-use, pedestrian-friendly districts linked by the planned regional transit system (City 2024a). The City's community plans are guided by the General Plan and provide policies and recommendations pertaining to community-specific development over a

20- to 30-year timeframe. Community plans provide more detailed land use designations and community-specific policies on topics including housing, mobility, open space and parks, public facilities, safety, noise, sustainability, environmental justice, urban design, and historic preservation (City 2024a).

Blueprint serves as an amendment to the General Plan and reflects the City's goals, policies, and plans for housing, mobility and transit, environmental protection, and climate change adaptation and sustainable growth. The Blueprint identifies land use, transportation, and related policies to support future development according to the revised land use framework designed around the 2050 transportation network in the San Diego Association of Government's (SANDAG) plan. The land use and policy amendments would build upon the climate goals outlined in the City's Climate Action Plan (CAP) and Climate Resilient SD Plan (City 2024a).

The FPA proposes an amendment to the Uptown Community Plan to re-designate approximately 380 acres of the Hillcrest and Medical Complex neighborhoods with increases to the planned residential density and non-residential development capacity. The FPA establishes an updated vision and objectives that align with the SANDAG Regional Plan and the City's General Plan policies, as proposed and amended by the Blueprint and the City of Villages Strategy, as well as adopted policies from the CAP, Parks Master Plan, and Climate Resilient SD. The FPA will update the land use plan and zoning for the FPA area, amend the existing Community Plan Implementation Overlay Zone (CPIOZ) - Type A - Building Heights within the Uptown Community Plan area, create three new CPIOZ areas (the Hillcrest District, the Hillcrest Historic District, and the Commercial Activity Area), and provide Supplemental Development Regulations (SDRs) for these CPIOZ areas (City 2024a).

The UCPU is a comprehensive update to the existing University Community Plan and Local Coastal Program. The UCPU revises the community plan consistent with the SANDAG Regional Plan, and the City's General Plan policies, as proposed and amended by the Blueprint and recently adopted policies from the CAP, Parks Master Plan, and Climate Resilient SD. The UCPU includes changes to the land use plan and zoning and identifies several guiding principles, plan goals and policies, and procedures for plan implementation (City 2024a).

As stated above, the City participates in the HCP program through its SAP and VPHCP, and the Service issued the City permits to "take" federally threatened and endangered wildlife species pursuant to section 10 of the Act based on the City's preparation and implementation of the SAP and VPHCP. Therefore, the Service recommends the direct incorporation of language from the SAP and VPHCP into Blueprint, the FPA, and UCPU to ensure compliance with these plans.

The Conservation Element of Blueprint, for example, identifies broad conservation goals such as "...protect, restore and enhance urban canyons and other important community open spaces...including those that have been designated in community plans..." (Section CE-B1c) and "protect, restore and preservation of wetland and upland areas on City managed lands, prioritizing areas with the greatest needs" (Section CE-B1g). However, conservation guidelines and priorities (Section 1.2), land use considerations (Section 1.4), and management goals, objectives, and priorities within a framework management plan for City managed MHPA lands

(Section 1.5) already have been developed in coordination with the Wildlife Agencies [Service and California Department of Fish and Wildlife (CDFW) respectively] and presented in the SAP and incorporated into the VPHCP. By utilizing the SAP and VPHVP as the framework/basis of all conservation strategy discussed in planning documents, the City reinforces its commitment to implementing these activities consistent with the SAP and implementing agreement (IA) and the VPHCP.

The relevance of the SAP and VPHCP as the guiding conservation documents for the City pertains, for example, to the current direction provided in the Blueprint Conservation Element to “Maximize the incorporation of trails and greenways linking local and regional open space and recreation areas into the planning and development review processes (CE-B5).” Section 1.5.2 of the SAP provides general management directives and priorities to address Public Access, Trails, and Recreation relative to the MHPA. Section 4.2.6 of the VPHVP also states that use of designated trails is considered a covered activity under the VPHCP, subject to conditions of the VPHCP and approved area-specific Natural Resource Management Plans (NRMPs). We recommend that Blueprint’s Conservation Element specifically reference or incorporate these general management directives, priorities, and conditions to ensure that any trails and greenways established under Blueprint are consistent with the SAP and VPHCP.

