

San Dieguito River Park
Joint Powers Authority
18372 Sycamore Creek Road
Escondido, CA 92025
(858) 674-2270 Fax (858) 674-2280
www.sdrp.org

**JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

Chair Dave Grosch
Poway City Council

Vice-Chair Kristin Gaspar
Supervisor, County of San Diego

Dwight Worden
Del Mar City Council

Olga Diaz
Escondido City Council

Barbara Bry
San Diego City Council

Mark Kersey
San Diego City Council

Dianne Jacob
Supervisor, County of San Diego

Judy Hegenauer
Solana Beach City Council

Jeff Barnouw
Citizens Advisory Committee

Dustin Fuller, Ex Officio
22nd District Agricultural Association

Kevin McKernan
Executive Director

**SAN DIEGUITO RIVER PARK
JOINT POWERS AUTHORITY
11:00 a.m. – 12:30 p.m.
Friday, May 19, 2017
County Administration Center
1600 Pacific Highway, Room 302/303
San Diego**

Speaker slips will be available. Please fill out a slip and give it to the Chair prior to the meeting if you wish to speak to an item on the agenda. The Board may take action on any item listed on the Consent or Action Agenda.

Introductions and Announcements

Roll Call

Approval of the Minutes of March 17, 2017 (Page 3)

Executive Director's Report

Public Comment

This portion of the agenda provides an opportunity for members of the public to address the Board on items of interest within the jurisdiction of the Board and not appearing on today's agenda. Comments relating to items on today's agenda are to be taken at the time the item is heard. Pursuant to the Brown Act, no action shall be taken by the Board on public comment items.

DISCUSSION/ACTION

1. Approve DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES for Potential FEMA/CAL OES Financial Assistance Related to River Park Storm Damage (Page 8)
2. Review Staff Letter to California Coastal Commission Regarding Support For the County of San Diego's LCP/LUP (Page 10)

INFORMATION

3. Project Status Updates

- a. Founders Tribute
- b. Pamo Valley Trail
- c. W19

4. Coordination Reports (oral)

- a. San Dieguito River Valley Conservancy
- b. Friends of the San Dieguito River Valley
- c. Volcan Mountain Preserve Foundation
- d. San Dieguito Lagoon Committee

5. Jurisdictional Status Reports

An opportunity for the Board members to report on actions taken within their jurisdictions to further the park planning process.

6. Communications

7. Adjourn to Closed Session

- a. Closed session pursuant to California Government Code Sec. 54956.8 to confer with Real Property Negotiators regarding potential terms for acquisition of property: Property Location – 0 Blum Rd. Poway, CA; Agency Negotiators – Kevin McKernan and D. Wayne Brechtel; Property Owner Negotiator – Blum.

THE NEXT REGULAR JPA MEETING WILL BE June 16, 2017

If you have any questions, please call Kevin McKernan at (858) 674-2270 Ext. 15

****Due to the high cost of printing and mailing the JPA and CAC agendas, the JPA has converted to an email distribution of both agendas. Please advise the office at 858 674-2270 if you do not have an e-mail address and want other arrangements to be made. The agenda and minutes are available at no cost on the San Dieguito River Park web site at www.sdrp.org

**SAN DIEGUITO RIVER PARK
JOINT POWERS AUTHORITY
Minutes of March 17, 2017**

MEMBERS PRESENT

Dave Grosch - Chair
Kristin Gaspar – Vice Chair
Dwight Worden
Mark Kersey
Dianne Jacob
Judy Hegenauer
Jeff Barnouw
Dustin Fuller

REPRESENTING

City of Poway
County of San Diego
City of Del Mar
City of San Diego
County of San Diego
City of Solana Beach
Citizens Advisory Committee
22 District Agricultural Association

MEMBERS ABSENT

Olga Diaz
Barbara Bry

REPRESENTING

City of Escondido
City of San Diego

VISITORS/STAFF PRESENT

Wayne Brechtel
Kevin McKernan
Shawna Anderson
Brenda Miller
Jacob Gibbs
Jason Lopez
Bill Michalsky
Jacqueline Winterer
John Barone
Deborah Mosley
Adam Wilson
Trish Boaz

