



# County of San Diego

PLANNING & DEVELOPMENT SERVICES  
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123  
(858) 505-6445 General • (858) 694-2705 Codes  
(858) 565-5920 Building Services  
[www.SDCPDS.org](http://www.SDCPDS.org)

**DAHVIA LYNCH**  
DIRECTOR

## **NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT**

September 1, 2022

NOTICE IS HEREBY GIVEN that the County of San Diego, Planning & Development Services, will be the Lead Agency and will prepare an Environmental Impact Report in accordance with the California Environmental Quality Act for the following project. The Department is seeking public and agency input on the scope and content of the environmental information to be contained in the Environmental Impact Report (EIR). A Notice of Preparation (NOP) document, which contains a description of the probable environmental effects of the project, can be reviewed at the following website link: [http://www.sdcounty.ca.gov/pds/ceqa\\_public\\_review.html](http://www.sdcounty.ca.gov/pds/ceqa_public_review.html).

**QUESTHAVEN, PDS2020-TM-5643; PDS2020-AD-20-011; PDS2022-STP-22-018, LOG NO. PDS2020-ER-20-08-008.**

### **Description of the Project:**

The Questhaven Project (Project) consists of a Tentative Map, Site Plan, Density Bonus Permit, and an Administrative Permit on approximately 89.23 acres (Figure 4). The Project consists of 76 single-family residential homes on 18.27 acres, recreation uses on 0.31 acres, and water quality detention basins on 2.4 acres. The Project also includes open space on approximately 63.9 acres that would provide for biological open space and fuel-modification zones. The Project is designed to cluster development in the northern portion of the Project site in order to allow for the development of residential uses while providing biological open space in the southern portion of the site. The Project also includes 0.09-acre of off-site clearing within an existing right-of-way. The Project proposes seven affordable housing units as part of the Density Bonus application. The Project density is consistent with the General Plan Designations of the property by calculating density on the property in accordance with the Density Bonus Program defined by State law and the County Zoning Ordinance (Figure 3). Zoning Use Regulations for the site is Rural Residential (RR) and Open Space (S80). The General Plan Designations for the Site are Semi-Rural (SR-1 and SR-10) and the General Plan Regional Categories for the site are Semi-Rural and No Jurisdiction.

### **Location of the Project:**

The Project is located in unincorporated San Diego County within the San Dieguito Community Plan Area on approximately 89.23 acres, immediately south and west of the City of San Marcos and east of the City of Carlsbad (Figures 1 and 2). Interstate 5 (I-5) is located approximately 5.3 miles west of the Project site. Specifically, the Project site is located south of San Elijo Road and east of Denning Drive. Access to the site would be from San Elijo Road to the north.

**Probable Environmental Effects of Project:**

In accordance with CEQA Guidelines Section 15063(a), the County has determined that an EIR is required for the project and has elected to not prepare an Initial Study. The County anticipates that the EIR will evaluate impacts for the following subject areas in accordance with CEQA Guidelines Appendix G:

- Aesthetics
- Biological Resources
- Geology and Soils
- Hydrology and Water Quality
- Noise
- Recreation
- Utilities and Service Systems
- Agriculture and Forestry Resources
- Cultural Resources
- Greenhouse Gas Emissions
- Land Use and Planning
- Population and Housing
- Transportation
- Wildfire
- Air Quality
- Energy
- Hazards and Hazardous Materials
- Mineral Resources
- Public Services
- Tribal Cultural Resources

Full documentation regarding if the project will have significant impacts to the following subject areas will be provided in the EIR. In the event that the project requires a Habitat Loss Permit or similar permit requiring public review/disclosure, it is anticipated that the public review will be conducted during the public review period for the EIR. The EIR will include mitigation measures related to potential impacts as well as alternatives for the Project. We are asking you to provide comments on the proposed project related to feasible mitigation measures and project alternatives that should be considered in the EIR.

An online/phone-in public scoping meeting/teleconference will be held to solicit comments on the NOP. This meeting will be held virtually on Tuesday, September 20, 2022, at 6:00 p.m. and will end by 7:30 p.m. The meeting may be accessed at this web link:

<https://www.sandiegocounty.gov/pds/ceqa/TM-5643>

Comments on this NOP document must be received no later than October 3, 2022 at 4:00 p.m. (a 32-day public review period). Comments on the NOP must be sent to Sean Oberbauer, Planning & Development Services, 5510 Overland Avenue, Suite 310, San Diego, CA 92123 or emailed to [sean.oberbauer@sdcounty.ca.gov](mailto:sean.oberbauer@sdcounty.ca.gov).

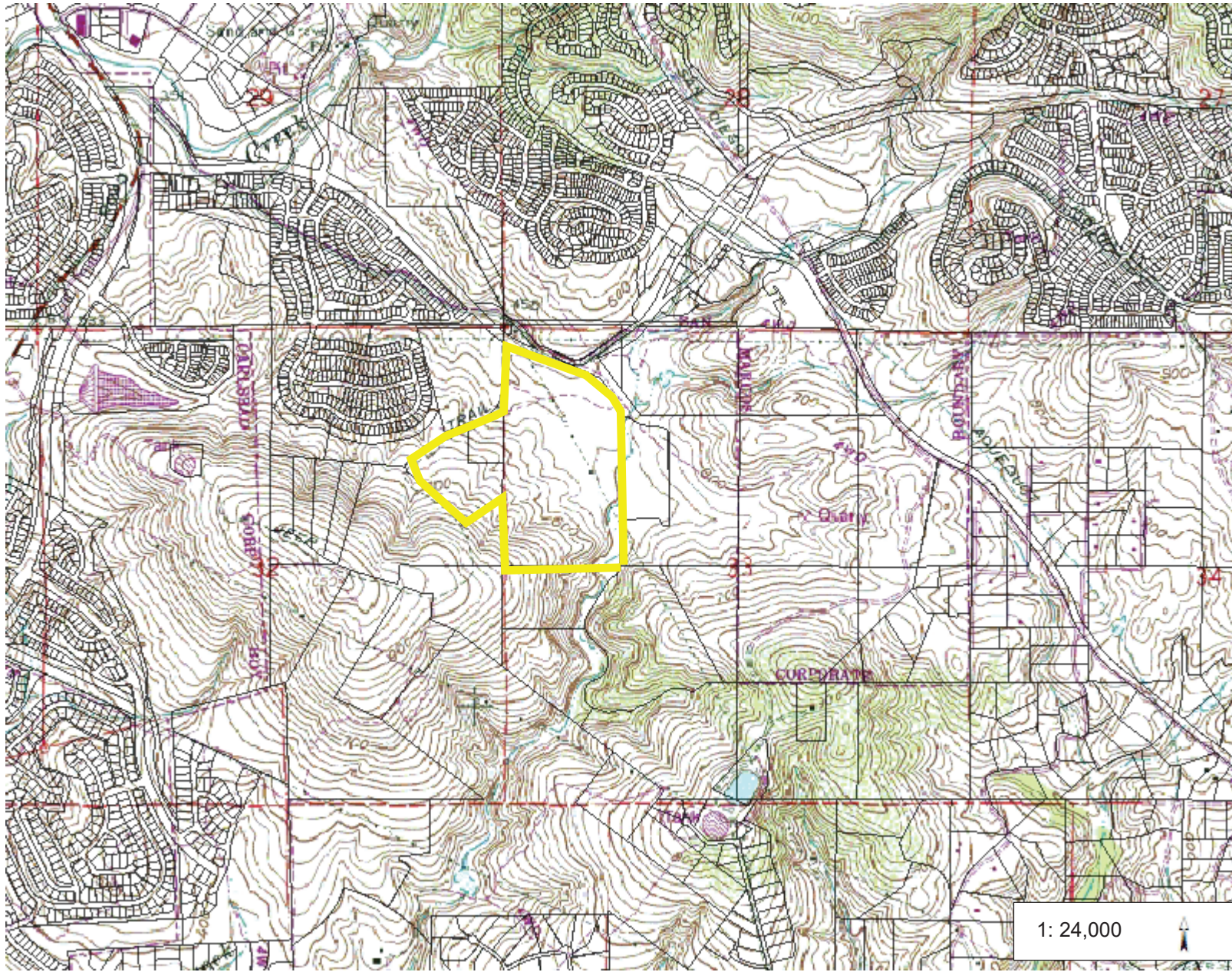
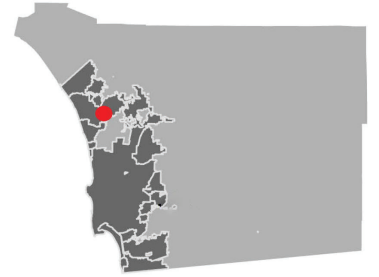
**County of San Diego Contact:**

Sean Oberbauer  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123  
(619) 323-5287  
[sean.oberbauer@sdcounty.ca.gov](mailto:sean.oberbauer@sdcounty.ca.gov)

**Attachments:**

- Figure 1 – Regional Map
- Figure 2 – Project Aerial
- Figure 3 – Density Map
- Figure 4 – Project Layout

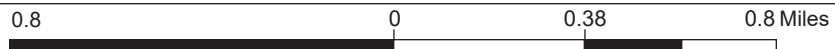
# Location (USGS)



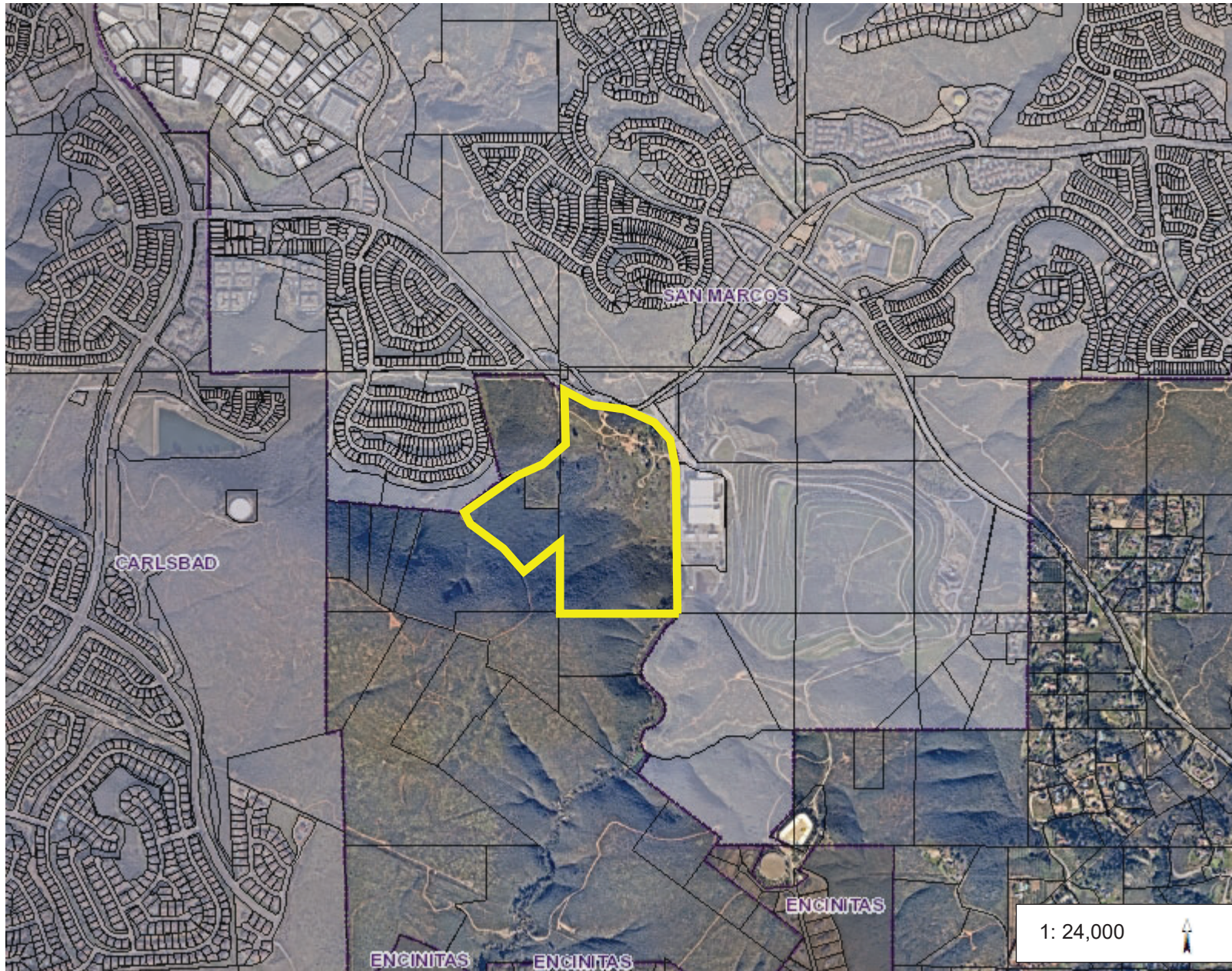
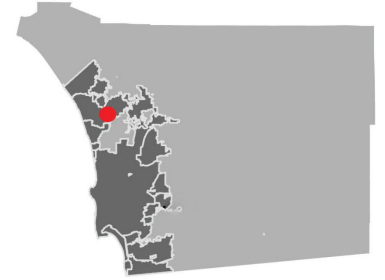
### Legend

- Parcels

1: 24,000



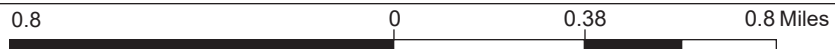
# Project Site Aerial

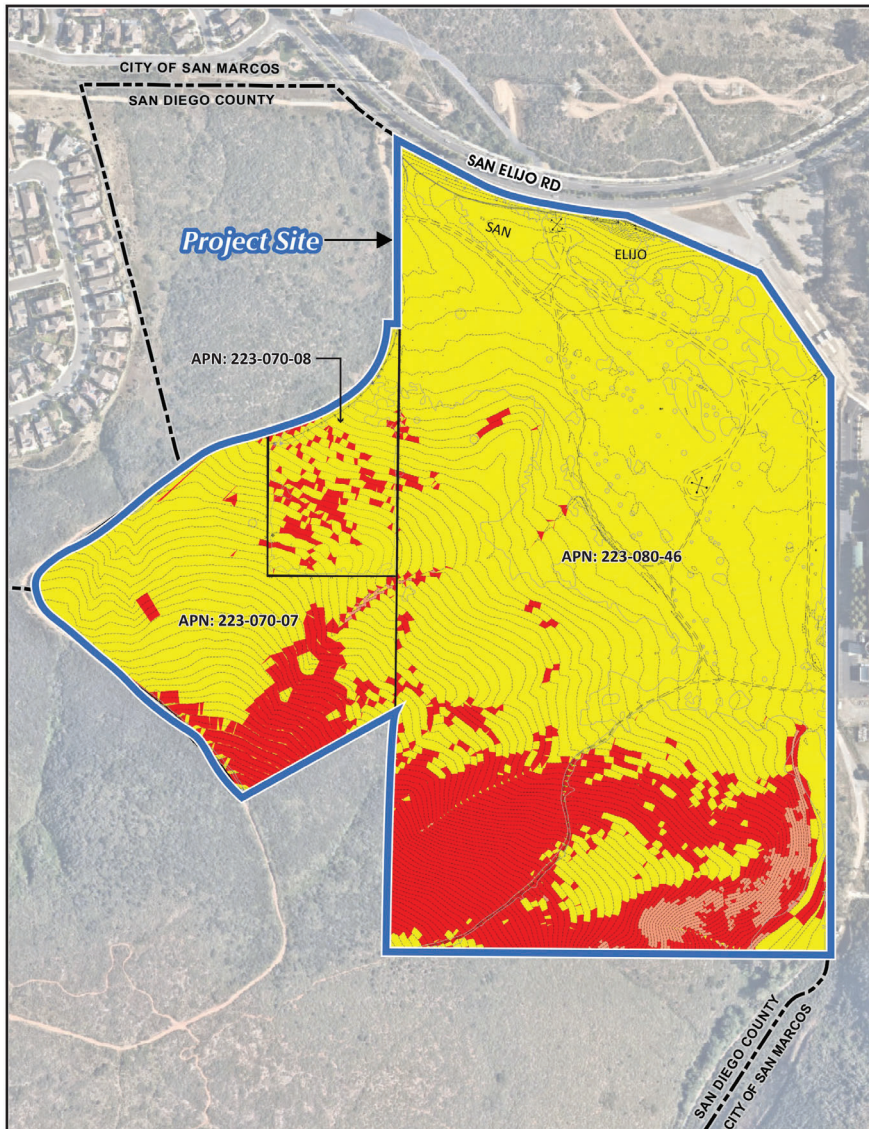


## Legend

- Parcels
- USGS Quad Index
- Municipal Boundaries**
  - CARLSBAD
  - CHULA VISTA
  - CORONADO
  - DEL MAR
  - EL CAJON
  - ENCINITAS
  - ESCONDIDO
  - IMPERIAL BEACH
  - LA MESA
  - LEMON GROVE
  - NATIONAL CITY
  - OCEANSIDE
  - POWAY
  - SAN DIEGO
  - SAN MARCOS
  - SANTEE
  - SOLANA BEACH
  - VISTA

1: 24,000





Dwelling Unit Calculations Based on Slope Density			
Slope %	du/ac	Acres	Units
<b>APN 223-080-46 (GP Land Use: SR-1)<sup>1</sup></b>			
<25%	1	54.114	54.114
>25% & <50%	0.5	13.294	6.647
>50%	0.25	1.583	0.396
<b>Unit Count:</b>			<b>61.157</b>
<b>APN 223-070-07 (GP Land Use: SR-10)<sup>2</sup></b>			
<25%	0.1	11.755	1.176
>25% & <50%	0.05	3.376	0.169
>50%	0.05	0.049	0.002
<b>Unit Count:</b>			<b>1.347</b>
<b>APN 223-070-08 (GP Land Use: SR-10)<sup>2</sup></b>			
<25%	0.1	4.025	0.403
>25% & <50%	0.05	0.975	0.049
>50%	0.05	0	0
<b>Unit Count:</b>			<b>0.452 (rounded to 1)</b>
<b>Total General Plan Maximum Allowable Unit Count<sup>3</sup></b>			<b>63.504</b>
<b>Additional Units Allowed Per State Density Bonus Application</b>			<b>12</b>
<b>TOTAL ALLOWABLE UNIT COUNT</b>			<b>76</b>

1. Per General Plan Elements, Chapter 3, Table LU-2, Land Use SR-1
2. Per General Plan Elements, Chapter 3, Table LU-2, Land Use SR-10
3. Due to the unit count being at or above the half a unit count and due to the proposed State Density Bonus, the maximum unit count is determined to be 64 units



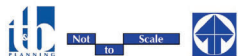
**Legend**

- 0.00% - 25.00% Slope
- 25.00% - 50.00% Slope
- 50.00% - 300.00% Slope

San Diego County  
General Plan Land Use Designations

- Semi-Rural Residential (SR-1)
- Semi-Rural Residential (SR-10)

Source(s): ESRI, NearMap Imagery (2022), Excel Engineering (06-05-2020)



Questhaven

Slope Analysis

JN: 962-006  
Date: August 18, 2022

# Project Layout



SCALE 1"=150'

**From:** [Angelina Gutierrez](#)  
**To:** [Oberbauer, Sean](#)  
**Cc:** [Desiree Morales Whitman](#); [John Flores](#)  
**Subject:** [External] Questhaven Project  
**Date:** Tuesday, September 20, 2022 3:12:01 PM  
**Attachments:** [image001.png](#)  
[Questhaven Project.pdf](#)

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Please see attached file thank you.

Respectfully,

Angelina Gutierrez  
Tribal Historic Preservation Office-Monitor Supervisor  
San Pasqual Environmental Department  
[angelinag@sanpasqualtribe.org](mailto:angelinag@sanpasqualtribe.org)  
Phone (760) 651-5219  
Cell: (760) 803-5648





## SAN PASQUAL BAND OF MISSION INDIANS

### SAN PASQUAL RESERVATION

September 20, 2022

#### TRIBAL COUNCIL

Stephen W. Cope  
Chairman

Justin Quis Quis  
Vice Chairman

Jenny Alto  
Secretary-Treasurer

Roberta Cameron  
Councilman

Melody S. Arviso  
Councilman

Sean Oberbauer  
County Of San Diego  
Planning & Development Services  
5510 Overland Avenue Suite 310  
San Diego Ca 92123

Sent via E-mail

RE: Questhaven Project

Dear Mr. Oberbauer,

The San Pasqual Band of Mission Indians Tribal Historic Preservation Office has received your notification of the project referenced above. This letter constitutes our response on behalf of Desiree M. Whitman THPO of the San Pasqual Band of Mission Indians.

We have consulted our maps and determined that the project as described is not within the boundaries of the recognized San Pasqual Indian Reservation. It is, however, within the boundaries of the territory that the tribe considers its Traditional Use Area (TUA). Furthermore, As the project progresses, we would like to engage in formal government-to-government consultation under Section 106 of the NHPA so that San Pasqual can have a voice in the development of the measures that will be taken to protect these sites and mitigate any adverse impacts. We would appreciate being given access to any cultural resource reports that have been or will be generated during the environmental review process so we can contribute most effectively to the consultation process.

We appreciate your involvement with your initiative and look forward to working with you on future efforts. If you have questions or need additional information, please do not hesitate to contact me by telephone at 760-651-5142 or [angelinag@sanpasqualtribe.org](mailto:angelinag@sanpasqualtribe.org)

Sincerely,

Angelina Gutierrez  
Tribal Historic Preservation Office, Deputy THPO/Monitor Supervisor  
San Pasqual Band of Mission Indians



**From:** [buncelaw@aol.com](mailto:buncelaw@aol.com)  
**To:** [Oberbauer, Sean](#)  
**Subject:** [External] Questhaven, PDS2020-TM-5643, etc.  
**Date:** Thursday, September 8, 2022 3:49:04 PM

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Dear Mr. Oberbauer,

The Barona Band of Mission Indians is a federally-recognized Indian tribe whose reservation is located in rural eastern San Diego County. I serve as its Tribal Attorney and often handle cultural resource/environmental issues for the Tribe.

I recently saw the Notice of Preparation of an EIR for the above project. At this early stage, the only comment is that the Tribe is very interested in possible cultural resources that might be present on or below the surface of the site. Without at least a records search and an initial walk-over, it is not possible to tell what might be present. So please gather at least some data in this regard so that the presence and significance of any tribal cultural resources can be assessed. Also, AB 52 consultation will probably be welcome, depending on what resources maybe present and other factors.

Please make me your point of contact for the Barona Band regarding this project.

Sincerely,

Art Bunce  
Tribal Attorney

**From:** [Beth Houser](#)  
**To:** [Oberbauer, Sean](#)  
**Subject:** [External] Questhaven Proposed Project  
**Date:** Friday, September 23, 2022 11:09:08 AM

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Hello Sean

I just was made aware of the proposed housing development at San Elijo Road. I read the information and looked at the powerpoint. As a 12 year resident of San Elijo Hills, with a child attending San Elijo Middle, and part of the residents who had to evacuate during the 2014 fires, I would like to know how the adding kids to the already overcrowded schools will be addressed? How will the schools manage capacity levels?

Also, how do you ease the already high volume, and congested traffic concerns that our residents have been bringing to the attention of the city council since the last fire. It is a complete nightmare to get through this area during school drop-off and pick-up times, especially when we have no school buses. Not to mention evacuation when there is another fire, it took hours for people to get out of this area.

Are these very real current problems being taken in to consideration before you make them worse by adding additional population to this area?

What is the benefit of adding additional homes? What is the added value to this community?

Regards  
Beth Houser  
825 Hollowbrook Ct.  
San Marcos, CA 92078

**From:** [Dodson, Kimberly@DOT](mailto:Dodson, Kimberly@DOT)  
**To:** [Oberbauer, Sean](mailto:Oberbauer, Sean)  
**Cc:** [State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov); [Eaton, Maurice A@DOT](mailto:Eaton, Maurice A@DOT)  
**Subject:** [External] Questhaven Project NOP SCH#2022090029  
**Date:** Thursday, September 29, 2022 11:29:15 AM  
**Attachments:** [SD 78 12.916 Questhaven NOP 09-29-2022.pdf](#)

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Hi Sean,

Please see the attached comment letter for the Questhaven Project NOP SCH#2022090029.

Thank you,

Kimberly D. Dodson, GISP, M. Eng.  
Associate Transportation Planner  
Caltrans District 11 LDR Branch  
4050 Taylor St., MS-240  
San Diego, CA 92110  
[Kimberly.Dodson@dot.ca.gov](mailto:Kimberly.Dodson@dot.ca.gov)  
Telework phone: 619-985-1587

## California Department of Transportation

DISTRICT 11  
4050 TAYLOR STREET, MS-240  
SAN DIEGO, CA 92110  
(619) 709-5152 | FAX (619) 688-4299 TTY 711  
[www.dot.ca.gov](http://www.dot.ca.gov)



September 29, 2022

11-SD-78  
PM 12.916  
Questhaven  
NOP/SCH#2022090029

Mr. Sean Oberbauer  
Land Use/Environmental Planner 3  
County of San Diego  
5510 Overland Ave.  
San Diego, CA 92123

Dear Mr. Oberbauer:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Notice of Preparation for the Questhaven project located near State Route 78 (SR-78). The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Safety is one of Caltrans' strategic goals. Caltrans strives to make the year 2050 the first year without a single death or serious injury on California's roads. We are striving for more equitable outcomes for the transportation network's diverse users. To achieve these ambitious goals, we will pursue meaningful collaboration with our partners. We encourage the implementation of new technologies, innovations, and best practices that will enhance the safety on the transportation network. These pursuits are both ambitious and urgent, and their accomplishment involves a focused departure from the status quo as we continue to institutionalize safety in all our work.

Caltrans is committed to prioritizing projects that are equitable and provide meaningful benefits to historically underserved communities, to ultimately improve transportation accessibility and quality of life for people in the communities we serve.

We look forward to working with the County of San Diego in areas where the County and Caltrans have joint jurisdiction to improve the transportation network and connections between various modes of travel, with the goal of improving the experience of those who use the transportation system.

Caltrans has the following comments:

### **Traffic Impact Study**

- A Vehicle Miles of Travel (VMT) based Traffic Impact Study (TIS) should be provided for this project. Please use the Governor's Office of Planning and Research Guidance to identify VMT related impacts.<sup>1</sup>
- The TIS may also need to identify the proposed project's near-term and long-term safety or operational issues, on or adjacent to any existing or proposed State facilities.

### **Complete Streets and Mobility Network**

Caltrans views all transportation improvements as opportunities to improve safety, access and mobility for all travelers in California and recognizes bicycle, pedestrian and transit modes as integral elements of the transportation network. Caltrans supports improved transit accommodation through the provision of Park and Ride facilities, improved bicycle and pedestrian access and safety improvements, signal prioritization for transit, bus on shoulders, ramp improvements, or other enhancements that promotes a complete and integrated transportation network. Early coordination with Caltrans, in locations that may affect both Caltrans and the County of San Diego is encouraged.