The SAP should be similarly highlighted as the established conservation strategy in the UCPU. Currently, the UCPU states that “The Community Plan provides guidance for the design of building, structures, public facilities, parks, open space, and streets. The chapters of this Community Plan contain goals that express a broad intent for future development or preservation” (City 2024b, page 11). Guidance to encourage public access to open space in the context of species and habitat conservation and management of resources has been provided in the SAP. Including general management directives and priorities from the SAP would facilitate a cohesive approach to conservation for the City rather than redefining goals through general or community plan updates. Public access and the importance of public enjoyment of open space is acknowledged throughout the SAP, particularly in Section 1.5. By incorporating language from the SAP into the UCPU, the City would ensure that its previous commitment to species and habitat conservation through its SAP will be consistently applied in its updated planning documents.

The Service is also concerned that graphics provided in Blueprint, UCPU, and the DPEIR prematurely depict alignments for anticipated recreational or mobility features without acknowledging or providing analysis of potential impacts to the MHPA. For example, the open space map in the Recreation Element of Blueprint (Figure RE-1), and figures throughout the Urban Design, Mobility, and Parks and Recreation sections of the UCPU include connections, paths, and trails that appear to border or cross the MHPA but provide no MHPA overlay. Figure 6 Urban Design Recommendations of the UCPU, for example, depicts enhanced multi-modal paths connected to linear parks and open space connections that appear to cross areas of designated open space, but also fails to show areas designated as MHPA (City 2024b, Page 50). Trails are also depicted in the UCPU (Figure 27, Page 129) and PEIR (Figures 3-15 and 3-26). These figures raise concerns as future users of Blueprint, UCPU, or the DPEIR would not be alerted to the potential constraints on recreational uses due to the necessary protection of sensitive biological resources associated with the SAP preserve.

Therefore, we recommend the addition of an MHPA overlay to all maps depicting recreational or mobility uses in or adjacent to open space as well as accompanying text to clearly indicate that the alignments are conceptual and that final alignments will be determined in compliance with General and Specific Management Directives in the SAP as approved by the Wildlife Agencies. Overall, we recommend that recreational or mobility uses in or adjacent to the MHPA be planned as part of the NRMPs envisioned by the SAP and VHHCP to help ensure the long-term biological integrity of the MHPA.

The Service is also concerned with the City's proposed procedure for processing subsequent development projects following the preparation of this PEIR. According to the DPEIR, all future CPUs consistent with the DPEIR, as well as future projects deemed consistent with the General Plan or the amended CPU, would be evaluated in the context of this PEIR (Sections 1.2 and 3.5.1.3). While we anticipate continuing to work in partnership with the City on the implementation of the SAP and VPHCP, review of CEQA documents frequently provides the Wildlife Agencies an opportunity to review and comment on proposed projects to ensure that they are implemented consistent with the MSCP, SAP and IA, and VPHCP. Section 9.8 D of the IA for the City's SAP envisions tiering off the "program" EIR/EIS prepared for the City's SAP pursuant to CEQA to determine if additional environmental review is required. Section 8.6.2 of the VPHCP also states that additional review and approval by the Wildlife Agencies will be required for projects that include Environmentally Sensitive Lands (ESL; San Diego Municipal Code §113.0103)/Wetland Deviation/biologically superior options; reviewing and commenting on CEQA documents will be a key means for the Wildlife Agencies to ensure/monitor compliance with the requirements of the VPHCP. Consistent with our permits, the City's SAP and IA, and VPHCP, the Wildlife Agencies review ESL/Wetland Deviation/biologically superior options and CEQA documents to ensure/monitor compliance with the requirements of the City's SAP or VPHCP. Therefore, to ensure consistency with the City's SAP and VPHCP, we recommend that following language be added to Blueprint, the FPA and UCPU:

"For future projects that have biological resources in or adjacent to the project site and the option of tiering from the programmatic documents (e.g., PEIR for General Plans, Community Plans, CPUs or other programs), the City will coordinate with the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife (i.e., Wildlife Agencies) during the environmental review and permitting process and prior to staff-level CEQA determinations. If the City determines that the appropriate environmental documentation does not require circulation for public review, the Wildlife Agencies will be provided an opportunity to review and confirm project consistency with the City's SAP or VPHCP."

Furthermore, Section 3.5.1.3 of the PEIR also indicates that this DPEIR will likely serve as the basis for future changes to the Land Development Code. The VPHCP and Section 9.12 of the IA state that any modifications to the City's *Biology Guidelines* for the *Environmentally Sensitive Lands Regulations*, the *Open Space Residential Zone (OR-1-2)* and the *CEQA* require approval of the Wildlife Agencies.