JPA Counsel
San Dieguito River Park JPA
San Dieguito River Park JPA
San Dieguito River Park JPA
San Dieguito River Park JPA
San Dieguito River Park JPA
Sierra Club
Friends of San Dieguito River Valley
City of San Diego
County of San Diego
Supervisor Jacob Staff
San Dieguito River Valley Conservancy

Introduction and Announcements

Chair Grosch convened the meeting at 11:03 a.m. at the County Administration Building, 1600 Pacific Highway, Room 302/303, San Diego, CA 92101

Approval of Minutes of January 20, 2017

Boardmember Barnouw made a motion to approve the minutes of January 20, 2017 with the correction on page 5 of the minutes, agenda item 7: Project Status Update, SANDAG W19 Wetland Restoration Project, line 5 will be restated to read: “The draft EIR will go for public review and the JPA staff will bring the draft EIR to the JPA board for certification.” Boardmember Worden seconded the motion. All in favor.

Yes votes: Grosch, Jacob, Barnouw, Worden, Hegenauer

Absent: Gaspar, Bry, Diaz, Kersey

Executive Director's Report

Executive Director McKernan presented a Powerpoint that covered the following items: JPA Time Spent in Jurisdiction 2nd quarter summary Oct – Dec 2016, park users survey by city/area of residence, and the 2017 winter storm damage noting that 4 inches of rain fell in the San Pasqual Valley within a 24-hour time frame on February 27, 2017, on top of already saturated conditions. Director McKernan showed pictures of damage to Piedras Pintadas and Dust Devil Nature Trails, the Coast to Crest Trail sections at Crosby and Santa Fe Valley, damage to the Birdwing and Horsepark trail segment. Director McKernan also explained the Sikes Saturday Series, funded by a \$7,000 Community Enhancement Program grant recommended by former Supervisor Dave Roberts. The series is held for 10 consecutive Saturdays, featuring two programs per day, 10 am and 1 pm. The series has had hundreds of participants and a closing party is planned for April 29 for all attendees. Kudos to Leana, David, Constance, and the Friends of Sikes Adobe for a job done well. The annual Volunteer Appreciation Party will be held Saturday, May 13, 2017 at the Surf Cup Sports Park. Executive Director McKernan introduced Ranger Jacob Gibbs. Jake stated that he has been with the San Dieguito River Park JPA since 2007 and was hired for wildfire recovery. Jake has been pleased to see the River Park transform from a burned bare landscape to a flourishing river park with much bio diversity.

Boardmember Kersey arrived at the meeting at 11:08 am. Vice-Chair Gaspar arrived at 11:12 am.

Public Comment- no public comment

ACTION AGENDA

1. Approve FY 17/18 Budget

Recommend Board motion to approve the FY 17/18 budget.

Executive Director McKernan reported that the budget will remain flat in many areas with increases in the areas of health benefits, insurance, and audit services. A slight member agency increase is proposed. Boardmember Worden stated that the Budget Sub -Committee met to discuss the budget in detail and did not see anything of concern. Vice-Chair Gaspar stated that she did concur with Boardmember Worden's comments adding that she is confident that the short term goals are being met, making sure this budget is sustainable into the future. Vice-Chair Gaspar also stated that she articulated to the Budget Sub-Committee her preference for smaller increases over time rather than large jumps in budget items. Boardmember Worden asked the board to review the graph titled Comparison of JPA Member Agency Assessments and Grants obtained through CY 2016 on page 21 of the agenda.

Vice-Chair Gaspar made the motion to approve the proposed FY 17/18 budget. Boardmember Worden seconded the motion.