To reduce greenhouse gas emissions and achieve California's Climate Change target, Caltrans is implementing Complete Streets and Climate Change policies into State Highway Operations and Protection Program (SHOPP) projects to meet multi-modal mobility needs. Caltrans looks forward to working with the County to evaluate potential Complete Streets projects.

Maintaining bicycle, pedestrian, and public transit access during construction is important. Mitigation to maintain bicycle, pedestrian, and public transit access during construction is in accordance with Caltrans' goals and policies.

### **Land Use and Smart Growth**

Caltrans recognizes there is a strong link between transportation and land use. Development can have a significant impact on traffic and congestion on State transportation facilities. In particular, the pattern of land use can affect both local vehicle miles traveled and the number of trips. Caltrans supports collaboration with

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<sup>1</sup> California Governor's Office of Planning and Research (OPR) 2018. "Technical Advisory on Evaluating Transportation Impacts in CEQA." [https://opr.ca.gov/docs/20190122-743\\_Technical\\_Advisory.pdf](https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf)

local agencies to work towards a safe, functional, interconnected, multi-modal transportation network integrated through applicable “smart growth” type land use planning and policies.

The County should continue to coordinate with Caltrans to implement necessary improvements at intersections and interchanges where the agencies have joint jurisdiction.

### **Environmental**

Caltrans welcomes the opportunity to be a Responsible Agency under the California Environmental Quality Act (CEQA), as we have some discretionary authority of a portion of the project that is in Caltrans’ R/W through the form of an encroachment permit process. We look forward to the coordination of our efforts to ensure that Caltrans can adopt the alternative and/or mitigation measure for our R/W.

An encroachment permit will be required for any work within the Caltrans’ R/W prior to construction. As part of the encroachment permit process, the applicant must provide approved final environmental documents for this project, corresponding technical studies, and necessary regulatory and resource agency permits. Specifically, CEQA determination or exemption. The supporting documents must address all environmental impacts within the Caltrans’ R/W and address any impacts from avoidance and/or mitigation measures.

We recommend that this project specifically identifies and assesses potential impacts caused by the project or impacts from mitigation efforts that occur within Caltrans’ R/W that includes impacts to the natural environment, infrastructure including but not limited to highways, roadways, structures, intelligent transportation systems elements, on-ramps and off-ramps, and appurtenant features including but not limited to lighting, signage, drainage, guardrail, slopes and landscaping. Caltrans is interested in any additional mitigation measures identified for the project’s draft Environmental Document.

### **Broadband**

Caltrans recognizes that teleworking and remote learning lessen the impacts of traffic on our roadways and surrounding communities. This reduces the amount of VMT and decreases the amount of greenhouse gas (GHG) emissions and other pollutants. The availability of affordable and reliable, high-speed broadband is a key component in supporting travel demand management and reaching the state’s transportation and climate action goals.

## Right-of-Way

- Per Business and Profession Code 8771, perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction.
- Any work performed within Caltrans' R/W will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans' R/W prior to construction.

Additional information regarding encroachment permits may be obtained by contacting the Caltrans Permits Office at (619) 688-6158 or emailing [D11.Permits@dot.ca.gov](mailto:D11.Permits@dot.ca.gov) or by visiting the website at <https://dot.ca.gov/programs/traffic-operations/ep>. Early coordination with Caltrans is strongly advised for all encroachment permits.

If you have any questions or concerns, please contact Kimberly Dodson, LDR Coordinator, at (619) 985-1587 or by e-mail sent to [Kimberly.Dodson@dot.ca.gov](mailto:Kimberly.Dodson@dot.ca.gov) .

Sincerely,

*Maurice A. Eaton*

MAURICE EATON  
Branch Chief  
Local Development Review

**From:** [Camille Perkins](#)  
**To:** [Oberbauer, Sean](#)  
**Subject:** [External] Questhaven Tentative Map NOP Comments  
**Date:** Monday, October 3, 2022 2:35:26 PM  
**Attachments:** [2022 10 03 NOP Scoping letter response with appendices.pdf](#)

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Dear Mr. Oberbauer,

Attached please find comments to the NOP relating to the Questhaven Tentative Map Project.

I would be grateful if I could be added to the stakeholders list so I can receive future notices/communications related to this project.

Please let me know if you have any questions.

Sincerely,  
Camille Perkins



The Perkins Ranch at Copper Creek Hills / 3489 Lone Jack Road / Lone Jack Road / Encinitas, CA 92024

October 3, 2022

Via Email

Dear Mr. Oberbauer,

I was unable to attend the September 20, 2022 Notice of Preparation meeting concerning the Questhaven Tentative Map Project and sincerely thank County Staff in advance for considering the concerns raised in this letter (Questhaven Tentative Map Notice of Preparation, PDS2020-TM-5643; PDS2020-AD-20-011; PDS2022-STP-22-018, LOG NO. PDS2020-ER-20-08-008) (“Questhaven Project”).

These significant concerns include: (1) stormwater and safety impacts to Copper Creek; (2) potential impacts from trail use originating from, or traversing through, the Questhaven Project, and (3) safety issues caused by proximity to the mostly unlined San Marcos landfill, including leaching landfill gases and leachate.

We are very knowledgeable about these issues as my family has lived downstream of this project for more than 70 years and used to own the copper mine property, APN 223-081-51-00 described below, for most of that time.

**Issue 1: Stormwater and Safety Impacts to Copper Creek, Including to Potentially Polluted Mine Area**

This project must not add any stormwater or other water load to Copper Creek, including irrigation seepage. Copper Creek cannot safely accommodate additional water, under any condition, including projected conditions caused by atmospheric rivers/“Megafloods”/changed rainfall patterns due to global heating. It is already at a dangerous overcapacity, with flash floods. Downstream of this project are mining residuals, multiple downstream dams, along with access roads and driveways crossing Copper Creek that serve hundreds of people. All risks need to be understood, studied and fully mitigated.

A better use of this property would be to mitigate the stormwater impacts arising upstream.

This project can worsen conditions further, putting Lone Jack Road, the environment, downstream property owners and residents at risk:

- Copper Creek is mostly within a narrow ravine and runs next to the partially unlined decommissioned San Marcos landfill.
- Historically, Copper Creek had only intermittent, seasonal runoff and used to only run for short periods during years of heavy rainfall. Many years the stream did not run at all.
- In the early 2000s, with the construction of San Elijo Hills, the seasonal stream became a year-round stream. (The Questhaven Project states: “The area picks up considerable, year round runoff from large underground culvert/stormwater features.”)
- It appears most or all of the nearly 2000-acre San Elijo Hills development is already diverted into Copper Creek. The stream now experiences huge dangerous flash floods within minutes of rainfall and runs heavily for day(s).
- We had understood from historic studies and plans that water was not supposed to be diverted into Copper Creek with the development of San Elijo Hills.
- Copper Creek streambed is experiencing significant scouring and erosion.

- Downstream parcel APN 223-081-51-00 included the Encinitas Copper Mine. Copper Creek was used in mining and/or ore extraction/smelting activities.
  - For many decades after 1951 when my family moved in, the area downstream from the mine had a very unusual and unnatural appearance.
  - Serious pollution is associated with copper mining activities from that era, including mercury.
  - For other historic mines, they seek sediment to bury toxic chemicals, not erosion and displacement of polluted soils.
  - People are using water downstream, including for wells, irrigation, fishing, livestock, recreation, etc.
  - I am also concerned about erosion, and its potential effects, on the mine property and downstream.
- There are collection basins/dams downstream of this project, including the Lake Val Sereno area and the earthen dam just downstream of this project, owned by the Center for Natural Lands Management.
  - The dam owned by Center for Natural Lands Management (APN 223-081-51-00) appears to be eroded and undermined and could possibly be compromised. Additional stormwater could easily cause the dam to further breach and fully wash away the recorded access road on top of this dam, with potentially catastrophic results downstream.
  - Any dam breach could cause environmental, property and loss of life, in addition to cutting off roadway access for a large number of homes/residents.
- Downstream roadways and driveways are at risk. Many driveways and roadways downstream cross Copper Creek and have been rendered periodically inaccessible or been washing out due to increased stormwater flows down Copper Creek. Lone Jack Road, the major artery for 1000s of residents, parallels and crosses Copper Creek several times.
- Copper Creek is already overburdened and cannot accommodate water from the Questhaven Project.
- Studies must address projected conditions beyond the project site caused by atmospheric rivers/“Megafloods”/changed rainfall patterns/intensities due to global heating), including 100-year, 500-year or 1000-year flood events that have become more likely.

All overseeing agencies must ensure no additional drainage or floodwaters are discharged into Copper Creek and prevent pollution and catastrophic impacts downstream. Efforts must be undertaken to remediate and prevent the flash floods that now come from San Elijo Hills.

Relevant agencies, and the community, also need to understand the following:

- Are complete studies being done to determine downstream environmental impacts?
- How has potential mine and landfill pollution been studied and harms mitigated?
- What pollutants are being eroded into Copper Creek and flowing downstream?
- What are the health impacts to residents, neighbors and the larger region?

## **Issue 2: Trails**

In recent years, trails have been opened across this property from San Elijo Road south towards preserved properties owned by the Centers for Natural Lands Management (“CNLM”) without appropriate permits or studies. These trails are not longstanding nor historic, are creating public safety risks and are harming the environment. These trails need to be closed with the development of the Questhaven Project.

When family members sold APN 223-081-51-00, it was with the understanding that it was to be preserved for flora and fauna in perpetuity, without public access. My family had met with U.S. Fish and Wildlife staff prior to the Perkins sale/transfer and it was agreed that the property would continue to be off-limits to the public, as consistent with our past ownership and management to protect environmental resources. Opening these properties to the public is degrading habitat, changing animal patterns and causing public safety issues, including, but not limited to, reopened vertical shaft mines that CNLM knew about, but left open, unsigned and unfenced, until the County was involved about a year later.

Neighboring communities are being adversely impacted. Trail use is unsupervised, occurs 24-hours a day, and is resulting in crime ranging from robberies to assaults/batteries.

Preserved lands are being degraded in quality and value, with animals being pushed out given 24-hour a day use. Trails appear to be cleared without appropriate permits or studies.

Full environmental studies need to be done on off-site and community impacts if trails are proposed.

I respectfully request that the County and habitat agencies ensure that the Questhaven Project not make trails permanent from the Questhaven Project through CNLM’s Copper Creek and Rancho La Costa preserve, including across our former property. I believe it critical for the environment that public access be fenced off at the Questhaven Project.

## **Issue 3: This Property Appears to Have Landfill Gas (or Leachate) Intrusion Which Poses Possible Health Threats**

An EIR should address health and safety impacts to residents/tenants, and require adequate measures to prevent harms originating from the now-closed San Marcos Landfill. Once the Questhaven Project is entitled, the County has limited ability to protect residents/tenants from Landfill Gases and Landfill Impacts.

I respectfully request the County require the following, amongst other measures:

- Enrollment into the Department of Environment Health’s Voluntary Assessment Program “for evaluation of the health risks associated with a project in such close proximity to a closed landfill”;
- Notification to residents and purchasers of proximity to the San Marcos Landfill;
- To mitigate landfill gas migration, within 1000 feet,
  - Explosion proof conduits/sealing;
  - Trench dams in utility trenches;
  - Use of a gas migration barrier with passive venting; and
  - Hard-wired methane detectors.

Based on a review of the County’s monitoring and other landfill documents, landfill impacts are already recorded on this property. In brief, County reports show the Questhaven Project’s onsite groundwater

well, in addition to other wells within feet of the Questhaven Project's boundary, routinely testing positive for "Constituents of Concern" ("COCs").<sup>1</sup> The County ascribes the COCs as deriving from landfill gas ("LFG"), or less likely, landfill leachate. Note that the geology underlying the landfill is fractured rock, and could easily transmit leachate and landfill gas.

### *Landfill Background*

The San Marcos landfill was in operation from June 1979 to March 1997. According to the County, it reportedly accepted residential, commercial and agricultural waste including paint and paint thinners, oil, treated sewage sludge and medical waste.<sup>2</sup>

The San Marcos landfill is made of 18.75 million tons of material.<sup>3</sup>

### *San Marcos Landfill is Unlined and Generating Landfill Gas and Leachate*

Unlike modern landfills, the San Marcos landfill was unlined. The purpose of landfill lining is to keep landfill materials and contaminants onsite.

It wasn't until 1992, as part of the landfill expansion, that parts of the existing landfill were covered by a 24" compacted clay liner at an elevation of 750 feet above mean sea level.<sup>4</sup> A method of collecting leachate was put in place only for new waste collected after that time.<sup>5</sup>

A 2017 letter from the County (attached as Annex 1) states, "While the San Marcos Landfill has closed, it can be expected to remain biologically active and generate landfill gas and leachate for more than 30-50 years after closure." A County official said monitoring may need to continue forever in an article in Annex 2.

### *Radioactive materials*

There were no laws preventing "certain types of low level radioactive waste, known as decommissioned materials" from disposal in the San Marcos Landfill during its years of operation.<sup>6</sup> It cannot be excluded that such low-level radioactive waste has been disposed of in the San Marcos Landfill.

### *Groundwater Contamination / Landfill leachate and LFG*

Groundwater under the landfill and Questhaven Project property is testing positive for chemical COCs. According to the County, there are two likely sources: landfill leachate and landfill gases.<sup>7</sup> Per County

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<sup>1</sup> The list of Constituents of Concern is available at October 2016 – March 2017 Semi-Annual and 2016 Annual Monitoring Report, San Marcos II Landfill, page 7 (Annex 3). These are constituents that "have been tested and verified in samples collected from the leachate."

<sup>2</sup> Revised Workplan for Modification of Corrective Action Plan for San Marcos II Landfill, prepared for San Diego County Department of Public Works, Landfill Management by Geosyntac Consultants (May 2010), page 3.

<sup>3</sup> San Marcos II, Inactive Landfill Maintenance Plan, County of San Diego, (April 2014).

<sup>4</sup> Revised Workplan for Modification of Corrective Action Plan for San Marcos II Landfill, prepared for San Diego County Department of Public Works, Landfill Management by Geosyntac Consultants (May 2010), page 3.

<sup>5</sup> Revised Workplan for Modification of Corrective Action Plan for San Marcos II Landfill, prepared for San Diego County Department of Public Works, Landfill Management by Geosyntac Consultants (May 2010), page 3.

<sup>6</sup> [http://www.waterboards.ca.gov/rwqcb9/board\\_decisions/adopted\\_orders/2002/2002\\_0330.pdf](http://www.waterboards.ca.gov/rwqcb9/board_decisions/adopted_orders/2002/2002_0330.pdf)

<sup>7</sup> Revised Workplan for Modification of Corrective Action Plan for San Marcos II Landfill, prepared for San Diego County Department of Public Works, Landfill Management by Geosyntac Consultants (May 2010), page 11 ("The

documents, “[t]he source of COCs outside the waste area is likely due to migration of LFG and, to a lesser degree, leachate.”<sup>8</sup>

The County also states in Annex 1 that “Landfill gas has been documented to travel in the subsurface 1,000 feet or more from the source. The underlying geology of [the Questhaven Project property] is fractured rock, which adds another layer of complexity to potential gas migration.”

#### *Groundwater flows*

According to the map at Annex 4<sup>9</sup>, most of the groundwater from the landfill flows towards the west, towards Questhaven Project property.

#### *Landfill Gas*

According to the County, nothing more can be done to minimize groundwater Constituents of Concern caused by landfill gases.

[d]etections of low concentrations of COCs in groundwater resulting from minor LFG migration will likely continue regardless of optimal LFG extraction system operation (there is currently no LFG extraction technology that would be effective to eliminate LFG migration and potential contact with groundwater).<sup>10</sup>

Further in the attached 2017 County letter,

Landfill gas represents a health and safety issue throughout the life of an active landfill and for many years after closure. For regulated closed landfills, the [Solid Waste Local Enforcement Agency] and the landfill owner ensure that control measures contain landfill gas to the landfill through the use of a landfill gas collection system. Even so, gas can still migrate off site. Landfill gas consists of approximately 50% methane and 50% carbon dioxide. Trace amounts of non-methane organics and air toxics are also found in landfill gas. These gases can pose an explosion and human health threat. The lower explosive limit for methane is 5% methane in air.

#### *Water Monitoring*

According to recent and historical Semi-Annual and Annual Monitoring Reports prepared for the County, including the 2016 report attached, the landfill groundwater wells are testing positive for constituents of concern. As mentioned in the EIR relating to the General Plan property-specific requests, and 2017 County letter, and depicted in Annex 4, the Questhaven Project property has an onsite water monitoring

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likely source of the constituents of concern (COCs) detected in groundwater is diffusion from LFG beneath the landfill that has contacted the groundwater surface. Also, landfill leachate has possibly directly contacted groundwater, resulting in COC impacts.”)

<sup>8</sup> Revised Workplan for Modification of Corrective Action Plan for San Marcos II Landfill, prepared for San Diego County Department of Public Works, Landfill Management by Geosyntac Consultants (May 2010), page A-8.

<sup>9</sup> This is Figure 2 of the October 2016 – March 2017 Semi-Annual and 2016 Annual Monitoring Report, San Marcos II Landfill, page 37. The body of this Report is excerpted as Annex 3. The other reports relating to the San Marcos Landfill accessible via the waterboards.ca.gov website are also incorporated by reference.

<sup>10</sup> Revised Workplan for Modification of Corrective Action Plan, page 12.

well (SMGW-40).<sup>11</sup> Per historical annual/semiannual monitoring reports, the Questhaven Project's onsite well is routinely testing positive for 1,1-Dichloroethane, which pursuant to the federal Agency for Toxic Substances and Disease Registry/CDC ("ATSDR") data, may have effects on the kidney and liver. A number of other wells are testing water within a short distance of this property, for example, well SMGW-39 appears on the boundary of the Questhaven Project's property and other wells are within just a few hundred feet. These are testing positive for chemicals including, but not limited to: Benzene, Diethyl Ether, Methyl-Tert-Butyl Ether (MTBE), amongst others. Per the ATSDR data, these cause cancer and potentially damage neurology, nephrology (kidney) and hepatology (liver).

Per the attached news article at Annex 2, the San Marcos landfill "is leaching chemicals known to cause cancer, reproductive harm and other health problems." It continues, "officials said that because these chemicals don't occur naturally, any leak exceeds standards set for those sites" and "[a]ny volatile (organic compound) that's detected in groundwater is an indication of release from the landfills" (emphasis added).

We know from recent monitoring studies that County contractors are "assessing potential causes of trace VOC detections in groundwater samples collected from monitor wells SMGW-39 and SMGW-40 and is coordinating with the County's LFG subcontractor to maximize the efficiency of the landfill gas extraction system in an effort to improve water quality."<sup>12</sup> As described above, these efforts may not succeed as "there is currently no LFG extraction technology that would be effective to eliminate LFG migration and potential contact with groundwater."<sup>13</sup>

Per the above documents, it appears likely that Questhaven Project property already has landfill gas intrusion as its onsite and adjacent wells are testing positive for COCs.

The EIR should address pollution, health impacts and other concerns related to leachate and LFG originating from the closed San Marcos landfill.

#### *Conclusion*

I would appreciate if the EIR could address the issues of (1) stormwater and safety impacts to Copper Creek; (2) trails affecting nearby properties and (3) address pollution and safety impacts related to the San Marcos landfill.

Please let me know if I can provide further information.

Sincerely,



Camille Perkins

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<sup>11</sup> October 2016 – March 2017 Semi-Annual and 2016 Annual Monitoring Report, San Marcos II Landfill, page 5. Attached. The map of water monitoring wells is attached as Annex 4. These are figures to the October 2016 – March 2017 Semi-Annual and 2016 Annual Monitoring Report, San Marcos II Landfill.

<sup>12</sup> October 2016 – March 2017 Semi-Annual and 2016 Annual Monitoring Report, San Marcos II Landfill, page 5. Attached.

<sup>13</sup> Revised Workplan for Modification of Corrective Action Plan, page 12.

# Annex 1



# County of San Diego

MARK WARDLAW  
DIRECTOR

PLANNING & DEVELOPMENT SERVICES  
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123  
(858) 694-2962 • Fax (858) 694-2555  
[www.sdcounty.ca.gov/pds](http://www.sdcounty.ca.gov/pds)

March 14, 2017

Mr. Norm Pedersen  
Associate Planner  
City of San Marcos Planning Division  
1 Civic Center Drive  
San Marcos, CA 92069

Via email to: [NPedersen@san-marcos.net](mailto:NPedersen@san-marcos.net)

## COMMENTS ON THE COPPER HILLS ROUTING SHEET AND TENTATIVE MAP

Dear Mr. Pedersen:

The County of San Diego (County) has reviewed the City of San Marcos' (City) routing slip dated 2/3/17 and the associated tentative map for the Copper Hills project (Project). The County offers the following comments for your consideration. Please note that none of these comments should be construed as County support for the proposed Project or the associated annexation. Please refer to Attachment A, which illustrates the municipal boundaries and various parcels referenced in this letter.

### PLANNING & DEVELOPMENT SERVICES (PDS)

1. The subject property is entirely within the draft North County Multiple Species Conservation Program (NCMSCP) and associated Pre-Approved Mitigation Areas (PAMA).

Proposed projects within PAMA designated areas must be evaluated to determine their impact on the County's ability to assemble and manage an ecologically functioning preserve system. This includes projects that propose annexation into an incorporated city. The County's NCMSCP Planning Agreement includes the following directive:

"In the event land within the County's jurisdiction is proposed to be annexed to another jurisdiction, the County shall request that LAFCO impose a requirement on the annexing jurisdiction that it shall enter into an agreement between the County, the annexing jurisdiction, USFWS and CDFW as part of the annexation



process to ensure that annexation would only occur when the annexation will not jeopardize the buildout of the preserve or the coverage of species within either of the Planning Areas, or compromise viable habitat linkages with the proposed preserve, and that any development of the annexed lands proceeds in accordance with the Planning Goals set out in section 3 of this Agreement and the Preliminary Conservation Goals set out in section 5 of this Agreement. The agreement shall also set forth the resulting responsibilities for ongoing maintenance and enforcement of the terms of this Agreement as they relate to the annexed land. Issuance of Take Authorizations to the annexing jurisdiction or amendment of the annexing jurisdiction's Take Authorizations, if any are already in place, may be required in order to authorize Take on the annexed land."

An evaluation of the impact of the proposed annexation on the viability of the NCMSCP's proposed preserve must be completed for this Project. Should the Project be approved and an annexation agreement required, the County will be a Responsible Agency under CEQA §15381 and would need to rely on the environmental documentation to enable the Board of Supervisors (Board) to consider entering into the annexation agreement.

2. Please note that aside from the proposed Project discussed in the City's 2/3/17 routing slip, the Project property is part of the Board initiated Property Specific Requests (PSR) General Plan Amendment and Rezone for analysis of potential changes to General Plan land use designations and zoning classifications. The PSR is a County-initiated project to analyze proposed changes to land use designations for properties and associated study areas as directed by the Board during public hearings in June 2012. The PSR does not analyze information provided by the City's 2/3/17 routing slip and is a separate County-initiated project.

The PSR includes a full environmental analysis which is currently in process. It is premature to speculate on the final decision by the Board regarding any potential changes to the General Plan designations and/or zoning classifications. Additional background on the PSR is provided below:

- a. Staff has identified various constraints on the Project property as part of the ongoing PSR evaluation process. Multiple alternatives are being analyzed, including the highest density alternative, which would place the northern portion in a General Commercial designation (with mixed-use zoning at a maximum of 2 units per acre), the central portion in a Village Residential 10.9 designation (10.9 units per acre), and the southern portion in a Semi-Rural 0.5 designation (1 unit per 0.5, 1, or 2 acres, slope-dependent).
- b. Staff has prepared preliminary a policy analysis for the PSR for the Project property which is available here:

<http://www.sandiegocounty.gov/content/dam/sdc/pds/advance/PSR/prelim-analysis-sd15.pdf>.

- c. Additional information on the PSR can be found here:

<http://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>.

## TRANSPORTATION

1. Based on the proposed Project's description, it would generate approximately 5,000 average daily trips (ADT) as calculated below:

$$\begin{array}{r} 351 \text{ multi-family units (2,808 ADT)} \\ + 138,710 \text{ square feet of commercial / light industrial (2,210 ADT)} \\ \hline = (5,018 \text{ ADT}) \end{array}$$

The proposed Project is currently within the County's jurisdiction and could have significant direct and/or cumulative impacts to County roadways (e.g., Elfin Forest Road, Harmony Grove Road, Via Rancho Parkway, etc.). A Traffic Impact Study should be conducted per the County's *Guidelines for Determining Significance, and Report Format and Content Requirements* to ensure the proposed Project's traffic impacts are reflective of the current traffic conditions in the area and its impacts are appropriately mitigated.

## WATERSHED PROTECTION

1. The proposed Project could potentially generate stormwater impacts to adjacent private parcels located in the unincorporated county. Therefore, the Project must consider the following items:
- Compliance with the San Diego Municipal Storm Water Permit Order No. R9-2013-0001, (as amended by Order Nos. R9-2015-0001 and R9-2015-0100). The Project may consider implementing permanent site design, source control, pollutant control, and hydromodification management in accordance with the County's Best Management Practices (BMP) Design Manual.
  - Construction BMPs and associated plans for conformance with the County's Grading Ordinance, Watershed Protection Ordinance and State of California's Construction General Permit.

## LAND AND WATER QUALITY DIVISION

1. A water well is located in the northern portion of APN 223-070-08, a privately owned parcel in the unincorporated county. The well is located in the vicinity of the cul-de-sac for the proposed private road designated as street "C" (see Attachment B for approximate location). This well must be identified on the tentative map. If the well will

be destroyed to accommodate the proposed Project, the destruction must be done under permit and inspection by the Department of Environmental Health (DEH) prior to grading.

2. The County's Regional Water Quality Control Board (RWQCB) approved plan for permitting on-site wastewater treatment systems and the County's implementing ordinance, which apply County-wide, require a 5:1 (horizontal to vertical) setback from the top of a cut slope to any existing septic system leach field or designated reserve area. The grading proposed would intrude onto parcel APN 223-070-08 in an area previously tested and approved for a septic system leach field. DEH presumes that "off-site" grading would not be proposed unless the developer had made an arrangement with the owner of this parcel to accept this cut. However, the City and the parcel owners should be aware that the cut and resulting 5:1 setback would mean that much of the remaining area of this parcel would no longer be available for use as a leach field or reserve area. Other portions of this parcel may not be suitable for use as a leach field. The impacts of this cut could be substantial. The cut related impacts could be so great that DEH would be unable to approve any proposal for future development of parcel APN 223-070-08 that depended on the use of an on-site wastewater treatment system.
3. DEH staff are available on a cost-recovery basis to assist the City in determining whether the proposed Project would make APN 223-070-08 unbuildable, and are available to assist in the consideration of alternative grading plans that could avoid such a severe impact. We recommend that the City verify that an approvable means of sewage disposal (approved septic system layout or sewer) exists for a reasonable use of parcel APN 223-070-08 prior to approval of the grading plan for the proposed Project.

