

Habitat ruling clouds development picture

Vernal pool protections must be readdressed

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The Multiple Species Conservation Program

The plan covers some 900 square miles in southwestern San Diego County. The city and county of San Diego play the biggest roles, but other cities also were part of the late-1990s blueprint. Some of them still have not finalized their planning documents.

— Regional planning area boundary

□ San Diego MSCP sub-area



SOURCE: SANDAG

DANIEL WIEGAND / Union-Tribune

A landmark ruling against San Diego's habitat protection plan is likely to slow at least a few building projects and force local agencies back to the negotiating table with the federal government.

U.S. District Judge Rudi Brewster ruled Oct. 13 that the city's Multiple Species Conservation Program fell short in two main areas. Brewster's specific concern was about development squeezing seven federally protected species that live in vernal pools, or temporary wetlands. He also said the city's funding strategy for balancing open space with houses and roads was vague and speculative.

Habitat managers and lawyers from the region spent several days trying to discern the implications of the 61-page decision. Most say they still need more time, though city officials say their program is working much better than the judge indicated.

“The city is really committed to this (plan) and has been spending a lot of money on it and will continue to,” said James Waring, chief of land use and economic development for Mayor Jerry Sanders. “If there is a gap in the plan for vernal pools, that will have to be dealt with.”