Yes votes: Grosch, Gaspar, Jacob, Barnouw, Worden, Kersey, Hegenauer

Absent: Diaz, Bry

2. Approve withdrawal of funds from SDRP Trail Fund held at Rancho Santa Fe Foundation for Coast To Crest Trail storm repairs
Recommend Board motion to authorize the Executive Director to request a withdrawal of \$35,000 From the San Dieguito River Park Trail Fund held by the Rancho Santa Fe Foundation in order to Fund Coast to Crest Trail repairs.

Executive Director McKernan reported that the San Dieguito River Park Trail Fund was established at The Rancho Santa Fe Foundation in 2003 for the purpose of repairing the section of trail built by the Crosby at Rancho Santa Fe development. The fund has not been used to date. As the earlier Powerpoint Presentation showed, there is much damage to the Coast to Crest Trail in this area and the Director is asking for authorization to withdraw from the account the amount of \$35,000 to purchase equipment and materials to repair the trail. The amount remaining in the fund will be the original amount invested of \$30,000.

Vice-Chair Gaspar moved to approve the motion. Boardmember Worden seconded the motion.

Yes votes: Grosch, Gaspar, Jacob, Barnouw, Worden, Kersey, Hegenauer
Absent: Diaz, Bry

3. Approve Vehicle Replacement and Heavy Equipment Purchases
Recommend board motion to authorize the Executive Director to solicit bids and execute purchase orders for a new vehicle up to \$40,000 and a sub-compact tractor or other similar piece of heavy equipment up to \$37,000.

Executive Director McKernan reported that the JPA sets aside a reserve each year from the Operating Budget and from the Coast Budget for replacement of vehicles and equipment. At this time staff is requesting approval to use some of the funds available in the Reserve Fund to replace one vehicle and one tractor or another piece of heavy equipment. Boardmember Jacob asked staff to solicit bids for a new truck and sub-compact tractor to get the best deal possible. Boardmember Jacob suggested looking into Mahindra and Kubota brands available through Mason's in El Cajon. Boardmember Kersey asked if we have looked into leasing equipment versus purchasing. Boardmember Jacob asked that the results of the bids be brought back to the board, to inform the board of the decisions made.

Boardmember Worden made the motion to approve the staff recommendation. Chair Grosch seconded the motion.

Yes votes: Grosch, Gaspar, Jacob, Barnouw, Worden, Kersey, Hegenauer
Absent: Diaz, Bry

INFORMATION

4. Project Status Updates

a. Founders Tribute

Principal Planner Shawna Anderson reported that a Request for Qualifications for artists was sent out. Eight proposals were received. The Founders Tribute Committee met, looked at all of the proposals, and selected the team of Calderon & Delgado. Calderon & Delgado works with native stone and glazed silkscreen onto glazed tile as their preferred mediums. The Founders Tribute Committee will meet with the artists on site at the end of March. The artists will work with the Founders Tribute Committee and the Interpretation Committee to develop a concept. The selected design will be brought to the CAC and the JPA board in July. The installation will take place in November or December 2017. The location is at the Lagoon, next to the Coast to Crest Trail, close to the side trail that goes to the Birdwing. No approval is needed from the City of San Diego. The concept is a stone, low profile structure.

5. Coordination Reports

a. San Dieguito River Valley Conservancy- Trish Boaz reported that the Conservancy has three new board members: Keith Colestock, Slater Buck, and Bob Sheppard. Chris Khoury, Greg Roberson, Bonnie Hepburn, and Carol Angus will be leaving the board this year. The SDRVC board authorized Director Boaz to apply for a \$15,000 grant from REI to fund surveys needed to move forward on phase 3 of the River Path Del Mar project. The Conservancy will raise funds for the remaining cost of \$15,000. The Wax and Wine event will be held, Sunday, March 26, 1 pm-4 pm, at Knorr Candle Shop. Director McKernan added congratulations to Brad Bartlett, new Conservancy President. Other Conservancy officers are: Vice President Nate Northup, Secretary Kate Sheehan, and Treasurer Peter DeFrancesca.