## **LANDFILL MANAGEMENT**

1. As shown on Attachment A, the proposed Project (APN 223-080-46) is located adjacent and west of APN 223-080-41 (a privately owned parcel) and west of the closed San Marcos II Sanitary Landfill/ Solid Waste Information System # 37-AA-0008 (San Marcos Landfill). Operations at the Landfill began in 1979 and continued through 1997. In 1997, when the San Marcos Landfill stopped accepting waste, it was estimated that 12.5 million cubic yards of waste was buried there. Corrective action has been occurring at the San Marcos Landfill since 1993. Groundwater remediation, leachate collection and treatment, and methane gas recovery are all currently being performed at the San Marcos Landfill. Official closure of the San Marcos Landfill occurred in 2007 and it is now in the post-closure monitoring and maintenance phase, which is managed by County Department of Public Works, Landfill Management.
2. Section 21190 of Title 27 of the California Code of Regulations (CCR) discusses limitations of post-closure landfill land use. Specifically, paragraph (g) of that section identifies development requirements for any on-site construction proposed within 1,000 feet of a disposal area, including the San Marcos Landfill.

In the County's review of the Tentative Map, the proposed Project does not appear to adhere to the aforementioned requirements in Section 21190 of Title 27 of the CCR. The requirements set forth in paragraph (g) have been copied below for reference. As the future land use authority for the proposed Project, it is recommended the City require Tentative Map, and related documents, be revised citing whether (and if so, how) the Project will comply with these state requirements. Please refer to the Local Enforcement Agency (LEA) comments provided further below for additional guidance.

"(g) All on site construction within 1,000 feet of the boundary of any disposal area shall be designed and constructed in accordance with the following, or in accordance with an equivalent design which will prevent gas migration into the building, unless an exemption has been issued:

(1) a geomembrane or equivalent system with low permeability to landfill gas shall be installed between the concrete floor slab of the building and subgrade;

(2) a permeable layer of open graded material of clean aggregate with a minimum thickness of 12 inches shall be installed between the geomembrane and the subgrade or slab;

(3) a geotextile filter shall be utilized to prevent the introduction of fines into the permeable layer;

(4) perforated venting pipes shall be installed within the permeable layer, and shall be designed to operate without clogging;

(5) the venting pipe shall be constructed with the ability to be connected to an induced draft exhaust system;

(6) automatic methane gas sensors shall be installed within the permeable gas layer, and inside the building to trigger an audible alarm when methane gas concentrations are detected; and

(7) periodic methane gas monitoring shall be conducted inside all buildings and underground utilities in accordance with Article 6, of Subchapter 4 of this chapter (section 20920 et seq.)."

3. Existing groundwater monitoring wells are located on the proposed Project site (APN 223-080-46) that are part of the San Marcos Landfill's approved monitoring program. Please refer to Attachment C illustrating the groundwater well locations. The Project site is currently privately-owned and located within the unincorporated county, but is anticipated to be annexed by the City. The proposed Project must guarantee access to all groundwater monitoring compliance wells, and sites must be adequately protected to ensure there is no damage to wells during construction and in perpetuity. To ensure that the County can comply with its regulatory obligations to monitor the groundwater for potential landfill-related contamination, access to these wells will need to be maintained indefinitely.
4. Because the proposed Project is located within 1,000 feet of a closed landfill, the County recommends the developer enter into DEH's Voluntary Assessment Program (VAP) for evaluation of the health risks associated with a project in such close proximity to a closed landfill. Information on the VAP can be found on the County's website:

[www.sandiegocounty.gov/content/sdc/deh/lwqd/sam\\_voluntary\\_assistance\\_program.html](http://www.sandiegocounty.gov/content/sdc/deh/lwqd/sam_voluntary_assistance_program.html).

## **SOLID WASTE LOCAL ENFORCEMENT AGENCY**

1. The proposed Project is located less than 1,000 feet from the disposal area of the closed San Marcos Landfill. While the San Marcos Landfill has closed, it can be expected to remain biologically active and generate landfill gas and leachate for more than 30 - 50 years after closure. Landfill gas has been documented to travel in the subsurface 1,000 feet or more from the source. The underlying geology of the area is fractured rock, which adds another layer of complexity to potential gas migration.
2. Title 27 CCR, Section 21190, states:
  - “(a) Proposed postclosure land uses shall be designed and maintained to:
    - (1) protect public health and safety and prevent damage to structures, roads, utilities and gas monitoring and control systems;
    - (2) prevent public contact with waste, landfill gas and leachate; and
    - (3) prevent landfill gas explosions.”

Landfill gas represents a health and safety issue throughout the life of an active landfill and for many years after closure. For regulated closed landfills, the LEA and the landfill owner ensure that control measures contain landfill gas to the landfill property through the use of a landfill gas collection system. Even so, gas can still migrate off site. Landfill gas consists of approximately 50% methane and 50% carbon dioxide. Trace amounts of non-methane organics and air toxics are also found in landfill gas. These gases can pose an explosion and human health threat. The lower explosive limit for methane is 5% methane in air.

3. Title 27 CCR § 21190(c) provides that all proposed postclosure land uses on sites implementing closure or on closed sites, other than non-irrigated open space, shall be submitted to the Enforcement Agency (EA), RWQCB, local air district and local land use agency. The EA shall review and approve proposed postclosure land uses if the Project involves structures within 1,000 feet of the disposal area, structures on top of waste, modification of the low permeability layer, or irrigation over waste. However, this regulation does not extend beyond the permitted boundary.

Because the proposed Project is not located on the San Marcos Landfill property, the LEA has no regulatory authority to require the Project to be constructed with measures to mitigate the effects of the landfill. However, based on staff experience, the LEA recommends the following measures be implemented to mitigate landfill gas migration on the proposed Project:

- a. Explosion proof/intrinsically safe conduits and sealing of all conduit perforations into structures located within 1,000 feet or more of the San Marcos Landfill to preclude the migration of landfill gas into the structure;
- b. Trench dams in utility trenches to prevent migration of gas along the trench lines;
- c. Use of a gas migration barrier with passive venting or similar method of gas intrusion prevention underneath residential structures and those commercial structures closest to the San Marcos Landfill (within a minimum of 1,000 feet);
- d. Installation of hard-wired methane detectors in appropriate locations in the residential structures, and the commercial structures located within a minimum of 1,000 feet of the San Marcos Landfill; and
- e. Residents and purchasers should be notified of the proximity to the San Marcos Landfill prior to purchase, and this landfill should be disclosed in any leases.

## **PARKS AND RECREATION**

1. The Project information submitted indicates that ten "tot lot" play areas totaling over 8,000 square feet, two recreational facilities totaling over 13,000 square feet, 3,560 linear feet of pedestrian paseos, nearly 40,000 square feet of common open space, and approximately 6.5 acres of recreational land use area would be included in the Project and would be located on-site.
2. If a 351 unit residential subdivision were proposed within the County's jurisdiction, approximately 2.98 acres of developed land would be required to be dedicated for local public park purposes as a condition of subdivision approval. This acreage requirement would not include passive recreational uses, trails, or group open space areas required for multifamily residential developments. Additionally, project approval would include a condition to establish a funding mechanism, such as a special tax district, to fully fund the on-going operation and maintenance of the public park.
3. The County Department of Parks and Recreation (DPR) recommends that an equivalent acreage of land (2.98 acres) be dedicated for public park purposes that does not include trails and group open space areas. DPR also recommends that the Project be conditioned to require adequate funding mechanisms to fund on-going operation and maintenance of the public park and any trails. Future project submittals should provide details as to the acreage of public parks provided and funding mechanisms for ongoing operations and maintenance.

The County looks forward to receiving future documents and/or notices related to this Project and providing additional assistance at your request. If you have any questions regarding these

Mr. Pedersen  
March 14, 2017  
Page 8

comments, please contact Timothy Vertino, Land Use/Environmental Planner at (858) 495-5468, or via email at [timothy.vertino@sdcounty.ca.gov](mailto:timothy.vertino@sdcounty.ca.gov).

Sincerely,



JOSEPH FARACE, Group Program Manager  
Advance Planning Division  
Planning & Development Services

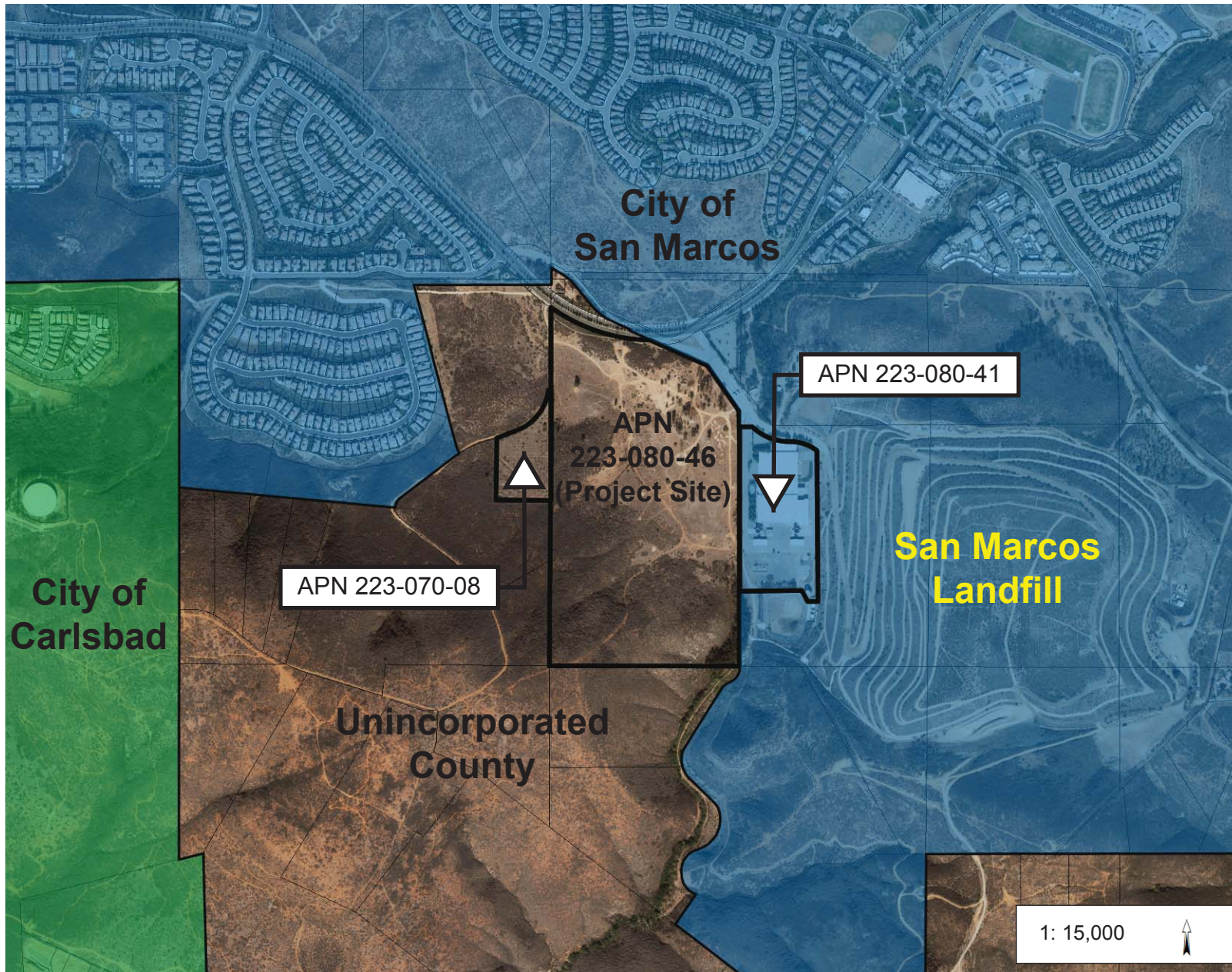
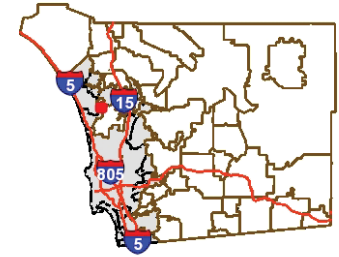
Enclosed:

Attachment A: Vicinity Map  
Attachment B: Water Well - APN 223-070-08  
Attachment C: Groundwater Well Locations

Email cc:

Melanie Wilson, Policy Advisor, Board of Supervisors, District 5  
Vincent Kattoula, CAO Staff Officer, LUEG

# Attachment A: Vicinity Map



**Legend**

Parcels

**Notes**

Map prepared by County Department of Public Works

0.5 0 0.24 0.5 Miles

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
 Planning and Development Services

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



SCALE: 1" = 100'

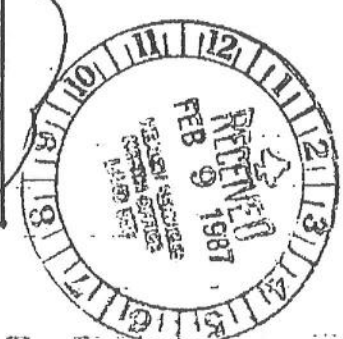
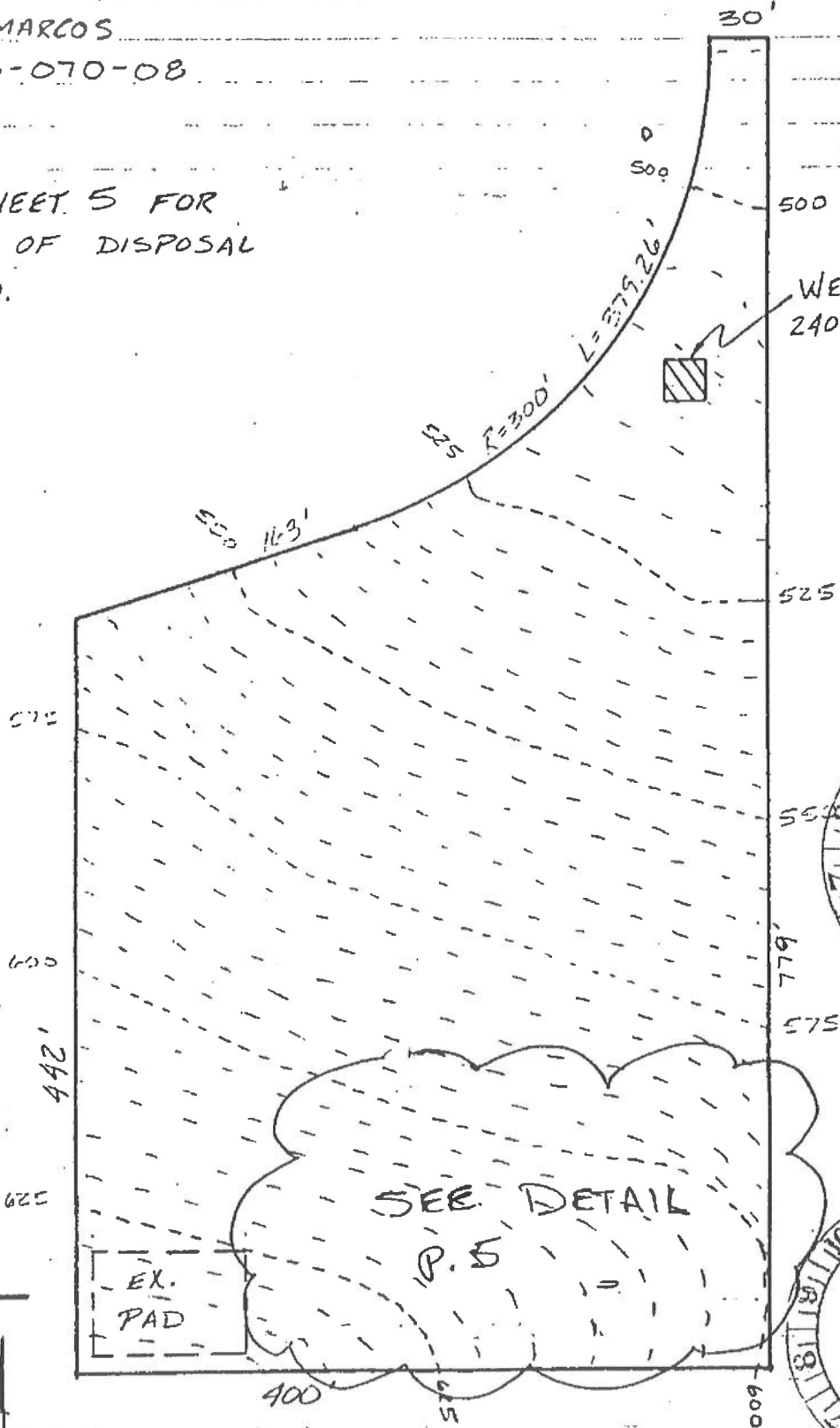
OWNER: ALEXANDER NEMETH

LOCATION: GUESTHAVEN ROAD

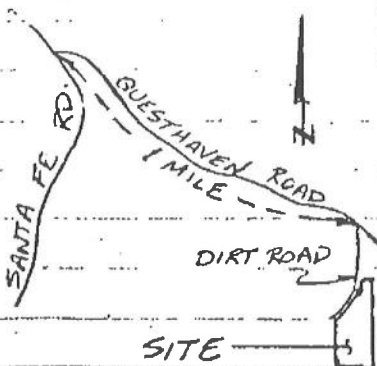
CITY: SAN MARCOS

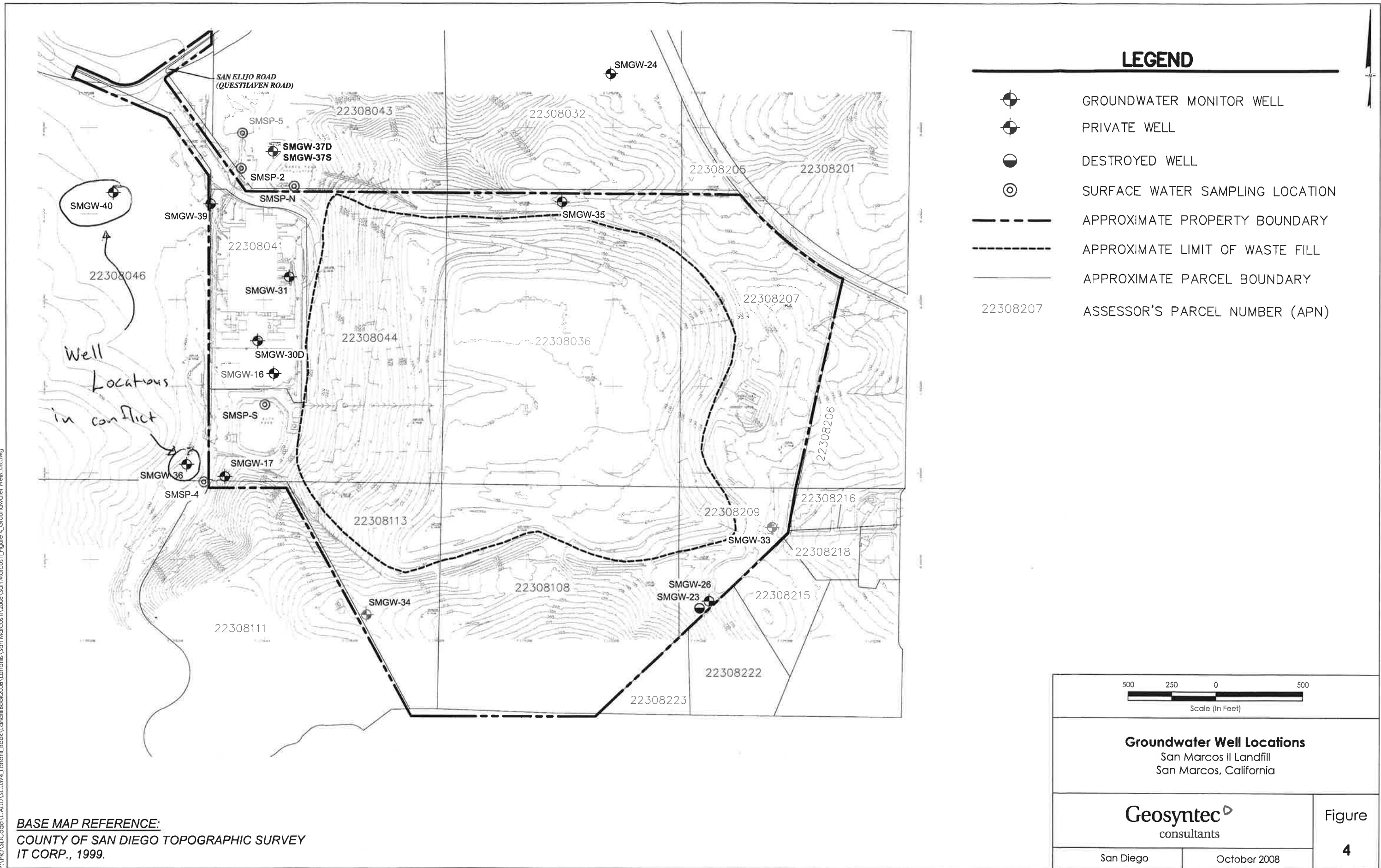
A.P.N.: 223-070-08

SEE SHEET 5 FOR  
SKETCH OF DISPOSAL  
SYSTEM.



VICINITY MAP  
NO SCALE





**LEGEND**

- GROUNDWATER MONITOR WELL
- PRIVATE WELL
- DESTROYED WELL
- SURFACE WATER SAMPLING LOCATION
- APPROXIMATE PROPERTY BOUNDARY
- APPROXIMATE LIMIT OF WASTE FILL
- APPROXIMATE PARCEL BOUNDARY
- ASSESSOR'S PARCEL NUMBER (APN)

500 250 0 500  
Scale (In Feet)

**Groundwater Well Locations**  
San Marcos II Landfill  
San Marcos, California

**Geosyntec**  
consultants

San Diego October 2008

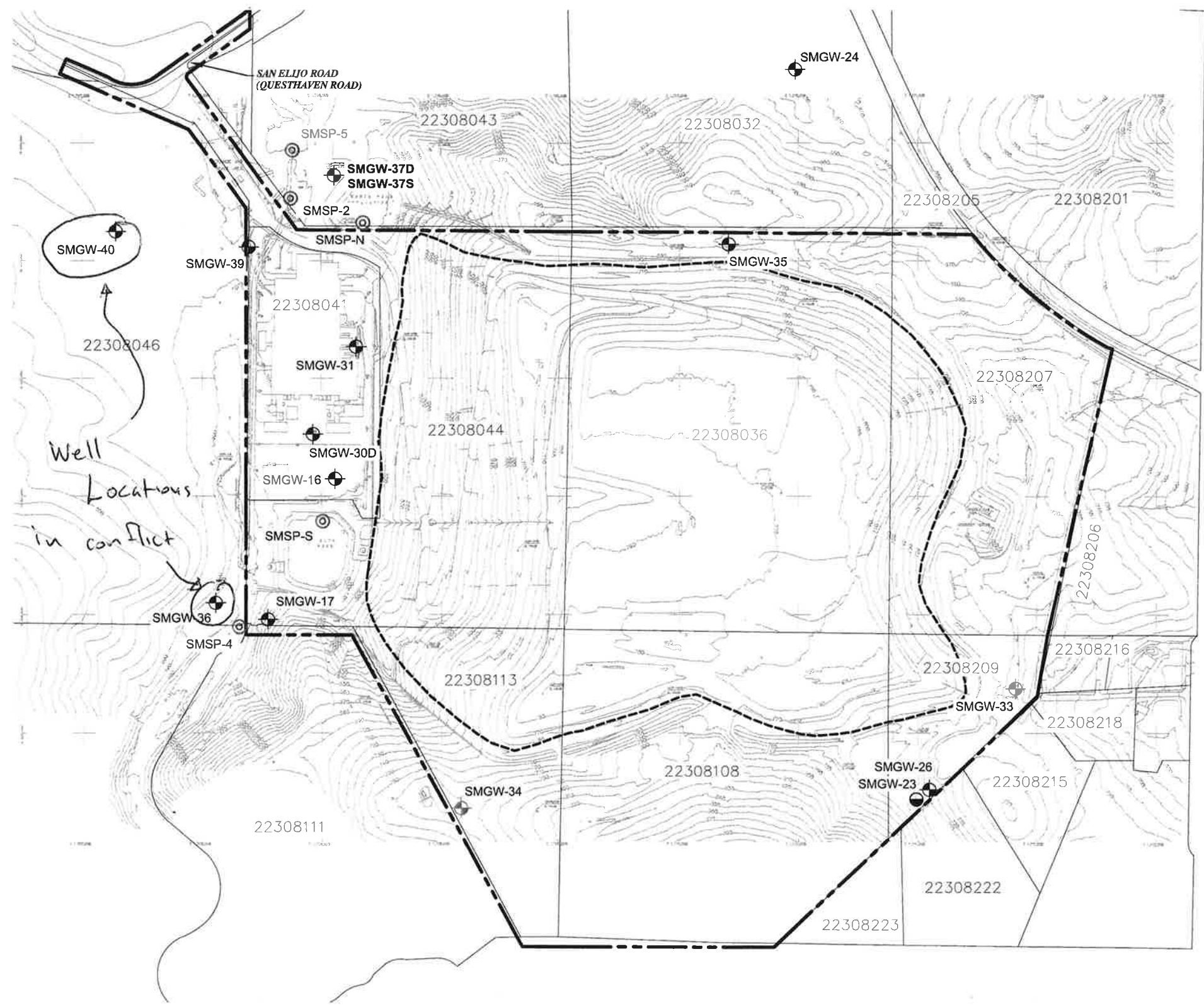
**Figure 4**

**BASE MAP REFERENCE:**  
COUNTY OF SAN DIEGO TOPOGRAPHIC SURVEY  
IT CORP., 1999.

P:\PRJ\SDC\Code\CADD\SC0394\_Landfill\_Book\Landfill\Book2008\Landfills\San Marcos II\2008\San Marcos II\_Figure 4\_Groundwater Well\_08.dwg

Well Locations in conflict

SAN ELIJO ROAD (QUESTHAVEN ROAD)



SMSP-5

SMGW-37D  
SMGW-37S

SMSP-2

SMSP-N

SMGW-24

22308043

22308032

22308205

22308201

SMGW-40

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SMGW-35

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22308047

SMGW-31

22308044

22308036

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SMGW-30D

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SMSP-S

SMGW-17

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## **Annex 2**

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# EXCLUSIVE: Seven former North County landfills leaking contaminants

By **DEBORAH SULLIVAN BRENNAN** - [dbrennan@nctimes.com](mailto:dbrennan@nctimes.com)

MARCH 5, 2011, 7:20 PM

Seven former North County dumps are leaking contaminants into surrounding groundwater as the decomposing remains of decades' worth of waste seep out of the unlined soil beds, water officials said in a series of recent interviews.

However, water quality officials said they know of no drinking water supplies in North County that have been contaminated by landfills.