Therefore, we recommend that the City include a provision in Blueprint and the PEIR that requires all future changes to the Land Development Code to be consistent with the VPHCP and Section 9.12 of the IA.

Section 4.3.4 of the DPEIR states, “Although the Blueprint SD Initiatives’ policy and land use framework would apply Citywide, it is anticipated that potential impacts associated with implementation of the Blueprint SD Initiative are most likely to be concentrated within the Climate Smart Village Areas” (Page 4.3-53). If only Climate Smart Village Areas were analyzed for Blueprint, it is unclear if an analysis of Blueprint impacts to sensitive biological resources was completed and if that analysis included the FPA and UCPU project areas. It is also unclear how Blueprint can apply Citywide or how the City determined the significant impacts of the plan in the DPEIR if only Climate Smart Village Areas were analyzed.

Section 4.10.2.2.i of the DPEIR states that impacts to land identified as 100 percent baseline conservation in the VPHCP can be addressed through a Boundary Line Adjustments (BLA) consistent with the VPHCP. In 1997, the City Subarea Plan under the MSCP was approved by the Wildlife Agencies. In 2017, the Service approved the City’s VPHCP. Both plans designated areas as MHPA that would be established as biological preserves as developments were entitled, while also identifying areas of permanently conserved lands. Infrastructure such as roads and utilities are allowed uses in the MHPA consistent with established guidelines; however, permanently conserved lands (defined as Preserve<sup>1</sup> lands or Conserved<sup>2</sup> lands/100 percent conserved lands in the MSCP and VPHCP) are not anticipated or authorized to be impacted by development, including infrastructure. Therefore, this section should be amended to clarify that impacts to general/non-conserved MHPA can be addressed through a BLA but substantive impacts to 100 percent baseline conservation lands would require an amendment to the VPHCP.

Finally, the Service would like to clarify the procedure anticipated for the comprehensive community wide MHPA Boundary Line Correction (BLC) proposed as part of the University Community plan update. This is described in the Biological Technical Report for the UCPU (Busby 2024) and includes the proposed addition of 25.97 acres to the MHPA, and the exclusion of legally developed and required uses (i.e., structures, streets, brush management zone 1). We appreciate the proposed addition of 25.97 acres to the MHPA, but no acreages or maps were provided for the proposed exclusions. Because the Service has not had the opportunity to review supporting information or maps depicting the proposed exclusions anticipated with this comprehensive BLC, we request the UCPU clarify that these will be presented to the Wildlife Agencies at the time of future project permitting.

Additional specific comments on Blueprint, the FPA, UCPU and LCP and the PEIR are appended (see appendix). We appreciate the opportunity to comment on these documents. If you have any

---

<sup>1</sup> The Preserve is defined as “areas within the MHPA that have been conserved and existing baseline conservation areas” (VPHCP, p. xi).

<sup>2</sup> Conserved lands are defined as “Lands with 100 percent hardline conservation (no development is permitted)” (VPHCP, p. ix).

questions regarding this letter or to schedule a meeting to discuss the proposed project or our recommendations, please contact Anita Eng of the Service at 760-431-9440, extension 302.

Sincerely,

Jonathan D. Snyder  
Assistant Field Supervisor

Appendix

### LITERATURE CITED

- [Busby] Busby Biological Services, Inc. 2024. Biological Resources Report University Community Plan Update, City of San Diego, San Diego County, California. Prepared for City of San Diego City Planning Department. Prepared by Busby Biological Services, Inc. in coordination with RECON Environmental, Inc. January.
- [City] City of San Diego. 1997. Multiple Species Conservation Program, City of San Diego MSCP Subarea Plan. March.
- [City] City of San Diego. 2018. San Diego Municipal Code, Land Development Code, Biology Guidelines. Adopted September 28, 1999, Amended February 1, 2018 by Resolution No. [R-311507]
- [City] City of San Diego. 2019. Revised Final City of San Diego Vernal Pool Habitat Conservation Plan. October.
- [City] City of San Diego. 2024a. Draft Program Environmental Impact Report. Blueprint SD Initiative, Hillcrest Focused Plan Amendment to the Uptown Community Plan, and University Community Plan and Local Coastal Program Update. Planning Department. Draft Document: March 14, 2024.
- [City] City of San Diego. 2024b. University Community Plan and Local Coastal Program. Draft Plan. March.
- [City] City of San Diego. 2024c Draft General Plan Amendment. Conservation Element. March.
- [City] City of San Diego. 2024d. Draft General Plan Amendment. Recreation Element. March.