b. Friends of the San Dieguito River Valley – Jacqueline Winterer reported that on Monday the Project Review Committee will be looking at the Santa Ysabel Visitor Center project.

c. Volcan Mountain Preserve Foundation – no report

d. San Dieguito Lagoon Committee – no report

6. Jurisdictional Status Reports

Boardmember Fuller reported that the 22 District Agricultural Association board of directors asked their staff to seek a permanent amendment to the existing permit to allow for repair of the entire length of the Horsepark section of trail. Phase two of the Wetland Restoration Project is going well with mid June as the anticipated completion date. No date has been set for the ribbon cutting. Regarding the Master Plan EIR, a lawsuit was previously brought against the 22nd DAA by the Sierra Club, noting that the board action is to exclude a hotel from the master plan. Boardmember Worden reported that the Coast to Crest Trail alignment to the ocean is on the City of Del Mar task list. Boardmember Barnouw reported that the Interpretation Committee of the Citizens Advisory

Committee had their second meeting and nominated Liz Gabrych as the chair. Boardmember Jacob reported that the Santa Ysabel Nature Center is fully funded at \$7.24 million. An advisory committee was formed two years ago. The location is 87 acres across the street and north of the Julian Pie Company. The CEQA document is being developed and should be finished in January. A request for bid was sent out with 5 firms responding. The top 3 firms will then submit full proposals to build the Nature Center. The groundbreaking is planned for spring of 2018 and an opening of the Nature Center is planned for fall of 2019. The location is significant because it is where the San Dieguito and San Diego Rivers begin, a gateway to Volcan Mountain, and a showcase for the Santa Ysabel Preserve. It will be the first Nature Center in East County. The property was a gift and is a tremendous opportunity. Chair Grosch reported that after the storm on February 27, Blue Sky Preserve was closed for repairs, the City of Poway lost many trees, Poway Lake was closed to fix trails and as a precaution in the event of flooding.

7. Communications

Executive Director McKernan reported that the draft EIR is out for public review and the document will be brought to the board for certification. Director McKernan thanked Deborah Mosley and Brian Albright with the County of San Diego and Niki McGinnis and John Barone with the City of San Diego for their help to secure the permits for the Pamo Valley Trail project. He also thanked Shawna Anderson for all her help leading this project.

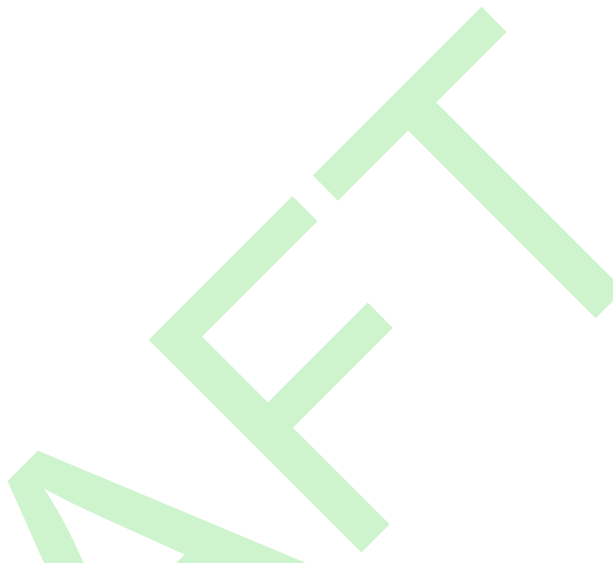
The next meeting will be April 21.

Chair Grosch adjourned the meeting at 11:45 a.m.

These minutes approved by Board Action

Date

Executive Director



DATE: May 19, 2017
TO: JPA Board of Directors
FROM: Staff
SUBJECT: Approve *DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES*

BACKGROUND:

The JPA has applied, as a first step for potentially receiving federal and state disaster assistance funding for the repair of trails and other park property damaged in the winter storms of 2017. The California Office of Emergency Services requires that agencies eligible for funding complete a *DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES* (attached) confirming that they are an eligible entity under Public Law and designating an authorized agent to execute agreements and assurances.

