



San Diego Wildlife and Habitat Conservation Coalition

Dedicated to the sustained conservation of native animal and plant species in the Southwest Bioregion.

June 6, 2024

Stephanie Neal
Dept of Planning and Development Services
5500 Overland Avenue, Suite 410
San Diego, California 92123
<MSCP@sdcounty.ca.gov>

Re: Working Draft of the NC-MSCP Plan: Technical Components of the Conservation Strategy

Dear Ms. Neal,

The undersigned member organizations of the Wildlife and Habitat and Conservation Coalition (WHCC) appreciate the opportunity to comment on the working draft of the NC-MSCP Plan: Technical Components of the Conservation Strategy (working draft). The comments below address the effects on wildlife from public access / recreation in the NC-MSCP Plan's preserve area. Please assume that both *public access* and *recreation* here encompass recreational activities, trails, and other infrastructure (e.g., parking and staging areas).

We understand that the NC-MSCP Plan's Biological Mitigation Ordinance and Framework Management Plan (NC-FRMP) are in development, and look forward to reviewing in particular the NC-FRMP to assess how well it addresses the concerns raised below.

1. During the 3/15/2024 County PDS - WHCC discussion about the NC-MSCP Plan's conservation strategy, the County acknowledged that much has been learned in the last 25 years about recreational effects on wildlife. During this meeting and the 11/23/2023 Stakeholder Working Group Meeting on the conservation strategy, the County explained that the NC-FRMP is expected to have clear guidance on how the County should assess potential recreational effects and will be far more detailed in this regard than the South County MSCP Plan's FRMP (SC-FRMP). The County will also meet with science advisers to get their input on recreational effects on wildlife.

This information is reassuring. However, in the interim, we are concerned that the working draft states that the NC-FRMP **outlines** and provides **overall guidance** on the adaptive management and monitoring program for the Plan's preserve area (emphases added). This doesn't sound like far more detail than the SC-MSCP Plan's FRMP. At least with respect to trails and recreation, more than an outline and overall guidance is needed to ensure that the Resource Management Plans (RMPs) provide sufficient detail on the planning for and monitoring and adaptive management of recreation to prevent, minimize, and manage negative recreational effects on wildlife. The level of detail needed is evidenced by the suggested matters and questions for discussion with the "recreational" science advisors provided to the County in early May. Recreational effects on wildlife can be assessed only after the recreation has begun (after baseline data have been collected by, for example, general surveys and the "before" part of BACI studies), and this is why recreational monitoring and adaptive management based on the analyses of the monitoring data are so critical. The NC-FRMP and RMPs prepared based on it must reflect this.

2. The working draft states, “The conservation strategy is a **science-based strategy, informed by the best available science** and independent scientific input, that considers the conservation needs of each Covered Species and the natural communities and ecosystems that support them within the Plan Area and adjacent areas” (emphasis added). Yet, the working draft also states that both the (species-specific) conservation standards and avoidance and minimization measures (AMMs) “have been developed to align closely with **existing** County policies and requirements” (emphasis added). With respect to recreational effects on wildlife, the best current available science provides much more information than was available in the early 1990s. Therefore, the recreation-related conservation standards and AMMs for the NC-MSCP Plan should not align closely with the County’s existing policies and requirements pertaining to recreation and should instead indeed be informed by the best current available science.
3. The working draft states, “Management actions are typically focused on reducing threats to the Covered Species and their habitat...., such as the effects of disturbances such as wildfire or **unauthorized** human activities” (emphasis added). The NC-MSCP Plan and supporting documents must be clear on the fact that both authorized and unauthorized recreation can threaten the covered species. The mere act of formally authorizing recreation does not negate its effects on wildlife. Unauthorized recreation requires enforcement whereas authorized recreation requires ongoing monitoring and adaptive management, which may involve enforcement.
4. The working draft includes recreation as a covered activity in the breeding season buffer distances for bald eagles and golden eagles (Table 5.7-4).
 - a. Please explain if the Covered Activities for Breeding Bird Conservation Standard and the Bat Conservation Standard include recreation or public access. If they do, please explain what measures are to be taken to avoid recreational effects on breeding activities. If they do not, please explain why.
 - b. Please provide the titles of the cited USFWS documents from 2007, 2017, 2021, and 2022. And, if these documents are not easily obtained, please provide them to WHCC.
5. The following statement in section 5.7.9 Recreation and Public Access Conservation Standard, is generally correct: “[a]ll forms of outdoor recreation in the natural environment have the potential to result in some degree of **localized** impacts to plants and wildlife due to human disturbance, habitat fragmentation, and the potential introduction of non-native species and predators (e.g., dogs)” (page 5.7-22, emphasis added). However, while recreational effects on wildlife are localized, they can also be far reaching both spatially and ecologically, as with recreation-related (a) disruptions to predator-prey interactions at the individual and community levels, (b) continual displacement of wildlife resulting from trail-related habitat fragmentation, and (c) disturbances at levels and frequencies that result in chronic negative physiological and behavioral changes. Please modify section 5.7.9 to reflect this.
6. It is problematical that the working draft sites the County’s 2005 Community Trails Master Plan (CTMP; [Community Trails Master Plan](#)) as a source of information on guidelines and criteria for Preserve Managers to follow in the design and implementation of public access plans (page 5.7-22). Reasons for this concern include, but are not limited to, the following.
 - a. Some of the potential trails depicted on the CTMP’s maps should be reconsidered; while we recognize that the CTMP is an aspirational document and the trail locations and alignments depicted on its maps should not be presumed to be certainties, once on paper it can be difficult to remove them from people’s minds.
 - b. The CTMP’s County Policy 4.8 to “*Establish and designate trails, whenever feasible, that correspond to existing (non-designated) trails, paths, or unpaved roadbeds that already have a disturbed tread*” is not sound guidance.