## APPENDIX

Specific comments on Blueprint, the FPA, UCPU and LCP and the PEIR:

### Comments on the University CPU:

1. Section 1 Introduction. We recommend that the UCPU include a summary description of the City's SAP and VPHCP along with the descriptions of the CAP, Parks Master Plan, and Climate Resilient SD.
2. Section 3.0 Urban Design. Pages 90, 92, and 94 depict potential connections and trails without corresponding analysis of biological resources in the UCPU BTR to confirm that these alignments comply with the SAP. Given that specific project-level information is not currently available, we recommend the addition of language from section 1.5.2 of the SAP to UCPU to guide design of future trail alignments. A mitigation measure also should be included in the PEIR to offset program impacts to open space and associated wildlife corridor and linkages. The measure should require that proposed trail and pathway connections in the vicinity of the MHPA must be designed consistent with Section 1.5.2 of the SAP and 4.2.6 of the VPHCP and developed in coordination with the Wildlife Agencies to ensure the consideration of only those alignments consistent with SAP and VPHCP implementation.
3. Figure 24 of the UCPU (Page 117) depicts 2-lane collector roads and 4-lane arterial roads approaching or adjacent to conserved lands. The UCPU BTR Figure 4 (Page 9) depicts Open Space areas to be included in the MHPA as 100 percent conserved lands. We recommend an additional figure with an MHPA overlay on the UCPU street network map as well as added language to clarify to future users of the plan that development that encroaches on MHPA is restricted and encroachment into 100 percent conserved lands is prohibited.
4. Section 5.0 Parks and Recreation (Page 121). Currently, the presentation of parks and open space in the UCPU could mislead users of the plan to view parks and open space interchangeably. In the Parks and Recreation section, for example, goal 4 recommends: "Improve overall park connectivity by linking population-based parks with resource-based parks and open space lands through a system of pedestrian paths, bikeways, and transit." We recommend revisions to the UCPU to incorporate language directly from Sections 1.5.2 and 4.2.6 of the SAP and VPHCP, respectively. Coordinating language between the UCPU and the established goals and objectives of the SAP and VPHCP would reinforce the City's responsibility to protection and management of open spaces in accordance with its permit under Section 10(a) of the Act while considering recreation priorities.
5. Section 6.0 Open Space and Conservation Element (Page 136) should include a summary of MSCP SAP and VPHCP objectives. The MSCP already addresses most issues presented in Goal No. 4 and 6.

Goal No. 6 should be revised to limit public access to portions of the MHPA until further project-level analysis can confirm that such access is compatible with specific areas in the MHPA in accordance with the SAP and VPHCP.

Goal No. 2 should be revised to include restoration of wetland resources and to specify that enhancement would not involve the installation of man-made structures in wetland resources.

6. Open Space Dedications (page 142). The dedication of 183.6 acres of City-owned properties as open space pursuant to Charter Section 55 was presented as an informational item to the Wildlife Agencies on Jan. 19, 2024. Following the MHPA boundary line correction and dedication, these properties would be MHPA – 100 percent Conserved. Please add this information to the description of Open Space Dedications in the UCPU.
7. Section 8.0 Implementation (page 177, Table 1 Subcategory B and F). Implementation of the MSCP SAP and VPHCP is the City’s responsibility in accordance with its permit and IA under section 10 of the Act and would not be considered a Community Plan policy that applies only to Trails, Overlooks, and Trailhead Pocket Parks. The UCPU should be revised accordingly.
8. Section 8.0 Implementation (Page 177, Table 1 Subcategory G). Compliance with the ESL Regulations, Biology Guidelines and MSCP SAP are required by the City’s Municipal Code. It is the City’s responsibility in accordance with its section 10 permit and IA to ensure project compliance with its ESL regulations. This compliance would not be considered a Community Plan policy.