The JPA previously approved a similar form naming Executive Director Dick Bobertz as the authorized individual after the 2007 fires. The authorizations are good for three years. The JPA needs to renew its resolution and update the Authorized Agent at this time.

RECOMMENDATION:

Board motion to authorize the attached resolution and designate the "Executive Director" as the JPA's Authorized Agent.

FISCAL IMPACT

The JPA will be able to receive federal and state disaster assistance for the current storm-related damages as well as any other potential disaster assistance funding that becomes available in the next three years.

Respectfully submitted,
Kevin McKernan
Executive Director

**DESIGNATION OF APPLICANT'S AGENT RESOLUTION
Hazard Mitigation Grant Program and Pre-Disaster Mitigation Program**

BE IT RESOLVED BY THE Board of Directors OF THE San Dieguito River Valley Regional Open Space Park
(Governing Body) Joint Powers Authority (JPA)
(Name of Applicant)

THAT Executive Director, OR
(Title of Authorized Agent)
_____, OR
(Title of Authorized Agent)

(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the San Dieguito River Valley Regional Open Space Park Joint Powers Authority, a
(Name of Applicant)
public entity established under the laws of the State of California, this application and to file it with the California Governor's Office of
Emergency Service. for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T.
Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

THAT the San Dieguito River Valley Regional Open Space Park Joint Powers Authority, a public entity established under the laws of the State
(Name of Applicant)
of California, hereby authorizes its agent(s) to provide to the California Governor's Office of Emergency Service for all matters pertaining to
such state disaster assistance the assurances and agreements required.

Please check the appropriate box below:

- This is a universal resolution and is effective for all open and futures Disasters/Grants up to three (3) years following the date of approval below.
- This is a Disaster/Grant specific resolution and is effective for only Disaster/Grant name/number(s) _____

Passed and approved this 19th day of May, 2017

Dave Grosch, Chairman, Board of Directors

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

CERTIFICATION

I, Kevin McKernan, duly appointed and Executive Director of
(Name) (Title)

San Dieguito River Valley Regional Open Space Park Joint Powers Authority, do hereby certify that the above is a true and
(Name of Applicant)
correct copy of a Resolution passed and approved by the Board of Directors of the San Dieguito River Valley Regional Open
(Governing Body) Space Park Joint Powers Authority
(Name of Applicant)

on the 19th day of May, 2017.

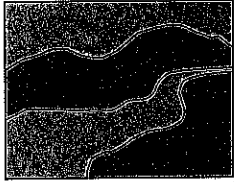
(Signature) Executive Director

(Title)

JPA Meeting of May19, 2017

AGENDA ITEM: 2

SUBJECT: Review Staff Letter to California Coastal Commission
Regarding Support for the County of San Diego's
Coastal LCP/LUP



San Dieguito River Park
Joint Powers Authority
18372 Sycamore Creek Road
Escondido, CA 92025
(858) 674-2270 Fax (858) 674-2280
www.sdrp.org

Agenda Item Th17a
Application No: LCP-6-SDC-17-0015-1

May 5, 2017

Karl Schwing
Deputy Director
California Coastal Commission
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4421

Subject: San Dieguito River Park Joint Powers Authority support of County of San Diego LCP Land Use Plan LCP -6-SDC-17-0015-1

Dear Mr. Schwing:

The San Dieguito River Park Joint Powers Authority is writing to express its support of the *County of San Diego LCP Land Use Plan LCP-6-SDC-17-0015-1* as approved by the County Board of Supervisors on January 25, 2017. Further, the JPA *does not support* the suggested modifications by the Coastal Commission staff to restrict Public Access and Recreation in the County's Plan to pedestrian use only for several reasons.