Because most residents receive piped water through the San Diego County Water Authority, "the risk to most county residents is very small or negligible, while local water supplies located in more rural areas may be at a somewhat elevated but unquantified level of risk," said John R. Odermatt, a senior engineering geologist for the California Regional Water Quality Control Board's San Diego region.

Since the seven landfills ---- in Bonsall, Valley Center, Poway, San Marcos, Oceanside and Carlsbad ---- closed more than a decade ago, an airport, parks, schools and homes have been built on or near the sites.

Officials said that while the former landfills are leaching chemicals known to cause cancer, reproductive harm and other health problems, all seven sites are tested regularly and the regional water board has ordered corrective measures to stop the seepage. Measures to extract hazardous gas and liquid from the sites have kept the contamination from spreading, they said.

However, as county Supervisor Bill Horn and other officials push for more reliance on groundwater sources as a hedge against limited water supplies, safe groundwater has become a pressing concern. And plans to build the Gregory Canyon Landfill on county land near the Pala Indian Reservation outside Fallbrook have focused attention on the long-term storage of trash, officials said.

## A toxic mix

The landfills, built between the late 1940s and 1970s, preceded environmental rules that govern waste disposal today, and served as catch-all basins for a mix of routine trash and toxic chemicals.

"The hazardous-waste checks didn't start until the 1990s," said Michele Stress, a unit manager for the county Department of Public Works, which monitors and maintains the seven sites.

Residents and businesses are now required to discard hazardous materials at special sites, but landfills built before the '90s took in everything from yard clippings and food scraps to paint thinner, batteries, solvents, motor oil and dry-cleaning chemicals.

"Probably [Jimmy Hoffa](#) is buried in one of those things, producing methane," said Henry Cole, a Maryland-based environmental consultant, referring to the powerful [Teamsters Union](#) leader who disappeared under mysterious circumstances July 30, 1975.

Landfills that opened before the '90s also lacked bottom liners that modern landfills employ to keep pollution from seeping off-site.

"A lot of companies and businesses, big and small, in the post-World War II era up into the 1970s and 1980s routinely threw away really nasty stuff in landfills," said Jonathan Scott, a spokesman for Clean Water Action, a national environmental organization. "All landfills eventually leak over time, even modern ones with state-of-the-art liners and collection systems.

"But the older ones are really problematic because they don't have (liners), and because the stuff that went into them can be presumed to be really bad."

Stress said, however, that North County had little heavy industry during that period, so landfill contents likely contain more agricultural scraps than industrial waste.

Nonetheless, the brew of chemicals in the seven landfills is releasing methane gas from decomposing biological waste, along with volatile organic compounds ---- synthetic chemicals that evaporate easily and can pollute air and water supplies.

Recent monitoring tests at the former landfill sites in Poway and Bonsall and at McClellan-Palomar Airport in Carlsbad and Bradley Park in San Marcos showed that some pollutant levels exceeded state health limits.

Pollutants that registered levels above state limits included vinyl chloride, tetrachloroethylene, trichloroethylene and benzene. Those volatile organic compounds can cause liver, brain or [lung cancer](#), anemia, skin allergies, bone and blood problems, liver and kidney damage and reproductive problems, according to the federal Agency for Toxic Substances and Disease Registry.

All seven landfills have registered some leaks of contaminants, however, and officials said that because those chemicals don't occur naturally, any leak exceeds standards set for those sites.

"Any volatile (organic compound) that's detected in groundwater is an indication of release from the landfills, which is a violation of their current discharge requirements," said Cheryl Prowell, a water resource control engineer for the regional water quality board.

## **Dealing with the dumps**

As the dumps filled up from the late 1960s through the 1980s, the county covered them and found other uses for the sites.

Jefferson High School, Clair Bergener School and Mission Elementary School surround the former Mission Avenue landfill in Oceanside, water board documents show.

Bradley Park sits over a former county landfill in San Marcos, the Aerie Park equestrian facility operates on the site of the former Valley Center landfill, and Palomar Airport sits atop the former landfill in Carlsbad.

Rural homes and orchards have sprung up near the former Bonsall landfill, the San Elijo Hills neighborhood abuts the former San Marcos landfill, and homes surround the former Poway landfill, near the section of Poway Road between Espola Road and Highway 67 known as the Poway Grade.

In some instances, contaminated materials have risen to the surface.

A water board report on the Mission Avenue landfill in Oceanside noted that in 1978, the year the dump closed, there was not enough soil cover to prevent water from percolating through the waste. The report also noted that the closed landfill lacked erosion control and was polluting the San Luis Rey River.

"Bad smelling, dark leachate was flowing from several points in the landfill and mixing with the storm run-off flowing down the gully to the river," the report stated. "Paper, tires, tin cans and other debris were visible at least 2,000 feet beyond the base of the landfill."

In another document, the water board cited the county's concerns in 1996 about a fireworks display at Bradley Park in San Marcos, stating that the presence of methane gas at the site posed a risk of fire and explosion hazards. That particular site has little or no gas emissions today, said Jason Forga, a senior civil engineer for the county.

A 2004 cleanup and abatement order for the Valley Center landfill stated that pollution from the site was seeping into the lower San Luis Rey River and surrounding areas.

To correct those problems, county officials have installed systems to remove contaminated water and built gas-extraction wells that suck methane and other harmful vapors from the landfills before burning them, Stress said.

At the former San Marcos landfill near San Elijo Hills, bright yellow wildflowers and other native brush grow atop a 5-foot layer of clay soil that contains the trash. A county contractor, SCS Engineers, manages gas emissions, operating a 24-hour flare that burns methane and volatile organic compounds before they reach the air or groundwater. Another company, Fortistar Methane Group, uses gas flares to generate power, which it sells to SDG&E.

Officials also inspect the topography above the landfills for places where contaminated water might be pooling, adding dirt as needed to prevent runoff, Forga said.

The county orders monthly gas checks and conducts semiannual tests for groundwater pollution, officials said, and spends \$5 million a year on monitoring and maintenance of closed landfills and burn sites countywide.

Odermatt, the water board's senior engineering geologist, said it's unclear how long that will be the case, adding that the board does "not speculate on how long monitoring and maintenance may continue."

### **Leaky bathtubs**

The corrective measures, including covering the top of the landfills, help control but don't actually contain the contamination, county officials said.

"You have to think of the landfill as kind of a leaky bathtub, particularly where the liner's on top," said Cole, the Maryland-based environmental consultant. "Usually, they're not well constructed. They tend to crack, they develop fissures, they get eroded. Water infiltrates constantly and picks up contamination."

Cole said the water pressure in landfills is usually higher than surrounding areas, and can force contaminated water into untainted wells. He also said that volatile chemicals can pose a problem known as "vapor intrusion," when chemicals evaporate from groundwater and contaminate the air in nearby homes.

In Bonsall, monitoring wells along the perimeter of the sites have shown elevated levels of three chemicals, including tetrachloroethylene, according to the water board's cleanup and abatement order for the site.

The chemical, which can cause kidney and liver damage, and may lead to cancer or reproductive harm, has also shown up in a private agricultural well in the area, Prowell said.

It could affect 34 other nearby wells, including seven domestic wells and a number of agriculture wells, she said.

The county has proposed improving drainage on the site to reduce moisture in the buried debris and prevent runoff.

Although officials said the threat to drinking water is low, that risk could rise if more communities tap into groundwater, as Supervisor Horn has suggested they do. In January, Horn convened a panel of water experts to talk about how the county should explore groundwater use in order to stretch the region's water supply in backcountry areas.

Local water district officials said their groundwater is limited or isolated from the former landfills. But Daniel Tartakovsky, a UC San Diego engineering professor who sat on Horn's water panel last month, said the county has been overly conservative in its groundwater estimate. Without studying areas site by site, Tartakovsky said, the county may have underestimated water sources.

The long-term safety of landfills also weighs heavily on the permitting process for the proposed Gregory Canyon Landfill outside Fallbrook. The landfill is proposed for 308 acres of undeveloped land near Pala, alongside the

San Luis Rey River. The county Department of Environmental Health must decide whether to issue the permit by April 1.

At a meeting last month, speakers including Pala Band of Mission Indians Chairman Robert Smith, county Supervisor Pam Slater-Price and other officials said the project threatens habitat, water and air quality. No landfill liner is fail-safe, they argued.

Gregory Canyon Ltd. consultant Richard Felago argued otherwise, saying the 8-foot-thick liner, composed of layers of gravel and synthetic material, would not leak.

In addition to the five-layer composite liner, the company's website stated, landfill plans would include a system to collect and contain landfill liquids, and a groundwater treatment plant to protect water quality.

Odermatt said groundwater hazards posed by aging landfills have led to greater scrutiny of new landfill design.

"That's one reason we've been very critical, and are taking a very hard look at the proposed Gregory Canyon design," he said. "Because the people out there don't get piped-in water. They get water from wells, so we're really looking at that hard."

Stress, with the county Public Works Department, said the slow decay of past trash requires ongoing attention. She said the county expects to manage older landfills in perpetuity.

"This monitoring is long-term," Stress said. "It's going to be going on for years ---- we think forever. We're going to be doing this until the landfill is a dry tomb."

Call staff writer Deborah Sullivan Brennan at 760-740-5420.

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# Annex 3



*Prepared for*

**County of San Diego**

5510 Overland Avenue, Suite 410

San Diego, California 92123

**OCTOBER 2016 – MARCH 2017 SEMI-ANNUAL  
AND 2016 ANNUAL MONITORING REPORT  
SAN MARCOS II LANDFILL  
SAN MARCOS, CALIFORNIA**

**SWIS # 37-AA-0008**

**LD:06-0278.02:ccheng**

*Prepared by*

**Geosyntec**   
consultants

engineers | scientists | innovators

10875 West Bernardo Drive, Suite 301

San Diego, California 92127

858.674.6559

Project Number: SC0226E

April 2017

**OCTOBER 2016 – MARCH 2017 SEMI-ANNUAL  
AND 2016 ANNUAL MONITORING REPORT  
SAN MARCOS II LANDFILL  
SAN MARCOS, CALIFORNIA**

I certify that this document and attachments presented in this report are accurate and complete. This report was prepared by the staff of Geosyntec Consultants under my supervision to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who are directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. No attempt has been made to verify the accuracy of the Site Inspection Reports provided by Landfill Management.



4/17/2017

\_\_\_\_\_  
Veryl Wittig  
California Professional Geologist No. 7115

\_\_\_\_\_  
Date

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- B Groundwater Sample Collection Logs and Equipment Calibration Logs
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- D Statistical Analysis
- E Time Series Plots

## 1. INTRODUCTION

### 1.1 Terms of Reference

This report documents the results of the October 2016 through March 2017 semi-annual and 2016 annual monitoring period at the San Marcos II Landfill (site) (Figure 1). This document was prepared by Geosyntec Consultants (Geosyntec) for the County of San Diego, Department of Public Works, Landfill Management (County) to comply with California Regional Water Quality Control Board (RWQCB) Order No. R9-2003-0003 [RWQCB, 2003], and Technical Change Order No. T-1 [RWQCB, 2005]. Order No. R9-2003-0003, adopted by the RWQCB on 10 December 2003, supersedes Order No. 92-02 and Monitoring and Reporting Program (MRP) 95-112, and deletes San Marcos II Landfill from Order 93-86. This report was prepared by Ms. Sherry Watts and was reviewed by Mr. Veryl Wittig, PG, CHG, in accordance with Geosyntec’s internal peer review policy.

The following table contains a list of the components in this report required by the corresponding sections from Monitoring and Reporting Program (MRP) No. R9-2003-0003:

Required Submittal		Required Frequency	Location in this Report
H.1.a	Requirement violations	Semi-annually	Transmittal Letter
H.1.b	Certification	Semi-annually	Page i, Transmittal Letter
H.2.a	Monitoring parameters	Semi-annually	Section 2.1
H.2.b	Detection limit of monitoring parameters	Semi-annually	Appendix C
H.2.c	Measured concentration of monitoring parameters	Semi-annually	Tables 2 through 7, Appendix C
H.2.d	Map of monitoring points and groundwater flow direction	Quarterly	Figures 2 and 3
H.2.e	Monitor well information, time of groundwater level measurements and sampling methods	Semi-annually	Table 1, Appendix B
H.2.f	Sampling information and QA/QC	Semi-annually	Appendices B and C
H.2.g	Leachate and run/off control	Semi-annually	Section 3
H.2.h	Site inspection reports	Quarterly	Appendix A
H.2.i	Inspection of temporary stockpiles	Semi-annually	Transmittal Letter
H.2.j	Evaluation of corrective action measures	Semi-annually	Section 5.3
H.3.a	Graphical presentation of data	Annually	Figures 5 to 12 and Appendix E
H.3.b	Analytical data - tabular and electronic format	Annually	Tables 2 to 7, Appendix C
H.3.c	Compliance record	Annually	Section 6.4
H.3.d	Discussion of monitoring results	Annually	Section 2 and 6

Required Submittal		Required Frequency	Location in this Report
H.3.f	Written summary of monitoring results	Annually	Section 6
H3.g	Leachate control	Annually	Section 3
H3.h	Status of Storm Water Pollution Prevention Plan	Annually	Transmittal letter
H4	Leachate Report	Annually	Section 3 and Table 5

In accordance with Section H.5 of MRP No. R9-2003-0003, five-year Constituent of Concern (COC) sampling is performed at the site every five years, alternating between the first and third quarter monitoring periods. The last COC sampling was performed during the third quarter 2012 therefore, COC sampling was performed during the first quarter 2017 monitoring period.

## 1.2 Site Maintenance

Appendix A presents the results of inspections conducted by County personnel at the San Marcos II Landfill and information on site conditions and maintenance activities during the current monitoring period.

## 2. GROUNDWATER AND SURFACE WATER MONITORING

Groundwater, surface water, and corrective action monitoring and sampling were performed by Confluence Environmental, Inc., a subcontractor to Geosyntec, in accordance with the current County of San Diego, Department of Environmental Health, Site Assessment and Mitigation (SAM) Manual guidance as detailed on field sample collection logs (Appendix B). Analyses were performed at Eurofins/Calscience Laboratory, Inc. (Eurofins) of Garden Grove, California.

Analytical results were compared to Water Quality Objectives (WQOs) for the San Elijo Hydrologic Subarea, which by reference include current California maximum contaminant levels (MCLs) for volatile organic compounds (VOCs) and primary and secondary drinking water standards [RWQCB, 2011].

### 2.1 Monitoring Parameters

Groundwater and surface water samples collected during the current monitoring period were analyzed according to Section C2 of MRP No. R9-2003-0003 as follows:

Parameter	Method
pH	Field Method
Total Dissolved Solids (TDS)	SM 2540C
Chloride	EPA 300.0
Sulfate	EPA 300.0
Nitrate	EPA 300.0
Mercury	EPA 7470A
Volatile Organic Compounds (VOCs)	EPA Method 8260 B
Bicarbonate, carbonate <sup>1</sup>	SM 2320B
Biochemical Oxygen Demand (BOD) <sup>1</sup>	SM 5210B
Chemical Oxygen Demand (COD) <sup>1</sup>	EPA 410.4
Dissolved Metals (Sb, Ar, Ba, Be, Ca, Cd, Co, Cu, Pb, Mg, Ni, Se, Tl, VA, Zn) <sup>1</sup>	EPA 6010B
Total Phenols <sup>1</sup>	EPA 420.1

<sup>1</sup> – Constituent was analyzed as part of the 5-Year Constituent of Concern sampling event.

Groundwater sampling locations are shown on Figures 2 and 3.

### 2.2 Groundwater Elevation and Flow Direction

The depth to groundwater in each monitor well was measured on 6 October during the fourth quarter 2016 and 14 February during the first quarter 2017 (Table 1). No floating immiscible layers were detected in the site monitor wells.

A groundwater divide exists in the eastern portion of the site (Figures 2 and 3). Groundwater



flow west of the divide is generally to the west and groundwater flow east of the divide is generally to the northeast. In the western portion of the site, groundwater flow was previously being influenced by daily pumping in corrective action wells SMGW-16 and -30D, creating a localized depression intended to capture potentially impacted groundwater from beneath the landfill. With RWQCB approval, these corrective action wells were turned off on 11 June 2011 as part of the transition from active pumping to passive monitored natural attenuation (MNA) for corrective action. Groundwater elevations in SMGW-16, -30D, -31, -39 and -40 rebounded by late 2011 and similar to the monitor wells at the site, have exhibited a slight declining trend since that time. Hydraulic gradients across the site during the fourth quarter 2016 and first quarter 2017 monitoring periods are consistent with historical gradients and range from approximately 0.05 to 0.39 foot per foot (ft/ft) (Figures 2 and 3).

### **2.3 Data Validation**

The analytical data packages were received from Eurofins and reviewed for basic analytical quality assurance/quality control (QA/QC) adherence based on quality control (QC) guidance in the USEPA Contract Laboratory Program National Functional Guidelines [USEPA, 2014a and 2014b], as well as pertinent methods referenced in the data packages, and professional judgment. Data packages were reviewed for chain of custody discrepancies; sample holding times; evaluation of matrix spike/matrix spike duplicates (MS/MSD) and laboratory control samples/laboratory control sample duplicates (LCS/LCSD); and assessment of trip and method blanks. A summary of the groundwater data validation information is provided in Appendix C.

Following validation of the data presented in the analytical data packages provided in Appendix C, the data as qualified are considered usable and acceptable for meeting project objectives.

### **2.4 Groundwater Analytical Results**

Analytical results for groundwater samples collected during the January 2017 sampling event from the background, compliance, and corrective action monitor wells, including data for the trip blanks (QCTB), are summarized in Tables 2 and 3. Groundwater sample collection logs are included in Appendix B. Analytical certificates for the current monitoring period are included in Appendix C.

#### **2.4.1 Assessment Monitoring Program**

In groundwater samples collected from the background and compliance monitor wells, concentrations of VOCs and general chemistry constituents were consistent with historical concentrations and trends (Table 2). The following VOCs, metals, and general chemistry constituents exceeded or were outside WQO limits during the first quarter 2017 sampling event:

- pH: SMGW-17 (6.22), SMGW-24 (5.76), and SMGW-39 (6.41);

- Nickel: SMGW-33 (0.444 mg/L); and
- Sulfate: SMGW-24 (750 mg/L).

VOCs were detected above the method detection limit in the groundwater samples collected from monitor wells SMGW-39 and SMGW-40, as follows:

- SMGW-39: 1,1-Dichloroethane (4.0 µg/L), Benzene (0.36 µg/L), Diethyl Ether (3.7 µg/L), Methyl-Tert-Butyl Ether (MTBE) (0.38 µg/L); and
- SMGW-40: 1,1-Dichloroethane (0.87 µg/L).

No VOCs detected in the groundwater samples collected from monitor wells SMGW-39 and SMGW-40 exceeded WQOs during the current monitoring period. Geosyntec is assessing potential causes of trace VOC detections in groundwater samples collected from monitor wells SMGW-39 and SMGW-40 and is coordinating with the County's LFG subcontractor to maximize the efficiency of the landfill gas extraction system in an effort to improve water quality.

#### **2.4.2 Corrective Action Monitoring Program**

During the current monitoring period, concentrations of VOCs, general chemistry, and metals constituents in groundwater samples collected from the corrective action wells (SMGW-16, SMGW-30D, SMGW-31, and SMGW-35), were generally consistent with historical concentrations and trends (Table 3 and Figures 5 - 12). Concentrations of monitoring parameters did not exceed the WQOs or WQO ranges, with following exceptions in the groundwater samples collected from monitor well SMGW-35:

- Chloride: (1200 mg/L);
- Mercury: (0.00421 mg/L); and
- pH: (6.28 pH Units).

Various VOCs, including 1,1-dichloroethane, 1,1-dichloroethene, 1,4-dichlorobenzene, dichlorodifluoromethane, diethyl ether, methyl-tert-butyl ether, and tetrahydrofuran were detected above the laboratory MDLs in one or more corrective action wells. However, none of the detected VOCs exceeded their respective WQOs (where established).

## **2.5 Surface Water Analytical Results**

Analytical results for surface water samples collected on 14 February 2017 are summarized in Table 4. Metals and general chemistry parameters were consistent with historical concentrations and trends. No VOCs were detected in surface water samples collected at the upstream (SMSP-2) or the downstream (SMSP-4) sampling locations. The following general chemistry constituents exceeded WQOs during the first quarter 2017 sampling event:

- Chloride: SMSP-2 (310 mg/L) and SMSP-4 (310 mg/L);
- Sulfate: SMSP-2 (340 mg/L) and SMSP-4 (330 mg/L); and
- TDS: SMSP-2 (1,220 mg/L) and SMSP-4 (1,240 mg/L).

General chemistry constituents that exceeded WQOs were elevated in the both upstream and downstream sampling locations. This indicates that these concentrations are naturally occurring or attributable to a potential off-site source upstream of the site.

## **2.6 GeoTracker**

The groundwater and surface water monitoring data<sup>1</sup>, laboratory data<sup>2</sup>, and a copy of the final report for this monitoring period for the San Marcos II Landfill site were electronically submitted to and confirmed by the State Water Board's internet-accessible database system, GeoTracker. This information was submitted to the GeoTracker database in accordance with Chapter 30, Division 3, Titles 23 & 27 of the California Code of Regulations on the date that this report was finalized.

---

<sup>1</sup> Confirmation numbers for upload of groundwater monitoring (elevation) data into GeoTracker are 6846918463 and 1395423591 submitted on 28 March 2017.

<sup>2</sup> Confirmation numbers for upload of analytical data into GeoTracker are 5424179315, 5861228644, 4061323702, 9609979450, and 1485475540 submitted 28 March 2017.

### 3. CONSTITUENT OF CONCERN SAMPLING

In accordance with MRP R9-2003-003, the 5-year constituent of concern (COC) sampling was conducted in conjunction with the semi-annual monitoring. During the first quarter 2017, groundwater and surface water samples were analyzed for the COCs based upon those constituents that have been tested and verified in samples collected from the leachate (listed in the table below). The 5-year COC sampling results are used to amend the list of semi-annual monitoring parameters for the site based upon COCs that are detected in groundwater samples. The current 5-year COC list for the site is shown below.

General Chemistry	Metals	Volatile Organic Compounds	
Bicarbonate	Antimony	Acetone	Diethyl Ether
Biochemical Oxygen Demand	Arsenic	Benzene	Ethylbenzene
Carbonate	Barium	2-Butanone	Methyl Tertiary Butyl Ether
Chemical Oxygen Demand	Beryllium	Chlorobenzene	Methylene Chloride
Chloride	Calcium	Chloroethane	Naphthalene
Nitrate (as Nitrogen)	Cadmium	Chloroform	Tetrachloroethene
Phenols (Total)	Cobalt	Chloromethane	Tetrahydrofuran
pH	Copper	1,2-Dichlorobenzene	Trichloroethene
Specific Conductance	Lead	1,4-Dichlorobenzene	1,1,1-Trichloroethane
Sulfate	Magnesium	1,1-Dichloroethane	Toluene
Total Dissolved Solids	Mercury	1,2-Dichloroethane	Trichlorofluoromethane
	Nickel	trans-1,2-Dichloroethene	1,2,4-Trimethylbenzene
	Selenium	1,2-Dichloropropane	Vinyl Chloride
	Thallium	1,1-Dichloroethene	o-Xylene
	Vanadium	cis-1,2-Dichloroethene	p/m-Xylene
	Zinc	Dichlorodifluoromethane	

Concentrations of the 5-year COC constituents detected in groundwater samples collected from the corrective action, compliance, and downgradient monitor wells during the first quarter of 2017 were comparable to concentrations from groundwater samples in upgradient monitor wells and/or were below established WQOs; therefore, no changes will be made to the semi-annual monitoring parameters.

### 4. LEACHATE AND UNDERDRAIN/RUNOFF MONITORING

Leachate and underdrain sampling were performed by Confluence on 15 February 2017. The underdrain sample collected by Confluence on 15 February 2017 was analyzed voluntarily by the County for constituents listed in Section C2 of the MRP No. R9-2003-0003. Leachate samples are collected semi-annually for leachate disposal purposes. Analytical results for the leachate, and underdrain sampling are summarized in Tables 5 and 6, respectively. No runoff samples were collected during the current semi-annual monitoring period because no stormwater was flowing from the stormwater retention ponds during the current semi-annual monitoring period.

#### **4.1 Leachate Monitoring Results**

The leachate sample collected during the semi-annual monitoring period did not contain detectable concentrations of VOCs, semi-volatile organic compounds (SVOCs), organochlorine pesticides, polychlorinated biphenyls, or cyanide (Table 5). Constituents in leachate samples collected during the first quarter 2017 were below WQOs, with exception of the following:

- Arsenic (0.0678) exceeded its WQO (0.05 mg/L); and
- pH (6.40) was below the WQO lower pH range (6.5).

#### **4.2 Underdrain Monitoring Results**

With the exception of 1,4-dichlorobenzene (17 µg/L), VOCs were not detected in the underdrain sample at concentrations above WQOs in the first quarter 2017 (Table 6). General chemistry parameters were detected at concentrations below WQOs. The underdrain sample analytical results were generally consistent with historical results.

## 5. INTRAWELL STATISTICAL ANALYSIS

This section presents the results of intrawell statistical analysis performed by Sanitas Technologies for groundwater samples collected from downgradient compliance wells SMGW-33, SMGW-39 and SMGW-40 (Appendix D).

The first quarter 2017 groundwater sample results for compliance monitor wells SMGW-33, SMGW-39, and SMGW-40 were compared with their respective intrawell prediction limit for each parameter tested. Concentrations of chloride, nitrate, pH, sulfate, and TDS from groundwater samples collected from each well were found to be within their respective prediction limits with the exception pH in monitor well SMGW-40 which exceeded the lower pH limit and shows a statistically significant decreasing trend. In addition, a statistically significant increasing trend for sulfate was noted in compliance monitor well SMGW-40, the reported sulfate concentration was within historical ranges and below the WQO.

## 6. CORRECTIVE ACTION PROGRAM

This section presents the current status of the corrective action program (CAP), the results of groundwater treatment, and an evaluation of effectiveness of corrective action measures.

### 6.1 Status of the Corrective Action Program

The corrective action system consists of wells SMGW-16, SMGW-30D, SMGW-31 and SMGW-35. Corrective action well SMGW-31 became non-operational in October 2006 due to failure of the electrical system. An evaluation performed by Geosyntec between November 2006 and February 2007 demonstrated hydraulic connectivity between SMGW-31 and SMGW-30D, and that hydraulic control was maintained by pumping in SMGW-16 and SMGW-30D. The evaluation also concluded that the benefits of direct pumping from SMGW-31 are negligible in comparison to the effect of pumping SMGW-30D. In a Technical Memorandum dated 15 February 2007, Geosyntec recommended converting SMGW-31 to a corrective action monitoring well [Geosyntec, 2007]. The County submitted a “Workplan for Modification of Corrective Action Program” [Geosyntec, 2008] to the RWQCB in August 2008, and met with the RWQCB in September 2009 to discuss the proposed modifications.