#### **Comments on the DPEIR:**

9. Page 4.1-15 “The University CPU does not propose any development within its open space areas.” This statement is not consistent with potential connections and trail opportunities (page 94–95) and pocket parks (page 98–99) depicted within canyon open space areas. The DPEIR should be updated to correct this discrepancy and disclose the project impact on open space. We also recommend that the DPEIR include a mitigation measure to require that potential connections and trail opportunities be designed in accordance with the SAP and VPHCP. Proposed alignments in the vicinity of MHPA open space would require coordination with the Service (see comment 2).
10. On DPEIR page 4.3-48 please include the complete text taken from the Municipal Code to include the reference to the MSCP, MHPA, and SAP:

“It is further intended for the Development Regulations for Environmentally Sensitive Lands and accompanying Biology, Steep Hillside, and Coastal Bluffs, and Beaches Guidelines to serve as standards for the determination of impacts and mitigation under the California Environmental Quality Act and the California Coastal Act. These standards will also serve to implement the Multiple Species Conservation Program by placing priority on the preservation of biological resources within the

Multiple Habitat Planning Area, as identified in the City of San Diego Subarea Plan. The habitat-based level of protection which will result through implementation of the Multiple habitat Planning Area is intended to meet the mitigation obligations of the Covered Species addressed.”

11. Section 4.3.4 Impact Analysis states, “Although the Blueprint SD Initiatives’ policy and land use framework would apply Citywide, it is anticipated that potential impacts associated with implementation of the Blueprint SD Initiative are most likely to be concentrated within the Climate Smart Village Areas” (Page 4.3-53). The Impact Analysis further states that (Page 4.3-53):

“Sensitive plant species habitat in the City is typically concentrated in areas designated as Open Space that may be located within the MHPA. Although development per the Blueprint SD Initiative, Hillcrest FPA, and University CPU is anticipated to occur within urban areas that are already developed with commercial, industrial, residential, or employment uses where there is a low potential to support extensive sensitive plant species habitat, the details of future site-specific projects are unknown at this time, and it is possible that some project areas may support sensitive plant species habitat.”

In Blueprint, a program-level analysis of Project impacts to sensitive biological resources was completed only for Climate Smart Village Areas. Program-level impacts on the sensitive biological resources on the rest of the City are not adequately analyzed in the PEIR because the presence and nature of the biological resources must be established before a determination of significance of an impact can be made (City 2018, page 71).

The DPEIR recognizes that sensitive plants and wildlife are likely to occur within the Open Spaces of Blueprint, Hillcrest FPA, and UCPU (City 2024a, pages 4.3-53, 54, 56; City 2024b, pages 139 and 140). We recommend that the program-level of analysis in the DPEIR include baseline biological conditions for all undeveloped land included within the boundaries of Blueprint, not only within the Climate Smart Village Areas. The literature used to inform the impact analysis should include current species data for undeveloped lands (including MHPA and all open space) in order to develop a program-level mitigation framework for the sensitive biological resources existing within the plan area. Mitigation for species identified in Table 4.3-2 and 4.3-3 of the DPEIR should be provided to guide the development of future project specific mitigation that would include, but not be limited to, mitigation identified at the program level. Alternatively, the PEIR should specify that the policy and land use framework described in Blueprint applies only to the Climate Smart Village Areas and future tiering would be limited to projects located in those areas.

12. Though future regulatory compliance is anticipated at the project level, specific measures are necessary to address the anticipated program impacts from the implementation of Blueprint, FPA, and UCPU. To offset program-level significant impacts to sensitive species and their habitats, we recommend the addition of a

mitigation measure to the PEIR to facilitate future project avoidance of the MHPA, requiring that that project design will be consistent with the SAP and VPHCP.

We also recommend that the Blueprint PEIR include, in Table ES-1 and in Chapter 4.0, the following language from the SAP and Biology Guidelines to recognize the restrictions on development in the MHPA: “Within the MHPA, development is limited (SAP page 1). Development impacts on private lands within the remainder of the MHPA will be restricted to no more than 25 percent of the parcel (75 percent preservation). Development within the MHPA will be directed to areas of lower quality habitat and/or areas considered less important to the long-term viability of the MHPA. Documented populations of covered species within the City’s portion of the MHPA will be protected to the extent feasible (SAP page 43).” We also recommend the following language from the Biology Guidelines, “The City’s permit to ‘take’ Covered Species under the MSCP is based on the concept that 90 percent of lands within the MHPA will be preserved. Any encroachment into the MHPA (in excess of the allowable encroachment by a project) would be considered significant and require a boundary line adjustment which would include a habitat equivalency assessment to ensure that what will be added to the MHPA is at least equivalent to what would be removed (Biology Guidelines page 73).” The PEIR should also clarify that Boundary Line Adjustments and Boundary Line Corrections must be reviewed and approved by the Wildlife Agencies.