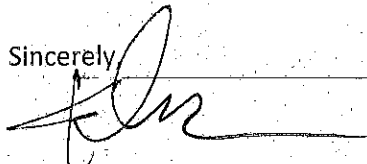
First, there is no evidence provided by the Commission staff that supports the statement and reasoning behind restricting multi-use trails on page 27. The statement reads that, "*Although the historic uses on these trails have coexisted with adjacent ESHA resources, equestrian and bicycle use can lead to unintended encroachments on the adjacent ESHA through increased erosion or inadvertent trail widening, and untreated waste disposal from equestrian can adversely impact biological resources and water quality.*" In fact, the acknowledgement that the uses have coexisted historically and will remain allowable in certain areas, contradicts the above rationale. The County has extensive experience in managing multi-use public access and trails in ESHA lands throughout the County for decades and should be allowed to continue their management in a consistent manner in the coast area designated under their plan. Although the Conclusion states that significant collaboration with County staff occurred, and that the suggested Coastal staff modifications are "minor", excluding major user groups from coastal public access is significant and is a departure from existing adjacent LCPs.

The JPA, as an *on-the-ground manager* of coastal resources, open space preserves and public access at the nearby San Dieguito Lagoon, has not experienced any higher level of unintended encroachments from bicycle or equestrian users into environmentally sensitive areas than those of pedestrians. In fact, the greatest challenges the JPA faces in protecting habitat in the coastal areas comes from off-leash dogs, associated pet waste, and illegal fishing, none of which generally come from bicycle or equestrian uses. The JPA has found that managing public use and restricted areas in general is the most effective way to protect resources and serve the public, not restricting specific user groups.

Last, the arbitrary restriction of different user groups on trails, especially when trail systems interconnect and jurisdictions change, is extremely challenging to enforce and has always created conflict with the public. ***No other surrounding jurisdictions to the County LCP/LUP in this area have such restrictions in their LCPs.*** Instead, proper planning, mitigation and consistent enforcement is ultimately the best way to protect sensitive lands while providing responsible coastal public access. The JPA believes that the County has extensive experience and a successful track record in managing its recreation and habitat resources in this way, especially since the County Parks Department is the land manager for the Multiple Species Conservation Plans in the county.

This letter represents comments of the staff of the JPA and has not been endorsed by its Board due to the timing of this action. However, this letter will be considered for endorsement by its Board at its next regularly scheduled Board meeting this month. We would also like to mention that this letter was unanimously endorsed at the JPA's recent Citizen's Advisory Committee meeting with 16 members present and representing 12 different organizations including: Sierra Club, League of Women Voters, California Native Plant Society, San Diego Bicycle Coalition, San Dieguito Planning Group, San Dieguito River Valley Conservancy, Volcan Mountain Foundation, American Society of Landscape Architects, Citizens Coordinate for Century 3, Del Dios Town Council, Ramona Trails Association and San Diego City Agricultural Advisory Board.

Sincerely



Kevin McKernan
Executive Director



County of San Diego

SARAH E. AGHASSI
DEPUTY CHIEF ADMINISTRATIVE OFFICER

LAND USE AND ENVIRONMENT GROUP
1600 PACIFIC HIGHWAY, ROOM 212, SAN DIEGO, CA 92101
(619) 531-6256
www.sdcounty.ca.gov/lueg

May 5, 2017

Agenda Item: Th17a
Application No: LCP-6-SDC-17-0015-1

Dear Chairwoman Bochco and California Coastal Commissioners:

The County of San Diego (County) is pleased to support Item Th17a on the May 2017 agenda, the County Local Coastal Program (LCP) Land Use Plan (LUP), as approved by the County of San Diego Board of Supervisors (Board of Supervisors) on January 25, 2017 and as modified by the Coastal Commission staff with the exception of two Policies. In principle, the County agrees with the Staff Report recommendations. However, the County does not support the Coastal Commission staff recommended changes to Policies 2.40 and 3.13 related to trail use as shown on Pages 12 and 13 of the Staff Report.