A “Revised Workplan for Modification of Corrective Action Program San Marcos II Landfill, San Marcos, California” [Geosyntec, 2010] was submitted to the RWQCB in May 2010 for review and comment. On 28 January 2011, the RWQCB provided comments on the May 2010 Revised Work Plan, agreeing to the County’s proposal to replace active groundwater extraction with MNA, but requesting additional clarification on other items proposed in the May 2010 Work Plan. On behalf of the County, Geosyntec provided responses/clarifications to the RWQCB’s comments [Geosyntec, 2011]. On 10 June 2011 the RWQCB approved implementation of the Revised Corrective Action Plan as amended, and active pumping in wells SMGW-16 and SMGW-30D was ceased on 11 June 2011.

In October 2012 the SMGW-35 system pump became non-operational. A “Proposed Modification of Corrective Action Program” [Geosyntec, 2012] was submitted to the RWQCB on 12 December 2012, requesting replacement of active groundwater extraction at SMGW-35 with MNA. In October 2013 the RWQCB declined the proposed modification to the CAP due to concentrations of 1,1-dichloroethane above the WQO. The pump in SMGW-35 was then replaced and pumping of the well resumed in November 2013.

VOC concentrations in groundwater samples collected from well SMGW-35 are below the MCLs, and continue to exhibit long-term declining trends. Geosyntec believes that continued pumping of cross-gradient corrective action well SMGW-35 is providing negligible benefit to groundwater quality beneath the site, and that MNA is the most appropriate corrective action

for the residual VOC concentrations detected in groundwater samples collected from this well. On 8 December 2015 the County submitted a request to the RWQCB to cease active pumping in SMGW-35, and convert to MNA for future corrective action to address residual VOCs in groundwater [Geosyntec, 2015].

## **6.2 Groundwater Treatment**

Extracted groundwater from well SMGW-35 is treated for VOCs using a granular activated carbon (GAC) treatment system. Periodic sampling is performed to evaluate the efficacy of the GAC in the treatment system in removing VOCs, and to determine when replacement of the absorbent medium is necessary. During the current monitoring period, the GAC system for corrective action well SMGW-35 was sampled 17 February 2017. Analytical results from the pre- and post-treatment samples are presented in Table 7. With the exception of 1,1-dichloroethane (2.5 µg/L) and dichlorofluoromethane (0.83 µg/L), VOCs were not detected in the secondary effluent sample collected from the treatment system. Analytical results for SMGW-35 corrective action effluent samples suggest that replacement of the GAC is not necessary at this time.

## **6.3 Effectiveness of the Corrective Action Program**

Concentrations of VOCs detected during the first quarter 2017 monitoring event were consistent with historical concentrations and continued to indicate long-term decreasing trends since 1991 (Figures 5 – 12). As noted in Section 5.1, VOC concentrations detected in groundwater samples collected from SMGW-35 are below MCLs and exhibit long-term declining trends with the exception of recent 1,1-dichloroethene concentrations which exhibit a slight increasing trend, but remain below the established WQO. Continued pumping of cross-gradient well SMGW-35 is providing negligible benefit to groundwater quality beneath the site, and Geosyntec submitted a request to the RWQCB in 2015 to cease active pumping and allow MNA to address relatively low residual VOCs concentrations.



## 7. ANNUAL SUMMARY

This section summarizes the results of the annual 2016 groundwater monitoring at the San Marcos II Landfill, which includes the third quarter 2016 and first quarter 2017 sampling events. This section also discusses any trends in the data and changes noted during the monitoring period with respect to the monitoring results and network.

### 7.1 Groundwater Elevations

Groundwater elevations were within historical ranges during the annual 2016 monitoring period (Figure 4). A groundwater divide exists in the eastern portion of the site (Figures 2 and 3). Groundwater flow west of the divide is generally westerly. Groundwater flow east of the divide is generally easterly. Groundwater flow in the western portion of the site was being influenced by daily pumping in corrective action wells SMGW-16 and -30D creating a localized depression intended to capture potentially impacted groundwater from the landfill. Since daily pumping has ceased in these two wells, the localized depression dissipated and the groundwater gradient has returned to the natural gradient and flow. Hydraulic gradients across the site range from approximately 0.05 to 0.39 ft/ft (Figures 2 and 3).

### 7.2 Assessment Monitoring Program

Consistent with historical results, concentrations of chloride, pH, and sulfate exceeded the respective WQOs for groundwater samples collected from monitor well SMGW-24 during the annual monitoring period. Concentrations of pH in groundwater samples collected from monitor wells SMGW-17, -24, and -39 during the annual monitoring period were outside the WQO range. There were no exceedances of prediction limits for chloride, nitrate, pH, sulfate, and TDS in compliance wells during the 2016 annual monitoring period with the exception of pH in the groundwater sample collected from monitor well SMGW-40, which was slightly below the lower prediction limit range and showed a statistically significant decreasing trend. In addition, a statistically significant increasing trend for sulfate was noted in compliance monitor well SMGW-40, but the reported sulfate concentration was within historical ranges and below the WQO.

VOCs were not detected in groundwater samples from the background or compliance monitor wells during the 2016 annual monitoring period, with the exception of detections of low concentrations (below WQOs) of 1,1-dichloroethane, benzene, diethyl ether, methyl-tert-butyl ether, and toluene. These results are consistent with sporadic VOC detections in groundwater samples historically collected from these monitor wells.

### **7.3 Corrective Action Monitoring Program**

Consistent with historical results, concentrations of chloride, pH, and mercury in the groundwater samples collected from monitor well SMGW-35 during the annual monitoring period exceeded the respective WQOs. Concentrations of the remaining general chemistry and metals parameters were within historical ranges during the 2016 annual monitoring period. Concentrations of VOCs detected during the annual 2016 monitoring event are generally consistent with historical concentrations, and show stable and/or overall decreasing trends since the wells were installed (Figures 5 through 12).

Based on routine groundwater monitoring performed at the site since 1993, modification of the CAP for the transition of groundwater monitoring/extraction wells from active “pump and treat” methods to passive MNA methods was warranted. Following receipt of RWQCB approval, active pumping in SMGW-16 and SMGW-30D ceased on 11 June 2011. Following three consecutive quarterly sampling events for corrective action wells SMGW-16, SMGW-30D and SMGW-31, and compliance wells SMGW-39 and SMGW-40, concentrations trends in these wells were stable (Figures 5 through 10) indicating MNA is an appropriate corrective action alternative for residual VOCs in groundwater beneath and downgradient of the landfill.

On 8 December 2015 the County of San Diego submitted a “Request to Modify Post-Closure Monitoring Program” to the RWQCB. The request included cessation of active pumping of monitor well SMGW-35 since VOC concentrations had been below WQOs for at least 2 years, however, in July 2016 the 1,1-dichloroethane concentration (5.3 µg/L) was slightly above the MCL, but in February 2017 the sample concentration had decreased to 2.9 µg/L, and 1,1-dichloroethane concentrations in wells downgradient of SMGW-35 remain below the MCL. The County is awaiting a response from the RWQCB.

### **7.4 Compliance Record**

Routine monthly maintenance inspections were performed by County personnel (Appendix A). The groundwater and surface water monitoring described herein were performed in compliance with Order No. R9-2003-0003. There were no violations issued during the current monitoring period. Based on groundwater monitoring performed during the 2016 annual monitoring period and historical monitoring of the site, the groundwater conditions at the site have been adequately characterized. Evaluation of current groundwater conditions indicates that additional action by the County, beyond existing source control measures source control measures (landfill gas control system operation, cover maintenance, and active groundwater pumping in monitor well SMGW-35) and MNA, is not warranted at this time.

## 7.5 Response to Comments

During the current monitoring period no formal correspondence from the RWQCB related to routine monitoring report submittals has occurred.

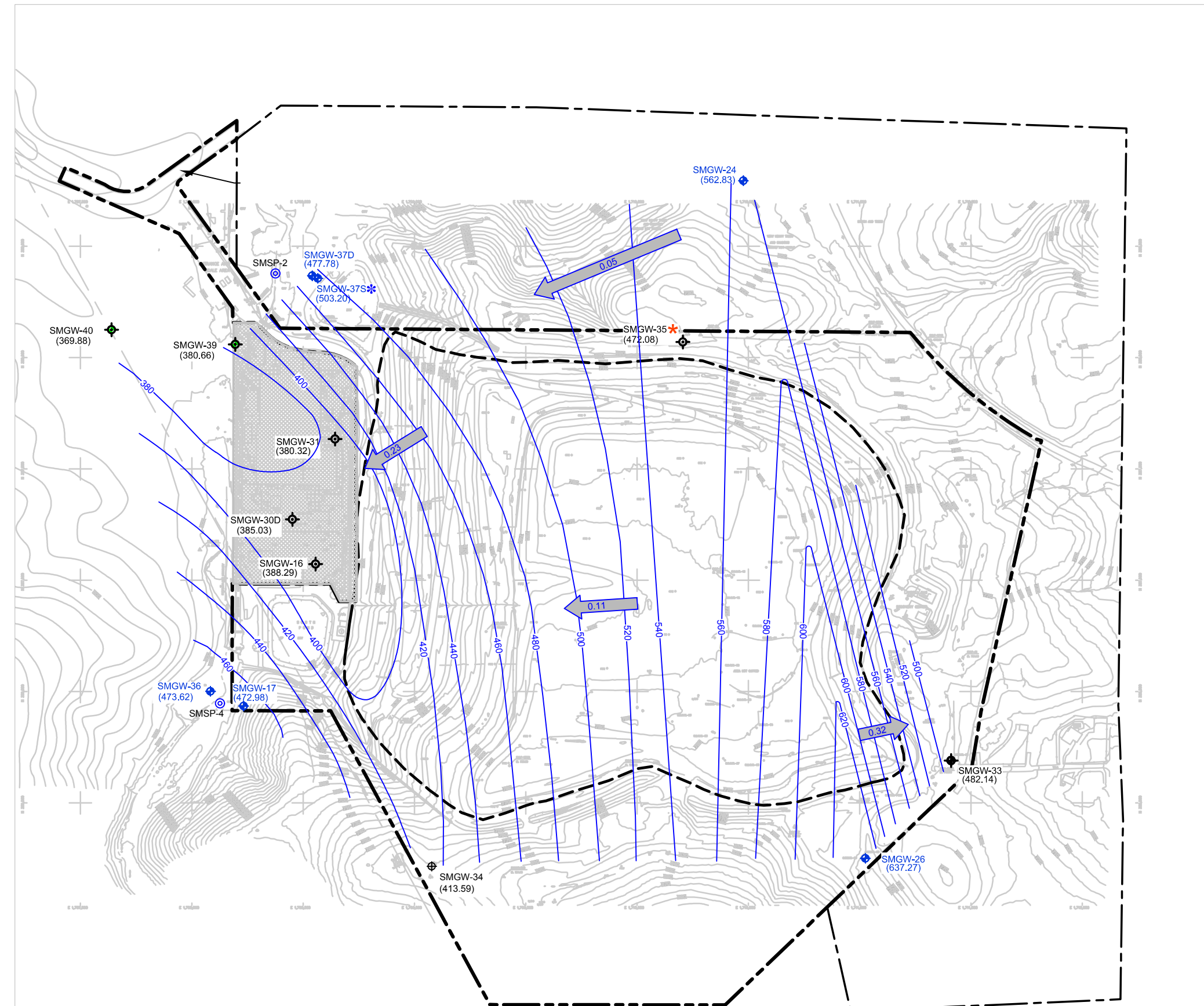
## 8. REFERENCES

- Geosyntec Consultants, 2015. *Request to Modify Post-Closure Monitoring Program, San Marcos II Landfill, San Marcos California*, submitted to the Regional Water Quality Control Board on behalf the County of San Diego, Department of Public Works, Landfill Management. December 8.
- Geosyntec Consultants, 2012. *Proposed Modification to Corrective Action Program, San Marcos II Landfill, San Marcos, California*, prepared for the County of San Diego, Department of Public Works, Landfill Management. December.
- Geosyntec Consultants, 2011. *Letter Response to RWQCB Comments on Revised Workplan for Modification to Corrective Action Program, San Marcos II Landfill, San Marcos, California*, prepared for the County of San Diego, Department of Public Works, Landfill Management. April
- Geosyntec Consultants, 2010. *Revised Workplan for Modification to Corrective Action Program, San Marcos II Landfill, San Marcos, California*, prepared for the County of San Diego, Department of Public Works, Landfill Management. May.
- Geosyntec Consultants, 2008. *Workplan for Modification to Corrective Action Program, San Marcos II Landfill, San Marcos, California*, prepared for the County of San Diego, Department of Public Works, Landfill Management. August.
- Geosyntec Consultants, 2007. *Technical Memorandum: Conversion of Corrective Action Extraction Well SMGW-31 to a Monitoring Well, San Marcos II Landfill, San Marcos, California*, prepared for the County of San Diego, Department of Public Works, Landfill Management. 15 February.
- RWQCB, 2011. *Water Quality Control Plan for the San Diego Basin (9)*. Adopted on 8 September 1994, with amendments adopted through 4 April 2011.
- RWQCB, 2005 San Diego Region. 2005. *Technical Change Order No. T-1 to Monitoring and Reporting Program No. R-9-2003-0003: San Marcos Landfill, San Diego County*. 22 April 2005
- RWQCB, 2003. *Order No. R9-2003-0003 for the County of San Diego, San Marcos Landfill, San Diego County*. 10 December.
- USEPA, 2014a. *Contract Laboratory Program, National Functional Guidelines for Inorganic Data Review*. August.















USEPA, 2014b. *Contract Laboratory Program, National Functional Guidelines for Superfund Organic Methods Data Review*. August.

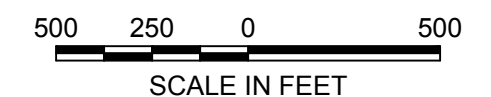
# Annex 4


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### LEGEND

-  SMGW-35 CORRECTIVE ACTION WELL
-  SMGW-39 COMPLIANCE MONITOR WELL
-  SMGW-24 BACKGROUND MONITOR WELL
-  SMGW-34 PIEZOMETER
-  SMSP-2 SURFACE WATER SAMPLE
-  APPROXIMATE LIMITS OF PROPERTY DIVESTED TO ALLIED WASTE
-  SMGW-36 (473.62) GROUNDWATER ELEVATION (FEET ABOVE MEAN SEA LEVEL(MSL))
-  APPROXIMATE PROPERTY BOUNDARY
-  APPROXIMATE COUNTY OWNED BUFFER PROPERTY BOUNDARY
-  APPROXIMATE WASTE FILL BOUNDARY
-  500 GROUNDWATER ELEVATION CONTOUR IN FEET ABOVE MSL (CONTOUR INTERVAL = 20 FEET)
-  0.33 APPROXIMATE GROUNDWATER FLOW DIRECTION AND HYDRAULIC GRADIENT (ft/ft)
-  \* INDICATES WELL IS INTERMITTENTLY PUMPED AND NOT USED FOR CONTOURING
-  \* INDICATES WELL IS SCREENED IN DIFFERENT INTERVAL AND IS NOT USED FOR CONTOURING



GROUNDWATER ELEVATIONS AND FLOW DIRECTION 1st QUARTER 2017 SAN MARCOS II LANDFILL SAN MARCOS, CALIFORNIA		
	DATE: April 2017	FIGURE
	PROJECT NO. SC0226E-01-12	2

BASE MAP REFERENCE:  
STEWART GEO TECHNOLOGIES JULY 2002.

**From:** [C. Moser](#)  
**To:** [Oberbauer, Sean](#)  
**Subject:** [External] Fwd: Delivery Status Notification (Failure)  
**Date:** Saturday, September 24, 2022 8:30:27 PM

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----- Forwarded message -----

From: "C. Moser" <[2cmoser@gmail.com](mailto:2cmoser@gmail.com)>

To: [Sean.Oberbauer@adcounty.ca.gov](mailto:Sean.Oberbauer@adcounty.ca.gov)

Cc:

Bcc:

Date: Sat, 24 Sep 2022 20:27:53 -0700

Subject: San Elijo ~ Questhaven Project

Hello Mr. Oberbauer,

It has come to our attention that a new project is proposed for the San Elijo/Questhaven area. We live in San Elijo and over the last ten years the traffic has become practically impossible. More and more cars everyday and our family has been late to school, late to work, missed doctor's appointments ~ all because of the traffic. We implore you to re-visit this idea and stop the developments in this area and if it is to move forward, please consider more roads in and out of San Elijo as well as more schools. The schools are already impacted and bursting at capacity. Double Peak K-8 has already had to start building more classrooms and Double Peak is a new school. The traffic getting in and out of there for drop off and pickup is already horrible and frankly dangerous. Cars are stacked up along San Elijo Road in both directions and traffic can't easily get through when it's morning or afternoon during school dismissal times. Going the other direction is just as bad as one must navigate San Elijo Elementary School traffic as well as San Elijo Middle School traffic. We live in the middle, so we're stuck.

As if all of this isn't enough.....one must seriously consider how we will get out in case of an emergency ~ the evacuation in case of a fire. We were living in San Elijo when we had to evacuate around eight years ago and many years ago, traffic was impacted to leave.....and that was long before some of the newer developments were even built and more people lived here. What is going to happen for our safety in the event of a fire?

Sincerely,

Carol Moser

Resident of San Elijo





State of California – Natural Resources Agency  
 DEPARTMENT OF FISH AND WILDLIFE  
 South Coast Region  
 3883 Ruffin Road  
 San Diego, CA 92123  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

GAVIN NEWSOM, Governor  
 CHARLTON H. BONHAM, Director



October 3, 2022

Sean Oberbauer  
 Land Use/Environmental Planner 3  
 County of San Diego Planning and Development Services  
 5510 Overland Avenue  
 San Diego, CA 92123  
[Sean.oberbauer@sdcounty.ca.gov](mailto:Sean.oberbauer@sdcounty.ca.gov)

**Subject: Questhaven (Project) Notice of Preparation of an Environmental Impact Report (NOP), SCH #2022090029**

Dear Mr. Oberbauer:

The California Department of Fish and Wildlife (CDFW) received a NOP of an Environmental Impact Report from the County of San Diego for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

**CDFW ROLE**

CDFW is California's **Trustee Agency** for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code. CDFW also administers the Natural Community Conservation Planning (NCCP) program, a California regional habitat conservation planning program. The County of San Diego (County) participates in the NCCP program by implementing its approved Subarea Plan under the County Multiple Species Conservation Plan (MSCP) and the draft North County Plan (NCMSCP). The Project site is within the NCMSCP area and is entirely within the NCMSCP draft Pre-Approved Mitigation Area.

**PROJECT DESCRIPTION SUMMARY**

**Proponent:** County of San Diego (County)

<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Sean Oberbauer, Land Use/Environmental Planner 3  
 County of San Diego Planning and Development Services  
 October 3, 2022  
 Page 2 of 4

**Objective:** The objective of the Project is to build 76 single-family residential homes on 18.27 acres. Additionally, the Project would include recreation areas on 0.31 acre, water quality detention basins on 2.4 acres, and biological open space and fuel-modification zones on approximately 63.9 acres.

**Location:** The Project is located in unincorporated San Diego County, immediately south and west of the City of San Marcos and east of the City of Carlsbad. Specifically, the Project site is located south of San Elijo Road and East of Denning Drive. Access to the site would be from San Elijo Road to the north.

**Biological Setting:** The Project site is directly adjacent to Rancho La Costa Preserve, which connects to the site from the south and west. Sensitive vegetation communities on site include Diegan coastal sage scrub, and scrub-oak chaparral. Special-status plant species known to occur within the Project area include but are not limited to Orcutt's brodiaea (*Brodiaea orcuttii*, California Native Plant Society Rare Plant Rank (CRPR) 1B.1), southwestern spiny rush (*Juncus acutus* spp. *leopoldii*, CRPR 4.2), Nuttall's scrub oak (*Quercus dumosa*, CRPR 1B.1), and ashy spike-moss (*Selaginella cinerascens*, CRPR 4.1). Special-status animal species known to occur within the Project area include but are not limited to Cooper's hawk (*Accipiter cooperii*, CDFW Watch List species), Southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*, CDFW Watch List species), and coastal California gnatcatcher (*Polioptila californica californica*, Federal Endangered Species Act listed-threatened, CDFW Species of Special Concern).

## COMMENTS AND RECOMMENDATIONS

We offer the comments and recommendations below to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

### COMMENT #1: Prior Scoping Efforts

CDFW has met with the County regarding this Project on several occasions and appreciates the early coordination and scoping efforts. We thank the County for discussing the following elements of the project with CDFW and look forward to their discussion in the draft EIR:

- a. Mitigation of impacts to vegetation communities: Impacts to 27.3 acres of sensitive vegetation communities (including scrub oak chaparral, chamise chaparral, and Diegan coastal sage scrub) will be mitigated with 29.1 acres of on-site preservation and 15.6 acres of off-site preservation. Impacts to 5.8 acres of non-sensitive vegetation communities will be mitigated with 1.1 acres of on-site restoration of coastal sage scrub and 4.8 acres of off-site restoration of chaparral and coastal sage scrub.
- b. Preservation of Orcutt's brodiaea and Nuttall's scrub oak: A portion of the Orcutt's brodiaea population will be preserved within the on-site preserve area and the remaining population will be avoided entirely. Impacts to individual Nuttall's scrub oaks will be mitigated through preservation of individuals within the preserve areas.
- c. The creation of shallow ephemeral water holding basins to be used by western spadefoot (*Spea hammondi*) for breeding purposes: per the proposed Habitat Restoration Plan dated August 3, 2021, there will be three basin creation areas within an adjacent to the on-site preserve/restoration areas. The proposed basins are intended to hold water long enough to provide breeding locations for western spadefoot.
- d. Fuel modification Zones: Fuel modification zones will be included as part of the Project and its impacts will be analyzed accordingly.
- e. Easements and Trails: One utility access road will be included as part of the designated open space and additional roads and/or trails will not be included in conserved areas.
- f. Streambed Alteration Notification: Thank you for your submittal of the streambed alteration Notification, dated December 7, 2021.

### COMMENT #2: In-perpetuity Preservation of the Mitigation Lands

Sean Oberbauer, Land Use/Environmental Planner 3  
County of San Diego Planning and Development Services  
October 3, 2022  
Page 3 of 4

CDFW and the County discussed off-site preservation and restoration as part of mitigation for the Project. The areas proposed as mitigation lands should be protected in perpetuity with a biological conservation easement (CE), financial assurance, and dedication to a qualified entity for long-term management and monitoring. Under Government Code, section 65967, the Lead Agency must exercise due diligence in reviewing the qualifications of a governmental entity, special district, or nonprofit organization to effectively manage and steward land, water, or natural resources on mitigation lands it approves. The CE should name CDFW and US Fish and Wildlife Service (jointly, the Wildlife Agencies), as Third-Party Beneficiaries and should be approved by the Wildlife Agencies prior to its execution and follow the Agency-approved template. This CE should include all habitat that is not a manufactured slope and/or not under an existing easement. There should be no active trails or fuel modification in the CE areas. The Project Applicant should submit the CE to the Wildlife Agencies for review and approval at least 60 days prior to initiating Project impacts. The Project Applicant should submit the final easements and evidence of their recordation to the Wildlife Agencies within 60 days of receiving approval of the draft CE.

### **COMMENT #3: In-perpetuity Management and Protection of the Mitigation Lands**

The County and Wildlife Agencies were provided an opportunity to review and comment on the draft Habitat Management Plan (HMP) for the on-site conservation areas. In order to verify that our earlier input was incorporated, and to further evaluate that adequate funding is committed to ensure the management actions can be performed in-perpetuity, CDFW requests the ability to review the final management plan and Property Analysis Record (PAR) (Center for Natural Lands Management ©1998) or similar cost estimation method. The funding program should provide sufficient funds for three years on Initial Costs and thus not depend on endowment's earnings until the fourth year of management.

### **ENVIRONMENTAL DATA**

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: [http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB\\_FieldSurveyForm.pdf](http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf). The completed form can be mailed electronically to CNDDDB at the following email address: [CNDDDB@wildlife.ca.gov](mailto:CNDDDB@wildlife.ca.gov). The types of information reported to CNDDDB can be found at the following link: [http://www.dfg.ca.gov/biogeodata/cnddb/plants\\_and\\_animals.asp](http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp).

### **FILING FEES**

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

### **CONCLUSION**

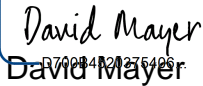
CDFW appreciates the opportunity to comment on the NOP to assist the County in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Brigid Moran, Environmental Scientist, at [Brigid.Moran@wildlife.ca.gov](mailto:Brigid.Moran@wildlife.ca.gov)

Sean Oberbauer, Land Use/Environmental Planner 3  
County of San Diego Planning and Development Services  
October 3, 2022  
Page 4 of 4

Sincerely,

DocuSigned by:

  
David Mayer

Environmental Program Manager  
South Coast Region

ec: State Clearinghouse, Sacramento, [State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)  
Jennifer Turner, CDFW, [Jennifer.Turner@wildlife.ca.gov](mailto:Jennifer.Turner@wildlife.ca.gov)  
Emily Gray, CDFW, [Emily.Gray@wildlife.ca.gov](mailto:Emily.Gray@wildlife.ca.gov)  
Karen Drewe, CDFW, [Karen.Drewe@wildlife.ca.gov](mailto:Karen.Drewe@wildlife.ca.gov)  
Jennifer Ludovissy, CDFW, [Jennifer.Ludovissy@wildlife.ca.gov](mailto:Jennifer.Ludovissy@wildlife.ca.gov)  
Jonathan Snyder, USFWS, [Jonathan\\_D\\_Snyder@fws.gov](mailto:Jonathan_D_Snyder@fws.gov)

## REFERENCES

Alden Environmental, Inc. Biological Technical Report for the Questhaven Tentative Map Project. 2020.  
California Environmental Quality Act (CEQA). California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.  
California Office of Planning and Research. 2009 or current version. CEQA: California Environmental Quality Act. Statutes and Guidelines, § 21081.6 and CEQA Guidelines, § 15097, §15126.4(2).  
Center for Natural Lands Management. Introduction to "PAR" – Property Analysis Record <https://www.cnlm.org/par/>.

**From:** [Cheryl Madrigal](#)  
**To:** [Oberbauer, Sean](#)  
**Cc:** [Deneen Pelton](#); [Beddow, Donna](#)  
**Subject:** [External] Questhaven; PDS2020-TM-5643; PDS2020-AD-20-011; PDS2022-STP-22-018, LOG NO. PDS2020-ER-20-08-008  
**Date:** Wednesday, September 21, 2022 4:42:53 PM  
**Attachments:** [image001.jpg](#)  
[Questhaven.pdf](#)

---

Sean,

Please see attached response letter to above mentioned project. If you have any questions or comments, please contact us.

Thank you for the opportunity to protect our cultural assets.