13. Table ES-1 Summary of Impacts, Section 4.3 Biological Resources Issue 3 states that “Although wetlands in the project areas are concentrated in the MHPA, including canyons, and creeks, since site-specific future development is unknown at this time, there is a potential that wetlands could be affected. Implementation of the City’s ESL Regulations, Biology Guidelines, MSCP SAP, and VPHCP would ensure impact to wetlands would be avoided to the extent feasible and a wetland buffer provided around all wetlands as appropriate to protect the functions and values of the wetland (City 2018).”

We recommend the addition of the following direction from the City’s Biology Guidelines to Table ES-1 and the corresponding impact analysis in Section 4.0 of the DPEIR: “Under the ESL, impacts to wetlands should be avoided. Unavoidable impacts should be minimized to the maximum extent practicable. Whether or not an impact is unavoidable will be determined on a case-by-case basis. Examples of unavoidable impacts include those necessary to allow reasonable use of a parcel entirely constrained by wetlands, roads where the only access to the developable portion of the site results in impacts to wetlands, and essential public facilities (essential roads, sewer, water lines, etc.) where no feasible alternative exists. Unavoidable impacts will need to be mitigated in accordance with Section III.B.1.a of these Guidelines (Biology Guidelines pages 11–12).”

Furthermore, the PEIR concludes project impacts to wetlands are significant after mitigation, but mitigation measures to facilitate avoidance and minimization of wetland impacts from the program have not been provided. Future review in accordance with

the City's ESL Regulations does not directly offset the impact of the project analyzed by the PEIR. To offset program level impacts, we recommend that the DPEIR include a mitigation measure that requires compliance with the Biology Guidelines and its directive to avoid impacts to wetlands.

14. The DPEIR states, "As no specific projects have been identified, it cannot be guaranteed that every future project would be able to demonstrate no net loss of wetland habitat. Therefore, at a program level of review, impacts would be significant." (Page 4.3-59). This conflicts with the City's policy of no-net-loss of wetlands (City 2018, page 37) and Section 9.8 of the IA that requires compliance with the federal policy of "no net loss" of wetland functions and values. We agree that net loss of wetlands would constitute a significant impact but recommend that the DPEIR include the goal of no-net-loss of wetlands in its mitigation measures (see Comment 13).
15. Table ES-1 Summary of Impacts, under Section 4.3 Biological Resources Issue 4 states that, "Regional and local wildlife corridors are not located within the project areas due to their location within open space and MHPA lands. Open Space land use designation would not be changed by the proposed plans." While open space designations are not changed by the proposed plans, Blueprint represents the MHPA as a recreational asset in the Recreation Element without acknowledging its importance as a preserve area and the associated limitations on the extent and intensity of recreation that is appropriate in these areas. The MHPA is included in the list of lands considered General Plan - designated open space and parks and followed by a discussion of various recreation priorities such as equitable access to a diversity of recreation facilities and programs; partnerships in planning and design of park and recreation facilities; identification of recreation needs; and preservation of existing park uses (City 2024d, page RE-19).

The Conservation Element similarly adds undefined "recreational opportunities" to CE-B1c, a policy that previously focused on the protection, restoration, and enhancement of urban canyons and other community open spaces for their many local and regional benefits as part of a Citywide open space system (City 2024c, page CE-18). Such revisions to the language in these Elements of the General Plan cause concern, particularly given that these documents were updated for consistency with the MSCP SAP and VPHCP at the time of the City's Federal permit issuance. In order to ensure continued consistency with these permits, the SAP and VPHCP should guide the proposed recreational uses of MHPA within the City. We request that where MHPA is referenced in Blueprint, FPA, and UCPU, language taken directly from the IA, SAP, and VPHCP be included or referenced to provide consistent guidance on appropriate recreational uses in the preserve.

16. The analysis of Issue 4 on page 4.3-59 states "The University CPU identifies potential new trails in the Open Space area next to Marcy Neighborhood Park; however, implementation of these trails is not proposed at this time." While no specific trail project has been identified at this time, the inclusion of multiple conceptual trails throughout open space areas within City limits through Blueprint, Hillcrest FPA,

and UCPU introduce the possibility of recreational uses that have not been analyzed. We recommend the addition of mitigation in the PEIR for program-level impacts to open space and associated wildlife use. The measure should require design of trails in accordance with Section 1.5.2 of the SAP and Section 4.2.6 of the VPHCP.