The Coastal Commission staff's suggested changes to these two policies prohibit equestrian uses and bicycles on new trails, adjacent to and within the Environmentally Sensitive Habitat Areas (ESHA). This would significantly affect alignment and construction of non-motorized trails within the County's San Dieguito Park and the eastern portion of the San Elijo Lagoon Ecological Reserve along with pathways and bike lanes on El Camino Real, Linea de Cielo, Lomas Santa Fe, and El Noria streets. The County requests that the Commission adopt the two LCP LUP policies as approved by the Board of Supervisors.

The County objects to the revised Coastal Commission staff recommendation based on the following:

1. Consistency with Coastal Act

A primary tenant of the Coastal Act (Act) is to preserve and provide public access to coastal resources. The Act includes specific policies that address issues such as shoreline public access and recreation, visual resources, and transportation. The changes proposed by the Coastal Commission staff limit the use of future trails to pedestrian use only, thereby excluding bicycle and equestrian use, limit public access to coastal areas and viewing areas and are thus inconsistent with the Act.

In an equestrian and bicycle oriented community such as San Dieguito, restricting access on new trails to pedestrians only would limit recreational opportunities and transportation options for local residents in the unincorporated areas and in the cities of Encinitas and Solana Beach. Additionally, the LCPs for the two jurisdictions (Encinitas and Solana Beach) immediately adjacent to the County's LCP area do not contain this restrictive policy, and there is no official written policy or section of the Coastal Act that specifically restricts trail uses within or adjacent to ESHA to pedestrians only.

2. Consistency with County Plans

Restricts Non-Motorized Multi-Use Trail System

The Coastal Commission staff's recommended policy changes to restrict future trails within the LCP area to pedestrians only would also conflict with the goal and policies of the County General Plan, Community Trails Master Plan (CTMP), and the San Dieguito Community Plan regarding the provision of a non-motorized multi-use trail system. The Mobility Element of the County's General Plan has the goal of providing a safe, scenic, interconnected, and enjoyable non-motorized multi-use trail system (Goal M-12); and a policy of providing and expanding the variety of trail experiences available to County residents (Policy M-12.2).

The CTMP has a goal of providing a system of non-motorized multi-use trails that meets the needs of County residents by providing scenic and enjoyable experiences (Countywide Goal 1).

The San Dieguito Community Plan has policies to establish a separate system of hiking trails, bicycle paths and equestrian trails (Circulation Element Policy 5) and to provide a network of trails for horseback riding and hiking (Recreation Element Policy 5).

Adoption of the Coastal Commission staff recommended changes would not comply with the County General Plan, CTMP, and San Dieguito Community Plan. The restriction recommend by Coastal Commission staff is inconsistent with County land use plans and is an unnecessary impediment to the implementation of the County's CTMP.

Trails Located on Publicly Owned Lands Must Align With County Land Use Objectives

The County's General Plan is a comprehensive, long-range plan for land use development in the unincorporated portions of the county. The General Plan's goals and policies form the basis for the County zoning, subdivision, and infrastructure decisions. All County land use decisions must be consistent with the General Plan and the recommended Coastal Commission staff changes are not consistent with the General Plan for the reasons detailed below.

The County has land use authority over the unincorporated portions of the county, which includes the LCP area. Restricting future trails to pedestrian only without justification, authority or an adequate nexus for further restricting trail use is in direct

conflict with the County General Plan, which could impact the County's ability to implement the General Plan.

Portions of the San Dieguito Park and San Elijo Lagoon Preserve will be included in the County's North County Multiple Species Conservation Program (MSCP) and limiting future trails to pedestrian use would conflict with General Plan Policy M-12.5 Future Trails. General Plan Policy M-12.5 is to explore opportunities to designate or construct future trails on County-owned lands, lands within the MSCP, or other lands already under public ownership or proposed for public acquisition.

The Coastal Commission staff's recommended policy changes would also conflict with Policy #3 in the Recreation Element of the San Dieguito Community Plan, which is to utilize floodplains, existing trails, public lands, and major utility rights-of-way. Coastal Commission staff recommended changes conflict with this policy by limiting the location and construction of future pathways in the County road right-of-way and trails on County parkland.