*Cheryl*

**Cheryl Madrigal**

Cultural Resources Manager

Tribal Historic Preservation Officer

Cultural Resources Department

**Rincon Band of Luiseño Indians**

1 West Tribal Road | Valley Center, CA 92082

Office: (760) 749 1092 ext. 323 | Cell: 760-648-3000

Fax: 760-749-8901

Email: [cmadrigal@rincon-nsn.gov](mailto:cmadrigal@rincon-nsn.gov)

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# Rincon Band of Luiseño Indians

## CULTURAL RESOURCES DEPARTMENT

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One Government Center Lane | Valley Center | CA 92082  
(760) 749-1092 | Fax: (760) 749-8901 | [rincon-nsn.gov](http://rincon-nsn.gov)



September 21, 2022

Sent via email: [sean.oberbauer@sdcounty.ca.gov](mailto:sean.oberbauer@sdcounty.ca.gov)

County of San Diego  
Sean Oberbauer  
Planning & Development Services  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123

**Re: Questhaven; PDS2020-TM-5643; PDS2020-AD-20-011; PDS2022-STP-22-018, LOG NO. PDS2020-ER-20-08-008**

Dear Mr. Oberbauer,

This letter is written on behalf of the Rincon Band of Luiseño Indians (“Rincon Band” or “Tribe”), a federally recognized Indian Tribe and sovereign government. We have received your Notice of Preparation of an Environmental Impact Report for the Questhaven project, and we request consultation to assess potential impacts to cultural resources. The identified location is within the Traditional Use Area (TUA) of the Luiseño people. As such, the Rincon Band is traditionally and culturally affiliated to the project area.

We kindly ask to be provided with copies of existing documents pertaining to the project such as the cultural survey including the archaeological site records, shape files, archaeological record search results, geotechnical and biological reports, and the grading plans. Upon receipt and review, the Band would like to consult on the project in order to learn more about any potential impacts to cultural resources.

If you have additional questions or concerns, please do not hesitate to contact our office at your convenience at (760) 749 1092 ext. 323 or via electronic mail at [cmadrigal@rincon-nsn.gov](mailto:cmadrigal@rincon-nsn.gov). Thank you for the opportunity to protect and preserve our cultural assets.

Sincerely,



Cheryl Madrigal  
Tribal Historic Preservation Officer  
Cultural Resources Manager

**From:** [Dan Silver](#)  
**To:** [Oberbauer, Sean](#)  
**Cc:** [Smith, Ashley](#); [Talleh, Rami](#)  
**Subject:** [External] Notice of Preparation for Questhaven project: Tentative Map (PDS2020-TM-5643), Site Plan (PDS2022-STP-22-018), and Administrative Permit (PDS2020-AD-20-011)  
**Date:** Friday, September 9, 2022 5:20:33 PM

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Sept 9, 2022

Sean Oberbauer  
Dept of Planning and Development Services  
5510 Overland Ave  
San Diego CA 92123

**RE: Notice of Preparation for Questhaven project: Tentative Map (PDS2020-TM-5643), Site Plan (PDS2022-STP-22-018), Administrative Permit (PDS2020-AD-20-011)**

Dear Mr Oberbauer:

Endangered Habitats League (EHL) appreciates the opportunity to comment on the notice of preparation. We understand the project is consistent with existing zoning.

As this is a habitat area, we urge the site design to cluster in the least sensitive location to the maximum extent possible in order to protect biological resources. Edge conditions should be minimized. Lot sizes should be reduced and attached, more affordable units considered. Unavoidable impacts should be fully mitigated. The DEIR should also evaluate consistency with the North County MSCP in-progress.

Evacuation in case of a rapidly approaching wind-driven fire should account for road capacity, mobilization time, surrounding communities evacuating simultaneously, and conditions such as road blockages and smoke. We are concerned that DPDS has, in the past, accepted without proper scrutiny inadequate and indeed erroneous fire hazard and evacuation analyses prepared by consulting firms working for the developer. (Documentation available upon request.) In the case of Lilac Hills Ranch, it *reversed* its original position of safe evacuation (based on developer studies) when better information was obtained. For this project, in the interest of public safety, we respectively recommend that the County either conduct its own fire and evacuation analyses, retaining its own experts and traffic engineers, or commission independent experts and traffic engineers to review any applicant-prepared studies. We would be happy to refer you to qualified experts.

EHL will also be interested in the VMT evaluation and mitigation, and GHG mitigation.

Please retain EHL on mailing and distribution lists for CEQA documents and public hearings.

Yours truly,

Dan Silver

Dan Silver, Executive Director  
Endangered Habitats League

8424 Santa Monica Blvd., Suite A 592  
Los Angeles, CA 90069-4267

213-804-2750

[dsilverla@me.com](mailto:dsilverla@me.com)

<https://ehleague.org>



**From:** [Daniel Tsosie](#)  
**To:** [Oberbauer, Sean](#)  
**Cc:** [Marcus Cuero](#)  
**Subject:** [External] QUESTHAVEN PROJECT  
**Date:** Wednesday, September 14, 2022 3:21:32 PM  
**Attachments:** [image001.png](#)

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Hello all, thank you for reaching out to us with the letter regarding the “QUESTHAVEN PROJECT PDS2020-TM-5643...”. Due to possible ground disturbance and cultural resources in the area, we have Interest with the project.

Best Regards,

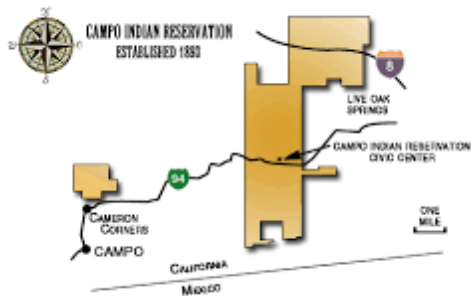
**Daniel Tsosie**

Campo Band of Mission Indians  
Cultural Resource Manager  
36190 Church Road, Suite #4  
Campo, CA 91906

Cell: 619-632-8812

Office: 619-478-9046 ext.278

E-mail: [dtsosie@campo-nsn.gov](mailto:dtsosie@campo-nsn.gov)



**From:** [Danielle Allison](#)  
**To:** [Oberbauer, Sean](#)  
**Subject:** [External] San Elijo Questhaven Project  
**Date:** Friday, September 23, 2022 1:11:00 PM

---

hi sean,

i am emailing you with feedback into the proposed project for SEH, by the landfill. i'm not sure if you live in this neighborhood, but the layout was poorly planned in regards to traffic and flow. in the morning between 7:45 and 8:30, as well as between 330-6, it takes 45-90 minutes to go from Rancho Sante Fe road up to my house on Baylor. the traffic is horrible. and during recent evacuations, it took 3 hours with the fire less than a mile away. people broke the locks in the gates on utility roads and drove in panic to get to safety. the proposed project, along with just adding to congestion, is at the bottleneck of traffic. even worse, there are no new roads for this group out of the community. it only has one way in and out! San Elijo Road. completely unsafe for this group in particular, as they abut a nature reserve that has the wildfire potential! Please for all our safety, reconsider this project!

danielle allison  
(858)242-0820  
959 Baylor Dr, in SEH  
Sent from my iPhone

**From:** [debra martelli](#)  
**To:** [Oberbauer, Sean](#)  
**Subject:** [External] San elijo  
**Date:** Monday, September 26, 2022 2:36:03 PM

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Stop any more building in the San Elijo area !! No way a safe evacuation of any kind can occur !

[https://www.sandiegouniontribune.com/communities/east-county/story/2022-03-11/court-rejects-santee-housing-development-over-environmental-concerns?fbclid=IwAR3aG6vfi4oe6mugbh5IEnc847s0iCpb18RrPR5\\_Zz0A3OEwrz-Yp8SBxw](https://www.sandiegouniontribune.com/communities/east-county/story/2022-03-11/court-rejects-santee-housing-development-over-environmental-concerns?fbclid=IwAR3aG6vfi4oe6mugbh5IEnc847s0iCpb18RrPR5_Zz0A3OEwrz-Yp8SBxw)

Sent from my iPhone

**From:** [Douglas Dill](#)  
**To:** [Oberbauer, Sean](#)  
**Cc:** [rwalton@san-marcos.net](mailto:rwalton@san-marcos.net)  
**Subject:** [External] Comments on the Notice of Preparation for the 'Questhaven' EIR; PDS2020-TM5643, PDS2020-AD-20-011, PDS2020-STP22-018, Log Number: PDS2020-ER20-08-008  
**Date:** Friday, September 30, 2022 11:08:09 AM

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Douglas Dill  
Chair  
San Dieguito Planning Group  
P.O. Box 2789  
Rancho Santa Fe, CA, 92067

September 30, 2022

Sean Oberbauer  
Senior Planner  
County of San Diego Planning and Development Services  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123

REF: Comments on the Notice of Preparation for the 'Questhaven' EIR; PDS2020-TM5643, PDS2020-AD-20-011, PDS2020-STP22-018, Log Number: PDS2020-ER20-08-008

Mr. Sean Oberbauer,

The San Dieguito Planning Group appreciates the opportunity to comment on the Notice of Preparation of an Environmental Impact Report for the proposed 'Questhaven' 76 residential dwelling-unit subdivision.

- 1.) Please describe the improvements to be made at the intersection of San Elijo Road and the entrance to the old landfill recycling plant 'Eden Park' including traffic controls, dedicated right and left-hand turn lanes. This intersection will be the primary westbound San Elijo Road access into the 'Questhaven' project.
- 2.) What improvements will be made at the Rancho La Costa Preserve trailhead for hikers, cyclists, and equestrians that access the park via at the Copper Creek trailhead? The 'Eden Park' driveway street that is access to the old trash plant facility is also used as parking for the Rancho La Costa Preserve users. A formal Preserve trail entrance improvement with hiker, cyclists, and equestrian parking should be part of the community improvement built by the 'Questhaven' project.
- 3.) What mitigation measures will be taken to improve traffic flow through the San Elijo Hills Downtown Center? Gridlock is a common daily congestion event at the intersection of San Elijo Road and Elfin Forest Road, especially during school student drop-off and pickup hours, as well as morning and evening rush hours.
- 4.) How will the 'Questhaven' project mitigate environmental impacts due to this new construction draining into the Copper Creek and Rancho La Costa habitats?

5.) How will the 'Questhaven' project mitigate air, noise and light pollution created by this subdivision. As part of unincorporated County, the project site is in vicinity of the unincorporated Elfin Forest community which as a dark sky policy incorporated into its Community Plan on file with the County.

Thank you for the opportunity to comment on the Notice of Preparation of an EIR for the proposed 'Questhaven' residential project.

Sincerely,

Douglas Dill  
Chair  
San Dieguito Planning Group

cc:

Randy Walton, San Marcos City Council, District 2  
Elfin Forest/Harmony Grove Town Council

**From:** [Edward Philbrick](#)  
**To:** [Oberbauer, Sean](#)  
**Subject:** [External] QUESTHAVEN, PDS2020-TM-5643; PDS2020-AD-20-011; PDS2022-STP-22-018, LOG NO. PDS2020-ER-20-08-008.  
**Date:** Tuesday, September 27, 2022 11:35:38 AM

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Hello,

I'm firmly against any development in this area as a 19-year resident of San Elijo Hills. The open space is utilized by 100's of families, dog walkers, cyclists, runner and after school NICA mountain bike programs. The area is gridlocked with traffic from 4:00 PM til 6 PM with northbound traffic.

The traffic was jammed during fire evacuations in 2014 and 2007. 2 hour delays to evacuate.

The site is not clear of impact from the old dump and environmental hazard concerns. See old LA Times articles on Copper Creek and San Marcos Dump.

The schools, roads, and trails can not handle additional development. A whole generation grew up on some of the last natural vegetation playing and learning to ride bikes.

Please share my feedback with staff, and supervisors.

Initial notification of meeting did not reach San Elijo Hills Residents.

Regards,

Ed Philbrick  
1093 Brightwood Drive  
San Marcos, CA  
92078

**From:** [Jay Petrek](#)  
**To:** [Oberbauer, Sean](#)  
**Subject:** [External] Questhaven Project NOP Comments  
**Date:** Monday, October 3, 2022 3:16:00 PM  
**Attachments:** [Questhaven NOP Comments.pdf](#)

---

Hello Sean-

Please accept my NOP comments for consideration in preparing the Draft Environmental Impact Report.

Jay

October 3, 2022

SENT VIA EMAIL:

[Sean.Oberbauer@sdcounty.ca.gov](mailto:Sean.Oberbauer@sdcounty.ca.gov)

Sean Oberbauer

5510 Overland Avenue, Suite 310

San Diego, CA 92123

RE: The Questhaven Project

PDS2020-TM-5643; PDS2020-AD-20-011; PDS2022-STP-22-018, LOG NO. PDS2020-ER-20-08-008.

Dear Mr. Oberbauer:

I am a resident of San Marcos and have reviewed the Notice of Preparation (NOP) regarding the proposed "Questhaven" application (project). I am submitting the following comments for your consideration while preparing the project's Draft Environmental Impact Report (DEIR).

*Public Services:*

It should be noted that while the site falls within the unincorporated County of San Diego jurisdiction, the west, north and eastern boundaries of the property directly abuts the City of San Marcos, and the project will directly impact the San Elijo community. It can be safely assumed that future county residents will rely on many services provided by the City of San Marcos to meet their needs. Without any development impact fees or future property taxes collected to offset those costs, the project will negatively impact the quality of life for city residents.

- 1) While the project plans to include a private park, all park development fees will be paid to the County. The closest community park with active recreation amenities (i.e. ballfields and sports courts) is located less than a mile away in San Marcos (San Elijo). This additional population will impact the park and recreation services San Marcos provides to current residents.
- 2) Fire Station 4 is located at 204 San Elijo Road in San Marcos. Under reciprocal mutual aid agreements, the San Marcos Fire Department would be a first responder for on-site emergencies and the project would impact emergency services provided to current city residents.
- 3) The project is wholly dependent on San Marcos streets for access, yet traffic impact fees required by the project would be paid to the county. Likely traffic signalization and street maintenance requirements generated by the project on San Elijo Road would fall under the city's responsibility and impact the San Marcos public works services provided to current residents.

*Transportation:*

San Elijo Road is a heavily travelled road that experiences significant congestion. The proposed project will add a significant number of vehicles to the current volume of traffic. Assuming an average of 10-12 vehicle trips per day, the 76-unit project would add upwards of 900 daily trips on San Elijo Road, which is already overburdened with traffic, and experiences severe congestion several times per day. Currently, vehicles queue for over a mile along east-bound San Elijo Road directly adjacent to the project site during peak-hour traffic conditions. The project DEIR should consider these traffic conditions and the analysis should be conducted during peak congestion periods, such as during the school arrival / release times (not during vacation or other non-school days), and morning / evening work commuting times.



Sean Oberbauer  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123  
Re: The Questhaven Project  
Page 2

*Wildfire / Evacuation Plan Evaluation:*

The DEIR needs to conduct a comprehensive analysis regarding evacuation measures that will be implemented in the event of an emergency. Under normal commuting conditions San Elijo Road experiences periods of heavy congestion. In prior emergency situations, residents were faced with unacceptable and dangerous conditions attempting to evacuate the area with local streets filled with vehicles unable to vacate.

The methodology used to derive emergency travel times must incorporate the basic characteristics of traffic flow, particularly under conditions when traffic demand will exceed the capacity of San Elijo Road under conditions when drivers would be under extreme duress, such as during a wildfire evacuation. The analysis should also include ambient traffic that is already on the area road system at the time an evacuation is ordered, as well as other evacuating traffic.

*Recreation / Circulation:*

The City of San Marcos Trails Guide depicts a walking trail along the south side of San Elijo Road across the project's frontage. There are existing walking trails immediately east and west along San Elijo Road within the City of San Marcos and the subject site is located along an important "missing link" in the city's trail network. Any future project should coordinate with the City of San Marcos to ensure that this important linkage is included for construction and its impacts evaluated in the DEIR.

<https://www.san-marcos.net/Home/ShowDocument?id=1474>

*Biological Resources:*

Based on biological surveys conducted for the adjacent 1,400+ acre Rancho La Costa Habitat Conservation Area, and the relatively undisturbed condition on most of the subject property, it can be assumed that similar findings would be discovered during on-site surveys. If the project's area proposed for 'Biological Open Space' is not incorporated into the Rancho La Costa Habitat Conservation Area, the DEIR should include provisions for ensuring the long-term viability of on-site plant and animal species.

[https://sdmmp.com/download.php?cid=CID\\_ctamanah@usgs.gov\\_5787fc021e5f0](https://sdmmp.com/download.php?cid=CID_ctamanah@usgs.gov_5787fc021e5f0)

In addition to the "No Project" alternative, the DEIR should include an alternative that preserves the site as open space and incorporates the subject property into the Rancho La Costa Habitat Conservation Area for habitat mitigation banking and restoration purposes to offset habitat losses associated with development elsewhere in the region.

Thank you for receiving these NOP comments for inclusion in the Questhaven DEIR analysis. If you have any questions, I can be reached at [petrek4sanmarcos@gmail.com](mailto:petrek4sanmarcos@gmail.com), or (760) 496-8614.

Respectfully,



Jay Petrek

**From:** [\\*Jerry\\*](#)  
**To:** [Oberbauer, Sean](#); [Roady, Jennifer](#)  
**Subject:** [External] The Questhaven Project  
**Date:** Tuesday, September 27, 2022 10:05:27 AM

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**To:** [Sean.Oberbauer@sdcountry.ca.gov](mailto:Sean.Oberbauer@sdcountry.ca.gov) and [jenna.roady@sdcountry.ca.gov](mailto:jenna.roady@sdcountry.ca.gov)

**From:** Jerry Block  
1229 Holmgrove Drive  
San Marcos, CA 92078  
[V8Celica@gmail.com](mailto:V8Celica@gmail.com)

**Re:** New Housing: Application name: "the Questhaven Project"  
PDS2020-TM5643; PDS2020-AD20-011; PDS2022-STP-22-018, LOG NO. PDS2020-ER-20-08-008.

9/26/2022

Thank you for the opportunity to present some points of view and concerns for this project. I am asking you to thoroughly evaluate the proposed project in San Marcos on San Elijo Road on the west side of Eden Park. As I'm sure you are aware of the normal economics of development. I do agree that this land has potential and could be viable as a development project.

There are other problems with this lot that you may not be aware of.

**First-** San Elijo Hills contains about 3,000 residential homes, condos and apartments. There are also the schools and businesses. Currently, there are only two exits from the area. The third exit is Harmony Grove which is a 1940's two lane highway. During the last two wildfires, exiting the area was bumper to bumper, non-moving traffic. San Elijo Road west was open and San Elijo Hills Road East was blocked by fire. Harmony Grove was also blocked by fire. Normal traffic can exit San Elijo Hills in 5-10 minutes. On fire days, exit is about two hours or more.

**Second-** SDG&E (San Diego Gas and Electric) has just added a second set of 79kw towers through San Elijo Hills increasing the risk of fire. The San Marcos Council, CPUC California Public Utilities Commission) and SDG&E was asked by letters, phone calls and a Zoom meeting of 5 hours, over two days, to please build the new 79KW service underground, at extra cost to the residents to minimize fire danger. All agencies responded, NO, even with the residents willing to pay the additional amount of money for construction. The CPUC voted for cheaper rather than safer.

**Third-** Escondido Creek Conservancy, Rancho La Costa Preserves and Olivenhain Water District all hold wild, natural lands in this area, for the better future of generational humans, plants and animals to live in, including the reduction of the carbon footprint. As new developments move into the areas, People venture out on to these private properties regardless of signage and fencing. So far, the Sheriff and District Attorney refuse to prosecute offenders for Trespass and Destruction of Property, as it is not a cost-effective use of law enforcement monies. Since some of the violators are minors, the Sheriff will not pursue enforcement through Child Protective Services.

**Fourth-** The planned community is directly under the pathway of high-tension power lines that the CPUC refuses to underground. The old dump site is literally downstream to this development, which could be leaking chemicals etc. into the soils. That is one reason why the area is heavily fenced and guarded. I can not imagine a family choosing to live under these high-tension power lines and with the threat of pollution from the old dump site. It feels very much 'Third-World' thinking rather than strong economic and healthy concerns, by the people, for the people.

Thank you for your consideration. I hope you move to stop this development for the safety of constituents until these safety issues are resolved, correctly.

Please feel free to keep me informed on this project or other developments in the area.

Respectfully,

Jerry Block

**From:** [Jessica Heinz](#)  
**To:** [Oberbauer, Sean](#); [Roady, Jennifer](#)  
**Subject:** [External] Questhaven Project  
**Date:** Monday, September 26, 2022 3:33:13 PM  
**Attachments:** [1664231177629blob.jpg](#)  
[1664231205899blob.jpg](#)

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To: [Sean.Oberbauer@sdcountry.ca.gov](mailto:Sean.Oberbauer@sdcountry.ca.gov) [jenna.roady@sdcountry.ca.gov](mailto:jenna.roady@sdcountry.ca.gov)

RE: New Housing: Application name: "The Questhaven Project"

PDS2020-TM-5643; PDS2020-AD-20-011; PDS2022-STP-22-018, LOG NO.  
PDS2020-ER-20-08-008.

From: Jessica Heinz

Date: September 26, 2022

Thank you for the opportunity to present some concerns with the proposed development called the "Questhaven Project" as described above.

We have lived in San Elijo Hills, San Marcos (SHE) since 2007 and have experienced two devastating fire evacuations, in 2007 and 2014. Those fires cost millions of dollars in damage. The Cocos fire evacuation offers a snapshot of the problem since the fires engulfed San Elijo Road to the east meaning that the only escape route was to the west. Even using all the lanes in both directions, it took us over an hour to get to Rancho Santa Fe Road from Double Peak.

The County now proposes allowing a developer to add approximately 83 new residential units in a location that is in the immediate vicinity of SHE. The County proposal is not in anyone's best interest. The wildfire risks in both directions now are no less treacherous than they were in 2007. See the most recent Cal Fire's Official Wildland Fire Hazard Severity Zone map  
<https://www.readysandiego.org/wildfire-hazard-map/>

Couple that with the other developments in the area and you have more people and more cars with no more evacuation routes. Traffic from nearby communities will be using San Elijo Blvd./Twin Oaks Valley Road to escape fires. Consider the limited fire evacuation routes available to developments such as Tesoro, Oak Creek Ranch, Elfin Forest, and the Harmony Grove Villages (HGV) for example. Residents threatened by fire in the 800 recently developed Harmony Grove homes are likely to use Harmony Grove Rd. which flows north into Elfin Forest Road and out to already crowded San Elijo Blvd., packed with SEH residents also trying to evacuate. Driving from SEH to HGV on a normal day takes over 15 minutes, traveling 7.4 miles through dense brush and undergrowth on a winding road in an Extremely High Fire Area. A 2019 traffic study of San Elijo Road show the following average daily trips (ADT) for each segment of the road:

SAN ELIJO RD EQUESTRIAN (DOUBLE PEAK) DOUBLE PEAK DR 23332 ADT

SAN ELIJO RD DOUBLE PEAK DR QUESTHAVEN RD 22673

SAN ELIJO RD QUESTHAVEN RD SCHOOLHOUSE WAY 23017

SAN ELIJO RD (SB) SCHOOLHOUSE WAY WB ELFIN FOREST RD 12169

SAN ELIJO RD (NB) SCHOOLHOUSE WAY WB ELFIN FOREST RD 12465

SAN ELIJO RD (SB) WB ELFIN FOREST RD EB ELFIN FOREST RD 14245

SAN ELIJO RD (NB) WB ELFIN FOREST RD EB ELFIN FOREST RD 14988

SAN ELIJO RD EB ELFIN FOREST RD FALLSVIEW RD 31395

SAN ELIJO RD FALLSVIEW RD MELROSE DR 31957

SAN ELIJO RD MELROSE DR RANCHO SANTA FE RD 21488

These car trips figures have only increased with the new developments on Twin Oaks Road across from UCSM. When you add this flow to the downstream cars from the north exiting Hwy 78 and commuters using Twin Oaks Road to avoid traffic on San Marcos Blvd. to reach the coast, this area will become a traffic nightmare.

This is folly, and likely to lead to a disaster such as the Paradise fire of 2018, where 85 people died of a population of approximately 26,000, and thousands of homes burned. Their town had two evacuation routes. We also have two routes, San Elijo Blvd./Twin Oaks Valley Rd., and Elfin Forest Rd./Harmony Grove. History tells us that the fires are likely come from either south or east of SEH. In reality, there is only one escape route from SHE, San Elijo Rd. to the West!

An additional issue is that the proposed houses are located adjacent to two wildlife conservancy areas, the Escondido Creek conservancy and the La Costa Preserves. See maps below.

Inline image



<!--[if !vml]--><!--[endif]-->

Inline image



<!--[if !vml]--><!--[endif]-->

Finally, since this project is in the County of San Diego, the major impact nonetheless will be on the City of San Marcos. San Marcos has done extensive planning and analysis of its transportation, recreation, and access to city services, but none of its rules and regulations are binding on the County. The City will have to pay to fight the likely fires, pay for police services, restore habitat, including areas that are home to federally protected species such as the Gnatcatcher, and will have less property tax income to do it, since those funds will flow to the County.

Thank you for your consideration of these concerns. Please keep us informed of future opportunities for comment regarding this matter.

Jessica Heinz

[jessifheinz@yahoo.com](mailto:jessifheinz@yahoo.com)

760-638-4000

**From:** [Jodi Rowin](#)  
**To:** [Oberbauer, Sean](#)  
**Cc:** [jmrowin@cs.com](mailto:jmrowin@cs.com)  
**Subject:** [External] Questhaven - NOP Scoping Meeting  
**Date:** Friday, September 23, 2022 12:39:33 PM

---

Good afternoon Mr. Oberbauer,

I received information about the Questhaven project that is being considered. I live in a home that is located within the community of Old Creek Ranch that is just west of this proposed new community. I've lived in this home since 2005. This community has grown significantly since I first moved in. Just when I think we are at capacity, another project is proposed.

Immediate concerns:

Inadequate infrastructure

Traffic

Impact on emergency response

Overcrowding of schools

Animal population moving further within current existing neighborhoods

San Elijo Road is the only way in and out. Traveling on this road during morning and evening rush hour is a nightmare. I live near Melrose and San Elijo Road. Many days, traffic backs up to Rancho Santa Fe Road when trying to enter San Elijo Hills from 3:30-6:00. It's very inconvenient and frustrating. We have 2 schools and parks in San Elijo that generate extra traffic already. I'm assuming a stoplight will be added to allow new residents to travel west when leaving their community. This will only generate more backup. On days without traffic the added stoplight will increase the commute for those already heading east.

Traffic is not only an inconvenience but it is also a safety issue. In my years living here, I've been evacuated twice due to wildfires. It was a nightmare. People couldn't evacuate. There were too many people and not enough road space to allow people to evacuate. In 2014, people feared the fire would catch up to them as they sat helpless trying to leave.

San Elijo schools are already so overcrowded. These kids will also attend San Marcos High School. I know this is a district issue, but they haven't done anything to address the size of their current schools. SMHS is the largest in the county, 12th largest in the state. There are almost 4000 kids who attend this school. It's too much. A plan needs to be in place to address this issue.