- c. The CTMP, namely Sections 6 and 8 - Trail Planning Considerations & Trails Program Management, provides little guidance on assessing and managing recreational effects on wildlife. Instead, their attention is primarily to trail siting, trail maintenance, and public safety.
7. Relative to the CTMP, the County's [Preserve Trail Guidelines 2018](#) (PTG) give more attention to recreational effects on wildlife, but they too provide insufficient guidance on monitoring and managing for such effects. With respect to sustainability, the focus is the physical sustainability of the trails.
8. The last sentence of the section 5.7.9 in the working draft states, "*The County approved Trails Master Plan and the development and implementation of a public access plan including trail siting criteria ensures that the effects of public access and recreation on Covered Species and habitat are minimized and compatible with the goals and objectives of the North County Plan.*" Based on the previous comments herein and much of the information previously provided from the recreation ecology literature, it is not at all apparent that this conclusion is valid. Neither the working draft nor the CTMP or PTG address the need for, much less provide any guidance for, long-term monitoring and adaptive management of recreational effects on wildlife.

Perhaps the CTMP and PTG do not address long-term monitoring and adaptive management of recreation because, under the regional MSCP Plan and SC-MSCP Plan, non-consumptive recreation was assumed to be conditionally compatible with conservation, requiring little or no monitoring or management of recreational effects on wildlife. Regardless of the reason(s) for this drawback in the CTMP and PTG, there now seems to be consensus that recreation on preserve lands requires long-term monitoring and adaptive management. Again, we look forward to reviewing the NC-FRMP with this in mind; perhaps the NC-FRMP and its implementation will provide support for the working draft's above-cited conclusion.

9. We strongly agree with the Wildlife Crossing Design Consideration that "[r]oad crossings for human uses (e.g., equestrians and bikers) should be separate from wildlife crossings to reduce the effect of human disturbance and increase the probability of use by wildlife" (page 5.17-14) and the need to "[a]void shared use of wildlife crossings with public access, such as trails or biking paths" (page 5.17-17). We request the addition of guidance on the minimum distances between wildlife crossings and the nearest recreation, depending on adequate distance thresholds established for the species expected to use the crossings.
10. Please explain why the term *public access* is used many times in the Conservation Actions for the natural communities and (maybe all) the plant species listed in Appendix Z, to the exclusion of the word *recreation*, whereas the word *recreation* occurs only for the eagles and the bats.
 - a. If *public access* and *recreation* are interchangeable, please use only one term throughout the Plan and define what it means.
 - b. Public access and/or recreation should be included / addressed in the conservation actions for all wildlife species that occur within the area of effect of potential recreation.
11. Section Z.4 - Species Level Goals, Objectives, and Conservation Actions, includes the following or similar sentences for many plant and animal species, "Install fencing as needed to protect known occupied areas from public access within the Plan Preserve System." Please explain how (e.g., design of fencing ?) the fencing would both deter humans from entering the fenced areas and not negatively interfere with wildlife movement through the fenced areas, particularly in areas where the fencing may be extensive, such as areas occupied by avian species and wide ranging mammals (e.g., BAEG, BESP, CASP, NOHA, MOLI).

12. Section Z.4 includes the sentence, “enforce public access regulations to ensure compliance” (or similar language) for some natural communities. Please explain why Section Z-4 does not include similar language for any of the animal species. Is the proposed fencing intended as a substitute for enforcement?
13. As it occurs for all the other natural communities, please add “enforce public access regulations to ensure compliance” to the entries for:
 - a. Meadows and Seep Conservation Action 2.2 on page Z-6;
 - b. Riparian and Floodway Conservation Action 2.2 on page Z-10;
 - c. Oak Woodland and Forest Conservation Action 2.2 on page Z-11; and
 - d. Coniferous Forest Conservation Action 2.2 on page Z-12.
14. The working draft uses the word *passive* once as a descriptor of public recreational access. Please either omit the use of *passive* or explain what it means with respect to recreation and list the types of recreation considered passive.
15. SKR Conservation Actions 2.1 and 2.2 require changing mule deer to SKR.

Thank you for the opportunity to comment on the working draft. We appreciate the County’s efforts in developing the NC-MSCP Plan. Please let us know if you have any questions about our comments in this letter.

Respectfully,

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