3. Local Coastal Plan Location and Policy Recommendations

Although within in the Coastal Zone area, the County's LCP area is located two miles from the coastline and separated from the coastline by Interstate 5. Due to the distance from the coastline, the location of Interstate 5 between the coastline and the County LCP area, and limited wetlands in the County LCP area, the concern of pollutants from manure and bicyclists on inland trails does not warrant the restrictions recommended by Coastal Commission staff. The purpose of the Act is to maximize public access and for recreational use of the coastal zone. The restrictions go beyond what is necessary to maintain the coastal zone as the County will mitigate impacts to ESHA as trails are implemented.

4. Implementation of Federal, State, and Local Regulations

The County General Plan and the CTMP have policies that prioritize trail locations that avoid significant impacts to sensitive environmental resources while highlighting the County's biological, recreational and educational resources.

Many of the concerns regarding trail impacts to ESHA would be resolved through implementation of local, state and federal regulations, including the California Environmental Quality Act (CEQA), MSCP, County's Biological Mitigation Ordinance (BMO), Resource Protection Ordinance (RPO) and Watershed Protection Ordinance (WPO), Federal and State Endangered Species Acts, National Pollutant Discharge Elimination System (NPDES) permits, Natural Communities Conservation Act, and any other applicable regulations and requirements.

The County has been successful and will continue to locate trail segments and prioritize trail locations that avoid significant impacts to sensitive environmental resources, and will establish and designate trails, whenever feasible, that correspond to existing (non-designated) trails, paths, unpaved roadbeds, or other disturbed areas.

When impacts cannot be avoided, the County will mitigate as required by the LCP, MSCP, BMO, WPO, RPO, and any other applicable regulations. Implementation of these requirements and regulations will ensure that any new trails avoid or mitigate impacts to a less than significant level and therefore the restrictions recommended by Coastal Commission staff are unnecessary.

5. Timing of Recommended Changes

Coastal Commission staff and County staff previously agreed to the draft plan approved by the County Board of Supervisors on January 25, 2017. Since Coastal Commission staff's requested last minute changes, the County's Planning Commission and Board of Supervisors have not considered the recommended changes. If the changes are accepted by the Coastal Commission, the County's Planning Commission and Board of Supervisors would have to reconsider the LUP at future hearings.

6. Land Use Plan Recognizes the Importance of Multi-Use Trails in this Area

Section 2 of the LUP pertaining to Public Access and Recreation, recognizes that San Dieguito Park is an important feature within the County's Coastal Zone specifying that the park offers diverse recreational opportunities including equestrian and multi-use trails. The San Dieguito Community Trails and Pathways Plan area of the CTMP referenced in the LUP states: "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". Based on the CTMP language contained in the LUP, the ability to establish and maintain a non-motorized trail system is an essential component to the community character and vitality of this area.

7. Infeasibility of Enforcement

San Dieguito Park and the surrounding area is an equestrian and bicycling oriented community. Limiting trail access to pedestrians would be problematic and from a practical perspective, would be extremely difficult to enforce. Restricting new and re-routed trails to pedestrian uses would create gaps in the trail network that may cause trail users to either violate posted signage or create unofficial trails, both of which would create safety enforcement issues for the County and may have a negative impact on sensitive resources.

May 5, 2017

Page | 5

For the reasons detailed above, the County respectfully requests that the Commissioners reconsider the Coastal Commission staff's recommended changes to Policies 2.40 and 3.13 and adopt the LCP LUP policies that were approved by the County Board of Supervisors.

The County would like to thank the Coastal Commission for the grant provided and for the assistance provided by the Coastal Commission staff. The County appreciates the partnership with the Coastal Commission and looks forward to resolving the outstanding items to ensure a successful outcome to this valuable effort.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sarah E. Aghassi". The signature is fluid and cursive, with a large initial "S" and a long, sweeping tail.

SARAH E. AGHASSI

Deputy Chief Administrative Officer