Lastly, we get wildlife in our neighborhood regularly. Coyotes and bobcats have been hanging out in the neighborhood hunting for pets. It's been a sad situation. I can only speculate that by adding more homes, we are adding to this current issue as well as taking away more space for the wild animals to roam.

Thank you for taking the time to read and consider my concern for adding more residences to this already overcrowded living space.

Jodi Rowin



**From:** [Farace, Joseph](#)  
**To:** [Oberbauer, Sean](#)  
**Cc:** [Kellar, Stephanie](#); [Kuey, Peter](#); [del Solar, Sean](#); [Quezada, Jonathan](#); [Schoenecke, Damian](#)  
**Subject:** [External] San Marcos Questhaven NOP  
**Date:** Thursday, September 29, 2022 5:16:36 PM  
**Attachments:** [image002.jpg](#)  
[San Marcos Questhaven NOP comments 20220929.pdf](#)  
[21.08.06a 19038 TM03 TM City Redlines 2021.11.18 \(1\).pdf](#)

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Hi Sean – thank you for the opportunity to comment on the NOP for the Questhaven project. Attached are City comments. Should you have any questions please feel free to contact me. We look forward to reviewing the DEIR.

Joe

SMbrand\_fullcolor\_big\_withpadding.jpg



**Joseph Farace** | Planning Division Director  
City of San Marcos | 1 Civic Center Drive, San Marcos CA 92069  
**T:** (760) 744-1050 x3248  
[jfarace@san-marcos.net](mailto:jfarace@san-marcos.net) | [www.san-marcos.net](http://www.san-marcos.net)

Public counters are OPEN from 8:30 am to 4:30 pm. The City remains open for virtual business via email and phone from 7:30 am to 5:30 pm Monday through Thursday and closed every other Friday ([click here to view the scheduled closures](#)).

**Discover San Marcos on social media:**  
[Facebook](#) | [Twitter](#) | [Instagram](#) | [LinkedIn](#) | [YouTube](#)

**At the City of San Marcos, the health and safety of our community is our top priority. For real-time updates about the City's response to COVID-19, visit [www.san-marcos.net/covid19](http://www.san-marcos.net/covid19).**

**GENERAL NOTES**

- CURRENT SAN DIEGO COUNTY ZONING: RURAL RESIDENTIAL (RR)
- CURRENT LAND USE DESIGNATION: C-1, VR-10.9 & SR 0.5
- GROSS AREA WITHIN SUBDIVISION BOUNDARY: 89.23 ACRES
- PROPOSED GRADING AREA: 31.35 AC
- TOTAL PROPOSED RESIDENTIAL LOTS: 76 EA (TOTAL AREA=18.27 AC)
- TOTAL PROPOSED STREET LOTS: 4 EA (TOTAL AREA=4.34 AC)
- TOTAL PROPOSED PARK LOT: 1 EA (TOTAL AREA=0.31 AC)
- TOTAL PROPOSED FOR WATER QUALITY LOTS: 4 EA (TOTAL AREA=2.40 AC)
- TOTAL OPEN SPACE LOTS (EXCLUDING WATER QUALITY LOTS): 8 EA (63.90 AC)
- TOTAL LOTS PROPOSED = 93 EA (NUMBERED LOTS = 76 EA, LETTERED LOTS = 17 EA)
- SMALLEST RESIDENTIAL LOT AREA: 7,899 SF / 0.18 AC (LOT 47)
- LARGEST RESIDENTIAL LOT AREA: 21,440.61 SF / 0.49 AC (LOT 67)
- ON-SITE NEW & EXISTING UTILITY DISTRIBUTION FACILITIES SHALL BE INSTALLED UNDERGROUND.
- AN ACCESS EASEMENT IS REQUESTED FROM THE COUNTY OF SAN DIEGO ACROSS THE APN 223-080-44. THIS ACCESS EASEMENT IS FOR THE IMPROVEMENT & INSTALLATION OF STREET "E" & PUBLIC UTILITIES INCLUDING THE **TRAFFIC SIGNAL AT THE INTERSECTION OF SAN ELIJO ROAD & PROPOSED STREET "E"**.

$\Delta=105^{\circ}41'20"$   
 $L=184.46'$   
 $R=100.00'$

**INDEX SHEET**  
 SHEET 1 - TITLE  
 SHEET 2 - LOT SUMMARY  
 SHEET 3 - TENTATIVE MAP  
 SHEET 4 - TENTATIVE MAP

APNS: 223-070-07 & 08	
USE REGULATIONS	RR
ANIMAL REGULATIONS	V
DENSITY	-
LOT SIZE	2 AC
BUILDING TYPE	C
MAXIMUM FLOOR AREA	-
HEIGHT	G
LOT COVERAGE	-
SETBACK	B
OPEN SPACE	-
SPECIAL AREA REGULATIONS	-

**OWNER'S CERTIFICATE**

I HEREBY CERTIFY THAT I AM THE RECORD OWNER OF THE PROPERTY SHOWN ON THIS TENTATIVE SUBDIVISION MAP AND THAT SAID MAP SHOWS MY ENTIRE CONTIGUOUS OWNERSHIP. I UNDERSTAND THAT THE PROPERTY IS CONSIDERED CONTIGUOUS EVEN IF IT IS SEPARATED BY ROADS, STREETS, UTILITY EASEMENTS OR RAILROAD RIGHTS OF WAY.

OWNER: COLRICH CALIFORNIA, LLC  
 A CALIFORNIA LIMITED LIABILITY COMPANY  
 DATE: August 6, 2021

OWNER / DEVELOPER: COLRICH CALIFORNIA, LLC  
 A CALIFORNIA LIMITED LIABILITY COMPANY

DEVELOPER ADDRESS: 444 WEST BEECH STREET, SUITE 300, SAN DIEGO, CA 92101  
 DATE: August 6, 2021

**EARTHWORK QUANTITIES:**

THE PRISMOIDAL VOLUME METHOD WAS USED TO CALCULATE THE VALUES SHOWN HEREON. SECTIONS OF STREETS, BIO BASINS & UTILITIES AS WELL AS A 7% BULKING WERE CONSIDERED IN THIS EARTHWORK QUANTITIES.

ADJUSTED CUT VOLUME = 167,100 CY  
 ADJUSTED FILL VOLUME = 167,100 CY  
 EXPORT = 0 CY

**PRESENT & PROPOSED USE:**  
 PRESENT: VACANT  
 PROPOSED: SINGLE FAMILY, OPEN SPACE

**PUBLIC UTILITIES & DISTRICTS:**

SEWER - VALLECITOS WATER DISTRICT  
 WATER - OLVERHEIM WATER DISTRICT  
 GAS & ELECTRIC - S.D.G.E.  
 TELEPHONE - AT&T  
 FIRE - COUNTY SERVICE AREA NO. 107 ELFIN FOREST SCHOOLS - UNIFIED SAN MARCOS

**LEGAL DESCRIPTION**

THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, EXCEPTING THEREFROM THE WESTERLY 100 FEET OF THE NORTHERLY 100 FEET THEREOF. ALSO EXCEPTING THEREFROM ALL THAT PORTION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 12, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

**SOURCE OF TOPOGRAPHY**

TOPOGRAPHY SHOWN ON THESE PLANS WAS GENERATED BY PHOTOGRAMMETRIC METHODS FROM INFORMATION GATHERED ON 10-11-2013 BY AEROTECH MAPPING. TOPOGRAPHY SHOWN HEREON CONFORMS TO NATIONAL MAP ACCURACY STANDARDS.

COUNTY OF SAN DIEGO  
 TRACT NO. \_\_\_\_\_  
 76 LOT RESIDENTIAL SUBDIVISION

TITLE  
 SHEET 1 OF 4 SHEETS

**SURVEYOR OF WORK**

EXCEL ENGINEERING  
 440 STATE PLACE  
 ESCONDIPO, CA 92029  
 PHONE (760) 745-8118  
 FAX (760) 745-1890

MICHAEL D. LEVIN, P.L.S. NO. 6896



**ENGINEER OF WORK**

EXCEL ENGINEERING  
 440 STATE PLACE  
 ESCONDIPO, CA 92029  
 PHONE (760) 745-8118  
 FAX (760) 745-1890

ROBERT D. DENTINO, R.C.E. NO. 45629



**FEPA INFORMATION**

PER THE FEPA MAP NO. 06073C10556 WITH AN EFFECTIVE DATE OF MAY 16, 2012, THE SITE IS IN ZONE X.

**TENTATIVE MAP PREPARATION DATE**

AUGUST 2021

**BASIS OF BEARINGS**

THE BASIS OF BEARINGS FOR THIS PROJECT IS BETWEEN SURVEY CONTROL POINT #1089 "SM089" AND SURVEY CONTROL POINT #1110 "123W137" AS SHOWN ON RECORD OF SURVEY NO. 13928, RECORDED OCTOBER 1, 1992 AS FILE NO. 92-625379.

THE COMBINED FACTOR FOR THIS PROJECT IS BASED ON SURVEY CONTROL POINT #1089 "SM089", BEING 0.999922340 GROUND TO GRID.

IE: NORTH 25° 19' 13" EAST

**PROJECT BENCHMARK**

THE PROJECT BENCHMARK FOR THIS SURVEY IS SAN MARCOS SURVEY CONTROL POINT "SM089", A 2" BRASS DISK IN ROCK STAMPED "SM 089", AS SHOWN ON ROS 13928 AND ADJUSTED PER THE CITY OF SAN MARCOS BENCHMARK CONVERSION SHEETS, DATED SEPTEMBER 21, 2011.

ELEV: 973.370 DATUM: NAVD83

**STORM WATER MANAGEMENT PLAN**

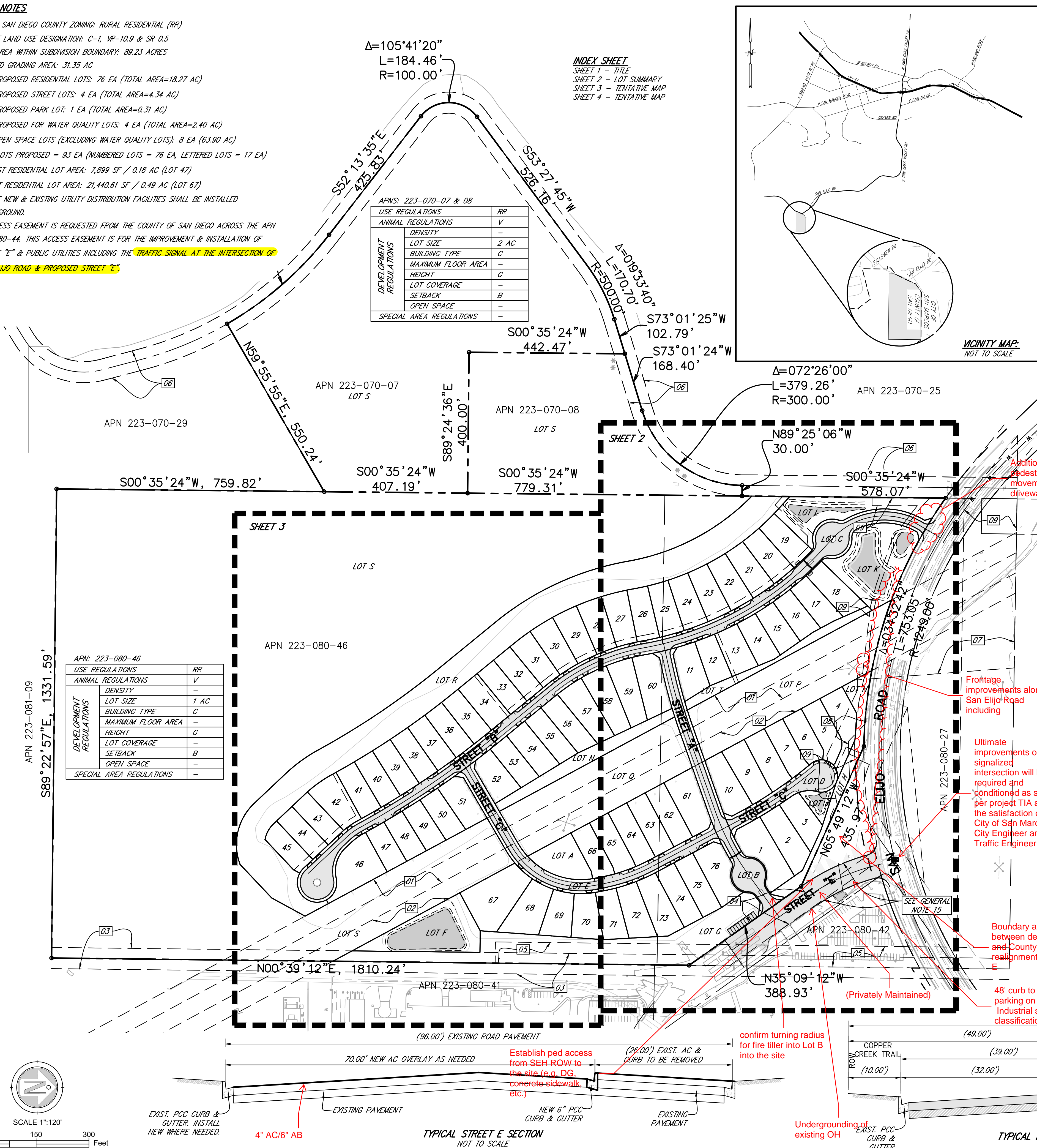
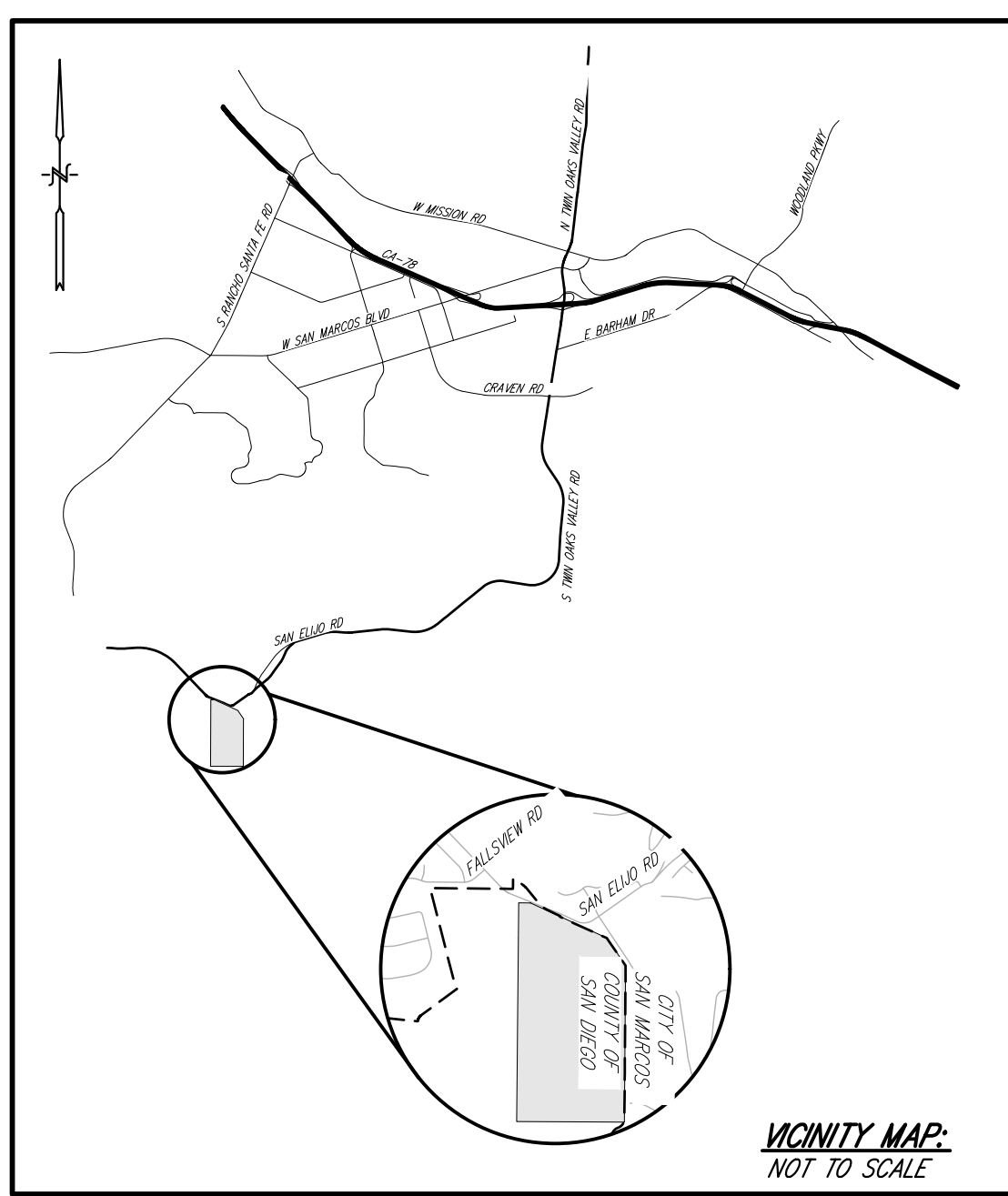
PLEASE SEE THE SWMP PREPARED BY EXCEL ENGINEERING FOR THIS PROJECT & IS MADE A PART OF THE ENTITLEMENT PACKAGE.

**EASEMENT NOTE**

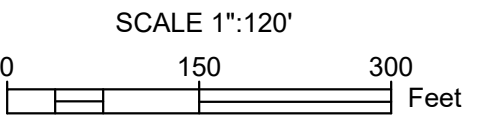
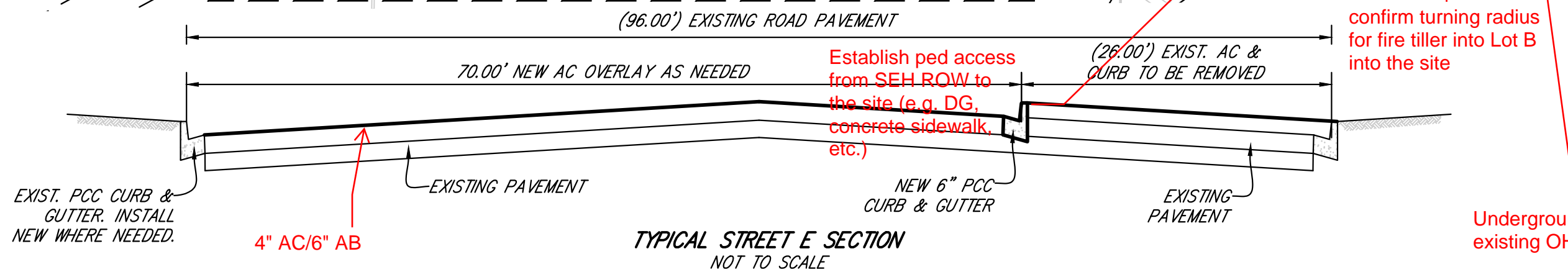
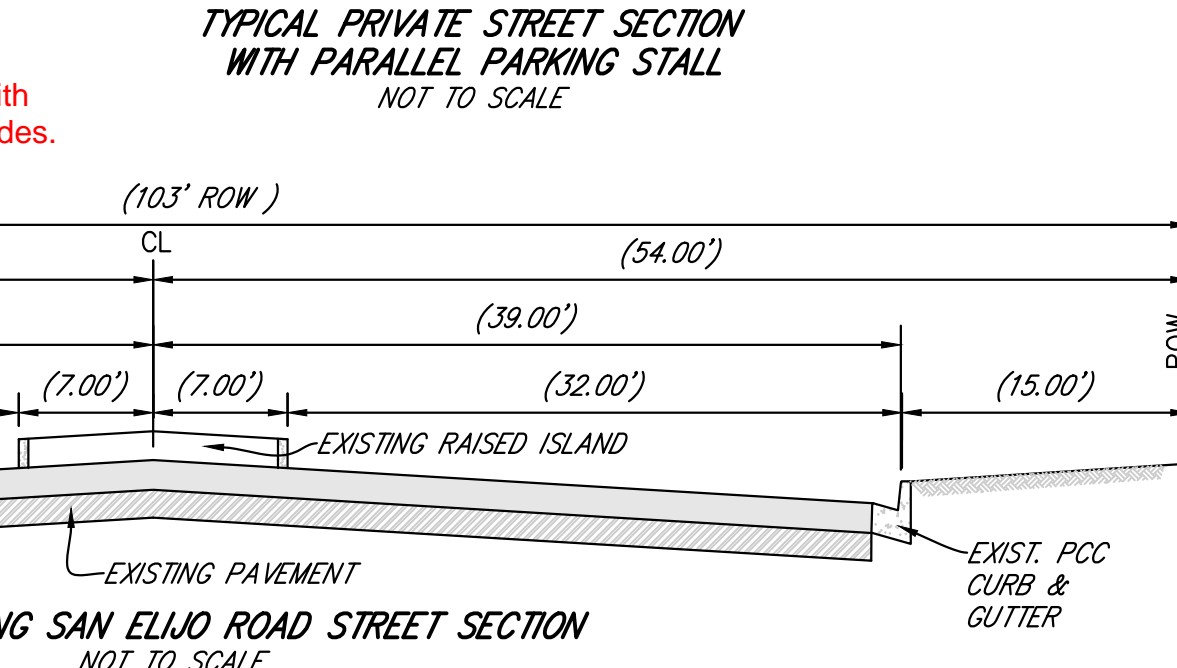
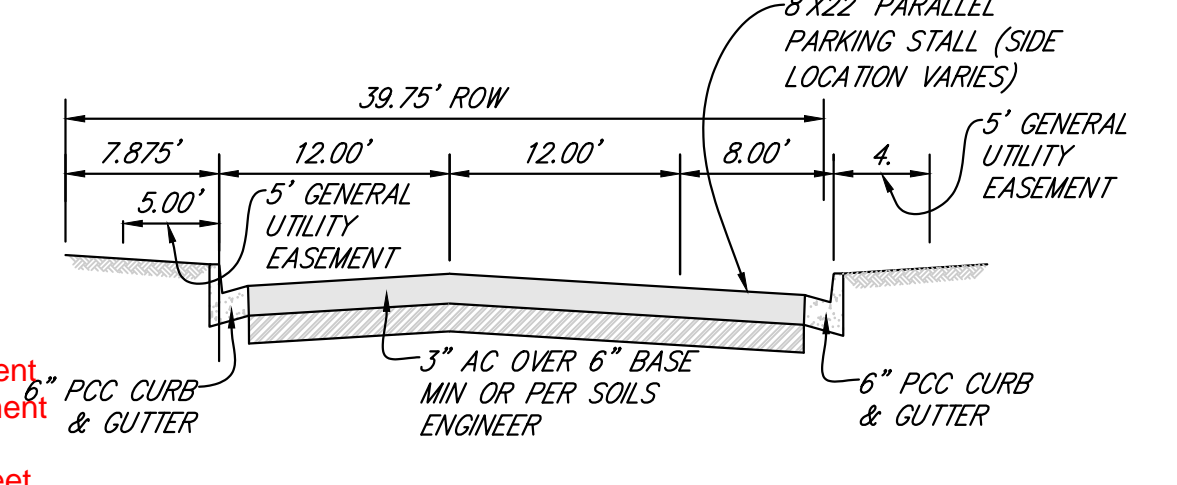
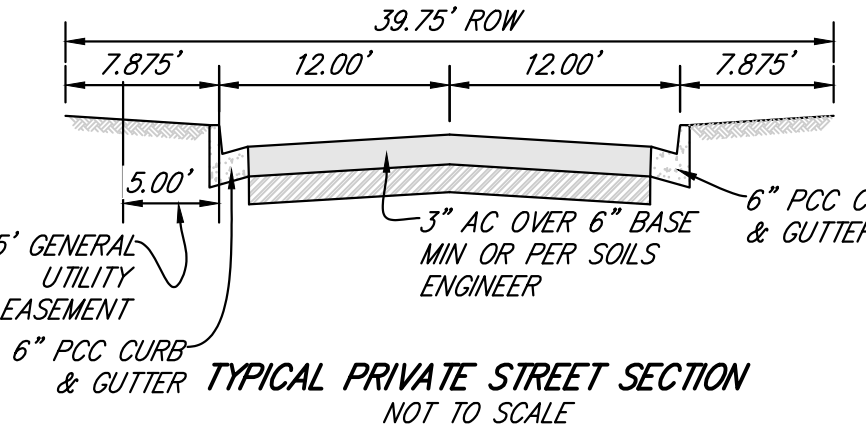
EASEMENTS OF RECORD NOT SHOWN HEREON SHALL BE HONORED, ABANDONED AND / OR RELOCATED TO THE SATISFACTION OF ALL INTERESTED PARTIES. PUBLIC UTILITY EASEMENTS NECESSARY TO SERVE THIS PROJECT WILL BE COORDINATED WITH THE SERVING UTILITY COMPANY.

**EXISTING EASEMENTS AS NOTED IN 1ST AMENDED PRELIMINARY TITLE REPORT ORDER NO. LJ-4663113 (06), UPDATED 10/14/2016**

- 01 AN EXISTING 100' WIDE EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, GRANTED TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED OCTOBER 11, 1940 IN BOOK 1082, PAGE 293 OF OFFICIAL RECORDS.
- 02 AN EXISTING 60' WIDE EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, GRANTED TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED NOVEMBER 3, 1965 AS INSTRUMENT NO. 198601 OF OFFICIAL RECORDS.
- 03 AN EASEMENT FOR ROAD AND UTILITY AND INCIDENTAL PURPOSES IN FAVOR OF JOHN A. THOMAS, JR. AND AVIS C. THOMAS, RECORDED FEBRUARY 26, 1964 AS INSTRUMENT NO. 37644 OF OFFICIAL RECORDS.
- 04 THE RIGHT TO EXTEND AND MAINTAIN DRAINAGE STRUCTURES AND EXCAVATION AND EMBANKMENT SLOPES BEYOND THE LIMITS OF THE RIGHT OF WAY GRANTED THEREIN WHERE REQUIRED FOR CONSTRUCTION AND MAINTENANCE GRANTED TO COUNTY OF SAN DIEGO, RECORDED JULY 14, 1978 AS INSTRUMENT NO. 78-294151 OF OFFICIAL RECORDS.
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- 06 A 60 FOOT WIDE EASEMENT AND RIGHT-OF-WAY FOR INGRESS AND EGRESS FOR ROAD AND UTILITY PURPOSES, RECORDED MARCH 15, 1972 IN GRANT DEED FILE NO. 61527 OF OFFICIAL RECORDS.
- 07 AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF SAN DIEGO GAS AND ELECTRIC COMPANY, RECORDED NOVEMBER 30, 1992 AS INSTRUMENT NO. 92-0764106 OF OFFICIAL RECORDS.
- 08 AN EASEMENT FOR DRAINAGE AND INCIDENTAL PURPOSES IN FAVOR OF THE CITY OF SAN MARCOS, RECORDED JUNE 6, 2003 AS INSTRUMENT NO. 03-0670400 OF OFFICIAL RECORDS.
- 09 AN EASEMENT FOR TEMPORARY SLOPE AND CONSTRUCTION AND INCIDENTAL PURPOSES IN FAVOR OF THE CITY OF SAN MARCOS, RECORDED JUNE 6, 2003 AS INSTRUMENT NO. 03-0670401 OF OFFICIAL RECORDS.



APN: 223-080-46	
USE REGULATIONS	RR
ANIMAL REGULATIONS	V
DENSITY	-
LOT SIZE	1 AC
BUILDING TYPE	C
MAXIMUM FLOOR AREA	-
HEIGHT	G
LOT COVERAGE	-
SETBACK	B
OPEN SPACE	-
SPECIAL AREA REGULATIONS	-



COUNTY OF SAN DIEGO  
TRACT NO. \_\_\_\_\_  
76 LOT RESIDENTIAL SUBDIVISION

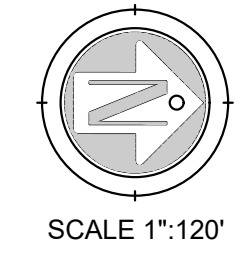
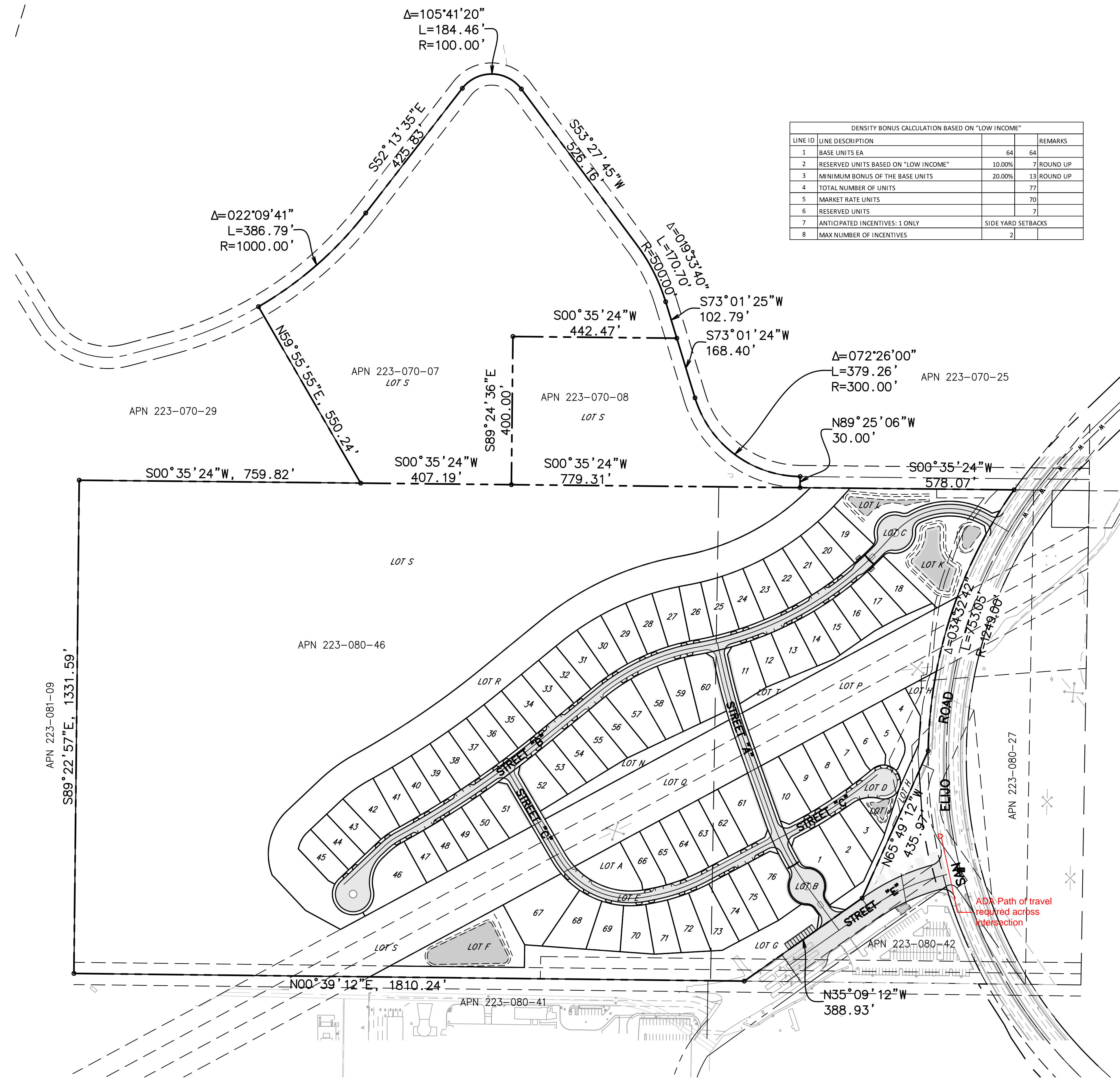
LOT SUMMARY  
SHEET 2 OF 4 SHEETS

DENSITY BONUS CALCULATION BASED ON "LOW INCOME"

LINE ID	LINE DESCRIPTION		REMARKS
1	BASE UNITS EA	64	64
2	RESERVED UNITS BASED ON "LOW INCOME"	10.00%	7 ROUND UP
3	MINIMUM BONUS OF THE BASE UNITS	20.00%	13 ROUND UP
4	TOTAL NUMBER OF UNITS		77
5	MARKET RATE UNITS		70
6	RESERVED UNITS		7
7	ANTICIPATED INCENTIVES: 1 ONLY		SIDE YARD SETBACKS
8	MAX NUMBER OF INCENTIVES		2

QUESTHAVEN SUBDIVISION - 76 UNITS LOT DATA TABLE

LOT NO.	GROSS AREA (SF)	GROSS AREA (AC)	NET AREA (SF)	NET AREA (AC)	LOT USE	REMARKS
1	15,915.24	0.37	15,915.24	0.37	RESIDENTIAL	
2	12,776.89	0.29	12,776.89	0.29	RESIDENTIAL	
3	9,559.46	0.22	9,559.46	0.22	RESIDENTIAL	
4	11,993.44	0.28	11,993.44	0.28	RESIDENTIAL	
5	10,085.48	0.23	10,085.48	0.23	RESIDENTIAL	
6	8,955.98	0.21	8,955.98	0.21	RESIDENTIAL	
7	9,377.69	0.22	9,377.69	0.22	RESIDENTIAL	
8	10,949.04	0.25	10,949.04	0.25	RESIDENTIAL	
9	11,911.06	0.27	11,911.06	0.27	RESIDENTIAL	
10	12,220.86	0.28	12,220.86	0.28	RESIDENTIAL	
11	10,704.52	0.25	10,704.52	0.25	RESIDENTIAL	
12	8,423.35	0.19	8,423.35	0.19	RESIDENTIAL	
13	9,885.56	0.23	9,885.56	0.23	RESIDENTIAL	
14	8,835.26	0.20	8,835.26	0.20	RESIDENTIAL	
15	8,777.50	0.20	8,777.50	0.20	RESIDENTIAL	
16	8,804.98	0.20	8,804.98	0.20	RESIDENTIAL	
17	9,586.40	0.22	9,586.40	0.22	RESIDENTIAL	
18	11,158.05	0.26	11,158.05	0.26	RESIDENTIAL	
19	9,923.90	0.23	9,923.90	0.23	RESIDENTIAL	
20	9,924.50	0.23	9,924.50	0.23	RESIDENTIAL	
21	9,924.50	0.23	9,924.50	0.23	RESIDENTIAL	
22	9,924.50	0.23	9,924.50	0.23	RESIDENTIAL	
23	9,924.50	0.23	9,924.50	0.23	RESIDENTIAL	
24	9,924.50	0.23	9,924.50	0.23	RESIDENTIAL	
25	9,927.29	0.23	9,927.29	0.23	RESIDENTIAL	
26	9,367.98	0.22	9,367.98	0.22	RESIDENTIAL	
27	10,144.31	0.23	10,144.31	0.23	RESIDENTIAL	
28	10,144.31	0.23	10,144.31	0.23	RESIDENTIAL	
29	10,144.31	0.23	10,144.31	0.23	RESIDENTIAL	
30	10,144.31	0.23	10,144.31	0.23	RESIDENTIAL	
31	9,894.54	0.23	9,894.54	0.23	RESIDENTIAL	
32	9,000.00	0.21	9,000.00	0.21	RESIDENTIAL	
33	9,000.00	0.21	9,000.00	0.21	RESIDENTIAL	
34	10,500.00	0.24	10,500.00	0.24	RESIDENTIAL	
35	9,247.99	0.21	9,247.99	0.21	RESIDENTIAL	
36	9,292.83	0.21	9,292.83	0.21	RESIDENTIAL	
37	9,292.83	0.21	9,292.83	0.21	RESIDENTIAL	
38	9,292.83	0.21	9,292.83	0.21	RESIDENTIAL	
39	9,292.83	0.21	9,292.83	0.21	RESIDENTIAL	
40	9,292.83	0.21	9,292.83	0.21	RESIDENTIAL	
41	9,341.83	0.21	9,341.83	0.21	RESIDENTIAL	
42	11,984.56	0.28	11,984.56	0.28	RESIDENTIAL	
43	9,000.25	0.21	9,000.25	0.21	RESIDENTIAL	
44	9,000.00	0.21	9,000.00	0.21	RESIDENTIAL	
45	8,734.08	0.20	8,734.08	0.20	RESIDENTIAL	
46	16,229.65	0.37	16,229.65	0.37	RESIDENTIAL	
47	7,899.13	0.18	7,899.13	0.18	RESIDENTIAL	SMALLEST LOT
48	8,030.43	0.18	8,030.43	0.18	RESIDENTIAL	
49	8,258.23	0.19	8,258.23	0.19	RESIDENTIAL	
50	8,583.58	0.20	8,583.58	0.20	RESIDENTIAL	
51	10,608.53	0.24	10,608.53	0.24	RESIDENTIAL	
52	10,331.46	0.24	10,331.46	0.24	RESIDENTIAL	
53	8,666.22	0.20	8,666.22	0.20	RESIDENTIAL	
54	10,231.98	0.23	10,231.98	0.23	RESIDENTIAL	
55	9,715.97	0.22	9,715.97	0.22	RESIDENTIAL	
56	10,409.99	0.24	10,409.99	0.24	RESIDENTIAL	
57	12,507.91	0.29	12,507.91	0.29	RESIDENTIAL	
58	12,460.00	0.29	12,460.00	0.29	RESIDENTIAL	
59	11,917.52	0.27	11,917.52	0.27	RESIDENTIAL	
60	12,940.49	0.30	12,940.49	0.30	RESIDENTIAL	
61	13,666.51	0.31	13,666.51	0.31	RESIDENTIAL	
62	10,459.30	0.24	10,459.30	0.24	RESIDENTIAL	
63	10,438.12	0.24	10,438.12	0.24	RESIDENTIAL	
64	10,412.48	0.24	10,412.48	0.24	RESIDENTIAL	
65	10,096.71	0.23	10,096.71	0.23	RESIDENTIAL	
66	9,304.64	0.21	9,304.64	0.21	RESIDENTIAL	
67	21,440.61	0.49	21,440.61	0.49	RESIDENTIAL	LARGEST LOT
68	13,845.75	0.32	13,845.75	0.32	RESIDENTIAL	
69	9,770.10	0.22	9,770.10	0.22	RESIDENTIAL	
70	9,742.03	0.22	9,742.03	0.22	RESIDENTIAL	
71	9,321.80	0.21	9,321.80	0.21	RESIDENTIAL	
72	10,814.98	0.25	10,814.98	0.25	RESIDENTIAL	
73	12,302.60	0.28	12,302.60	0.28	RESIDENTIAL	
74	10,536.89	0.24	10,536.89	0.24	RESIDENTIAL	
75	10,536.89	0.24	10,536.89	0.24	RESIDENTIAL	
76	12,770.09	0.29	12,770.09	0.29	RESIDENTIAL	
A	13,699.68	0.31	13,699.68	0.31	PARK	
B	37,018.42	0.85	37,018.42	0.85	PRIVATE STREET	
C	97,488.19	2.24	97,488.19	2.24	PRIVATE STREET	
D	17,789.53	0.41	17,789.53	0.41	PRIVATE STREET	
E	36,897.43	0.85	36,897.43	0.85	PRIVATE STREET	
F	32,407.16	0.74	32,407.16	0.74	WATER QUALITY	
G	79,211.65	1.82	79,211.65	1.82	OPEN SPACE	
H	19,798.48	0.45	19,798.48	0.45	OPEN SPACE	
J	5,005.10	0.11	5,005.10	0.11	WATER QUALITY	
K	38,685.71	0.89	38,685.71	0.89	WATER QUALITY	
L	28,458.07	0.65	28,458.07	0.65	WATER QUALITY	
N	18,423.90	0.42	18,423.90	0.42	OPEN SPACE	
P	89,273.76	2.05	89,273.76	2.05	OPEN SPACE	
Q	82,517.05	1.89	82,517.05	1.89	OPEN SPACE	
R	167,599.45	3.85	167,599.45	3.85	OPEN SPACE	
S	2,314,336.49	53.13	2,314,336.49	53.13	OPEN SPACE	
T	12,550.26	0.29	12,550.26	0.29	OPEN SPACE	
TOTAL	3,886,917.99	89.23	3,886,917.99	89.23		



SCALE 1"=120'

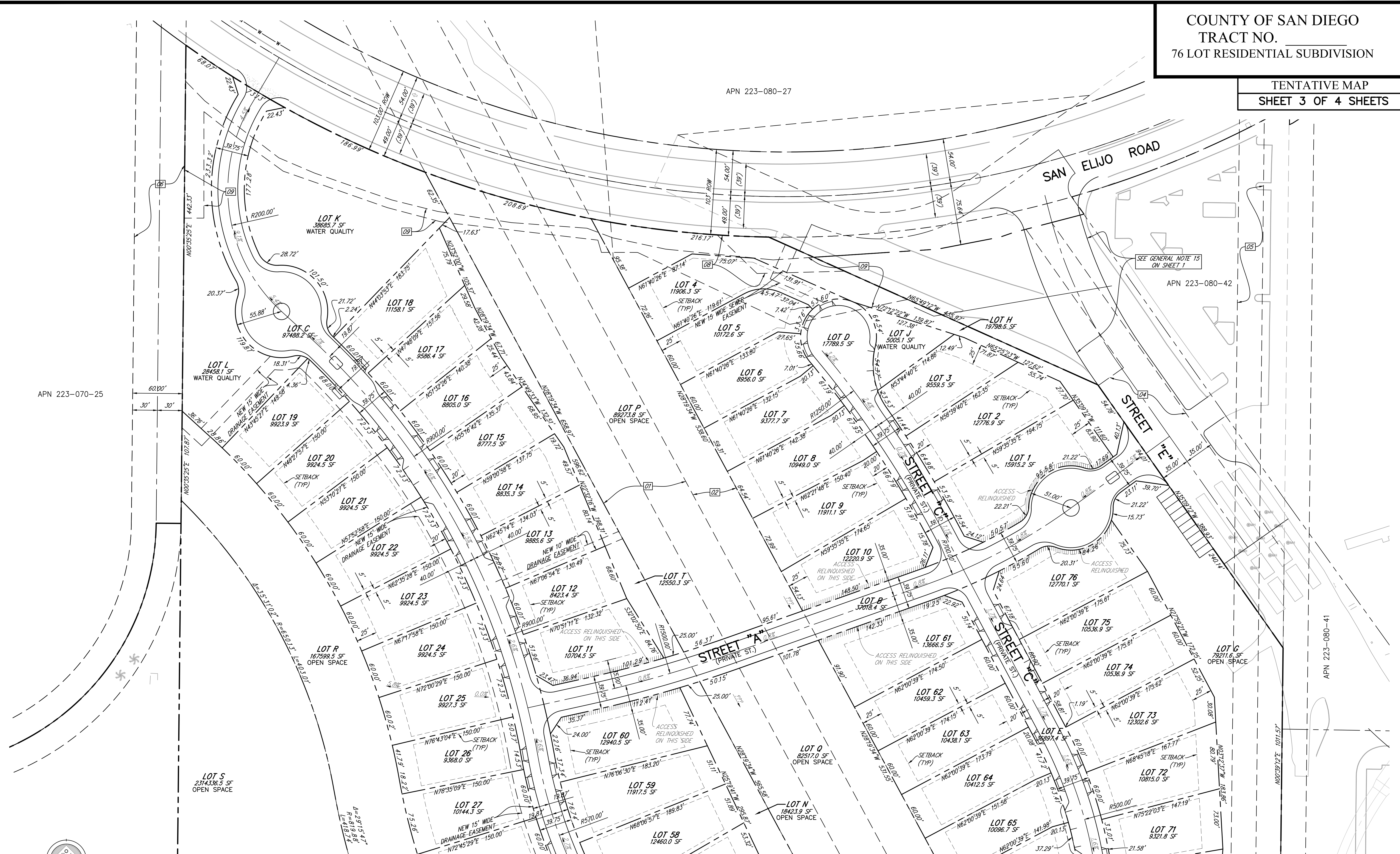
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APN 223-080-27

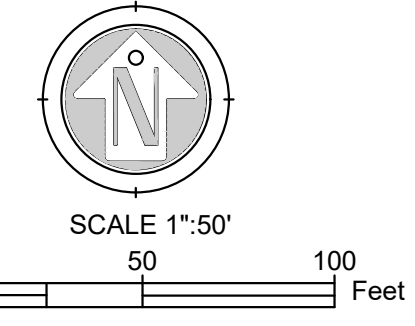
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APN 223-070-25

APN 223-080-41

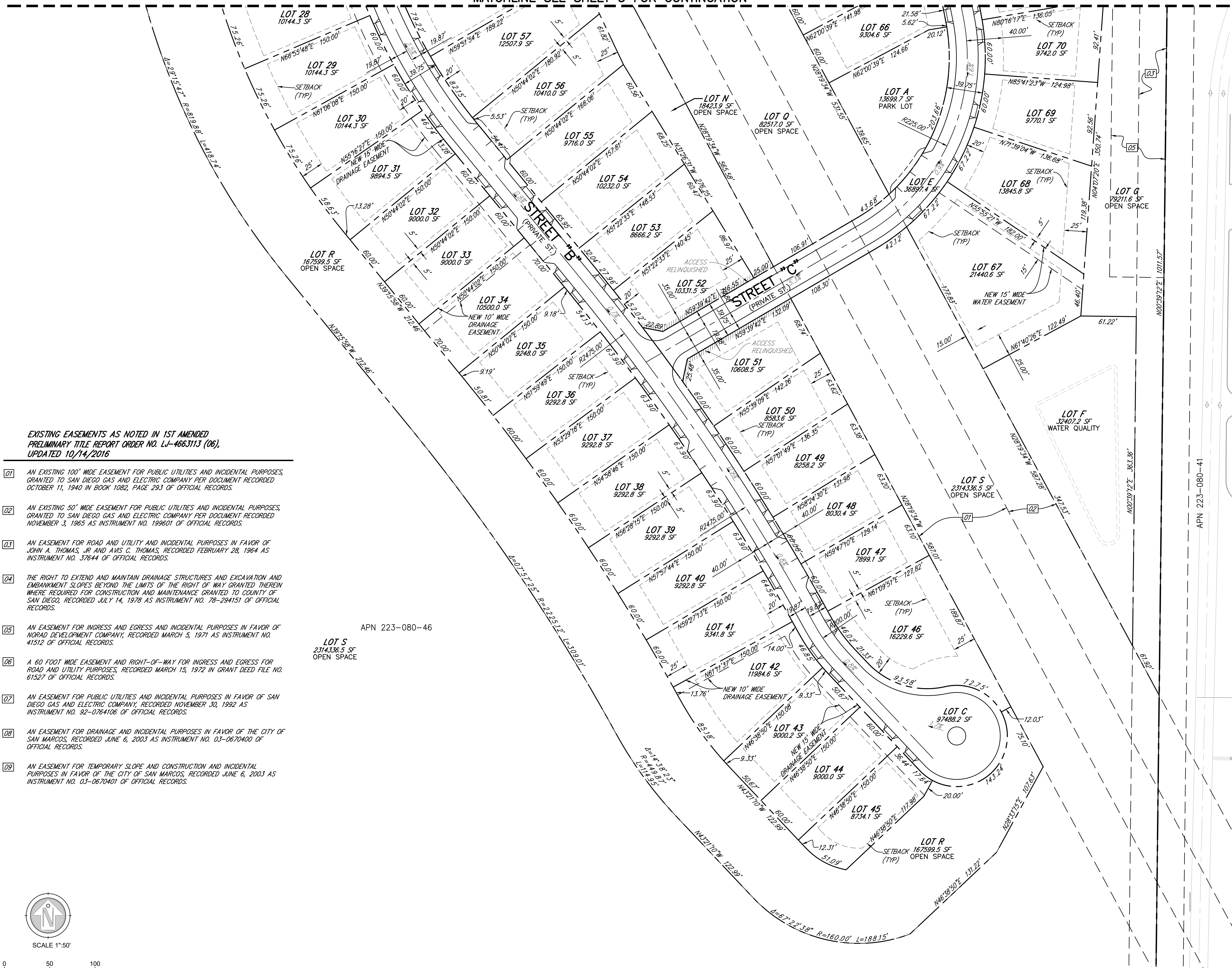


MATCHLINE SEE SHEET 4 FOR CONTINUATION



K:\19\190228\Engineering\TM\190228\190228.TM.dwg 6/6/2021 10:21 AM ORIGINAL PLOT SIZE:

MATCHLINE SEE SHEET 3 FOR CONTINUATION

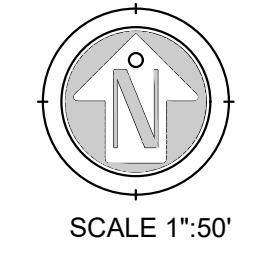


EXISTING EASEMENTS AS NOTED IN 1ST AMENDED  
PRELIMINARY TITLE REPORT ORDER NO. LJ-4663113 (06),  
UPDATED 10/14/2016

- 01 AN EXISTING 100' WIDE EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, GRANTED TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED OCTOBER 11, 1940 IN BOOK 1082, PAGE 293 OF OFFICIAL RECORDS.
- 02 AN EXISTING 50' WIDE EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, GRANTED TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED NOVEMBER 3, 1965 AS INSTRUMENT NO. 199601 OF OFFICIAL RECORDS.
- 03 AN EASEMENT FOR ROAD AND UTILITY AND INCIDENTAL PURPOSES IN FAVOR OF JOHN A. THOMAS, JR AND AVIS C. THOMAS, RECORDED FEBRUARY 28, 1964 AS INSTRUMENT NO. 37644 OF OFFICIAL RECORDS.
- 04 THE RIGHT TO EXTEND AND MAINTAIN DRAINAGE STRUCTURES AND EXCAVATION AND EMBANKMENT SLOPES BEYOND THE LIMITS OF THE RIGHT OF WAY GRANTED THEREIN WHERE REQUIRED FOR CONSTRUCTION AND MAINTENANCE GRANTED TO COUNTY OF SAN DIEGO, RECORDED JULY 14, 1978 AS INSTRUMENT NO. 78-294151 OF OFFICIAL RECORDS.
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APN 223-080-41

LOT S  
2314.336.5 SF  
OPEN SPACE





# SAN MARCOS

DISCOVER LIFE'S POSSIBILITIES

September 29, 2022

Sean Oberbauer  
County of San Diego  
Planning & Development Services  
5510 Overland Avenue, Suite 110  
San Diego, California 92123

SENT VIA EMAIL

Re: Questhaven Notice of Preparation (NOP)  
PDS2020-TM-5643; PDS2020-AD-20-011; PDS2022-STP-22-018, LOG NO. PDS2020-ER-20-08-008  
The Project consists of 76 single-family residential homes on 18.27 acres, recreation uses on 0.31 acres, and water quality detention basins on 2.4 acres. The Project also includes open space on approximately 63.9 acres that would provide for biological open space and fuel-modification zones.

Dear Mr. Oberbauer,

The City of San Marcos (City) thanks you for the opportunity to review the NOP document and provide input on the scope and content of the Environmental Impact Report being prepared for the Questhaven project. The City Development Services Department requests your consideration of the following comments:

#### Engineering and Traffic

1. Attached are redlined comments the City previously provided the County on the Tentative Map exhibit for the project. Please review and address within the DEIR as applicable.

#### Recreation

1. The figures provided as attachments to the NOP do not provide adequate detail to assess whether on-site park and recreational amenities exist on the property to serve residents, nor was an Initial Study included as part of the NOP package to provide additional information. Please include the appropriate analysis within the EIR to determine, given the location of the project, if there will impacts to City of San Marcos parks and recreational services as a result of Questhaven residents utilizing City facilities.
2. Please ensure that public access to the trail head located along San Elijo Road be maintained.

Thank you in advance for your consideration of these comments. The City requests that the comments contained herein are considered in the Draft EIR and that the City is notified when the Draft EIR is available for public review. If you have any questions, please feel free to contact me at (760) 744-1050 extension 3248 or [jfarace@san-marcos.net](mailto:jfarace@san-marcos.net).



Cordially,

Joseph Farace  
Planning Division Director

cc: Stephanie Kellar, Principal Civil Engineer, Land Development Division  
Jonathan Quezada, Assistant Engineer, Land Development Division  
Peter Kuey, Traffic Division  
Damien Schoenecke, Assistant Traffic Engineer  
Sean del Solar, Senior Planner, Planning Division

**From:** Leonard Wittwer  
**To:** Oberbauer, Sean  
**Cc:** Ann  
**Subject:** [External] Questhaven Project NOP Response  
**Date:** Sunday, October 2, 2022 8:30:12 PM

October 3, 2022

Mr. Sean Oberbauer  
County of San Diego  
Planning and Development Services  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123

RE: Notice of Preparation  
Questhaven, PDS2020-TM-5643, PDS2020-AD-20-001  
PDS2022-STP-22-018, Log No PDS2020-ER-20-08-008

Dear Mr. Oberbauer,

I'm writing on behalf of The Escondido Creek Conservancy (Conservancy) in response to the above-mentioned Notice of Preparation of an Environmental Impact Report. The Questhaven Project is within the Escondido Creek watershed, the Conservancy's focus area.

The Questhaven Project is located between significant open spaces in the City of Carlsbad to the south and west and the City off San Marcos to the north. We request that the EIR address, and mitigate, the impacts to wildlife movement between these two open space areas, including alternate plans that would allow safe wildlife movement across San Elijo Road.

The Questhaven Project site is located at the north end of and serves as a buffer to the regionally important California Gnatcatcher Core area. We request that the EIR address any impacts the project could have on local and regional Gnatcatcher populations.

Due to the proximity of many rare or threatened species to the project, we request that the EIR incorporate the maximum mitigation ratios and that the project be designed such that all mitigation occurs on site. If off site mitigation is additionally required, we request that it occur within the Escondido Creek watershed.

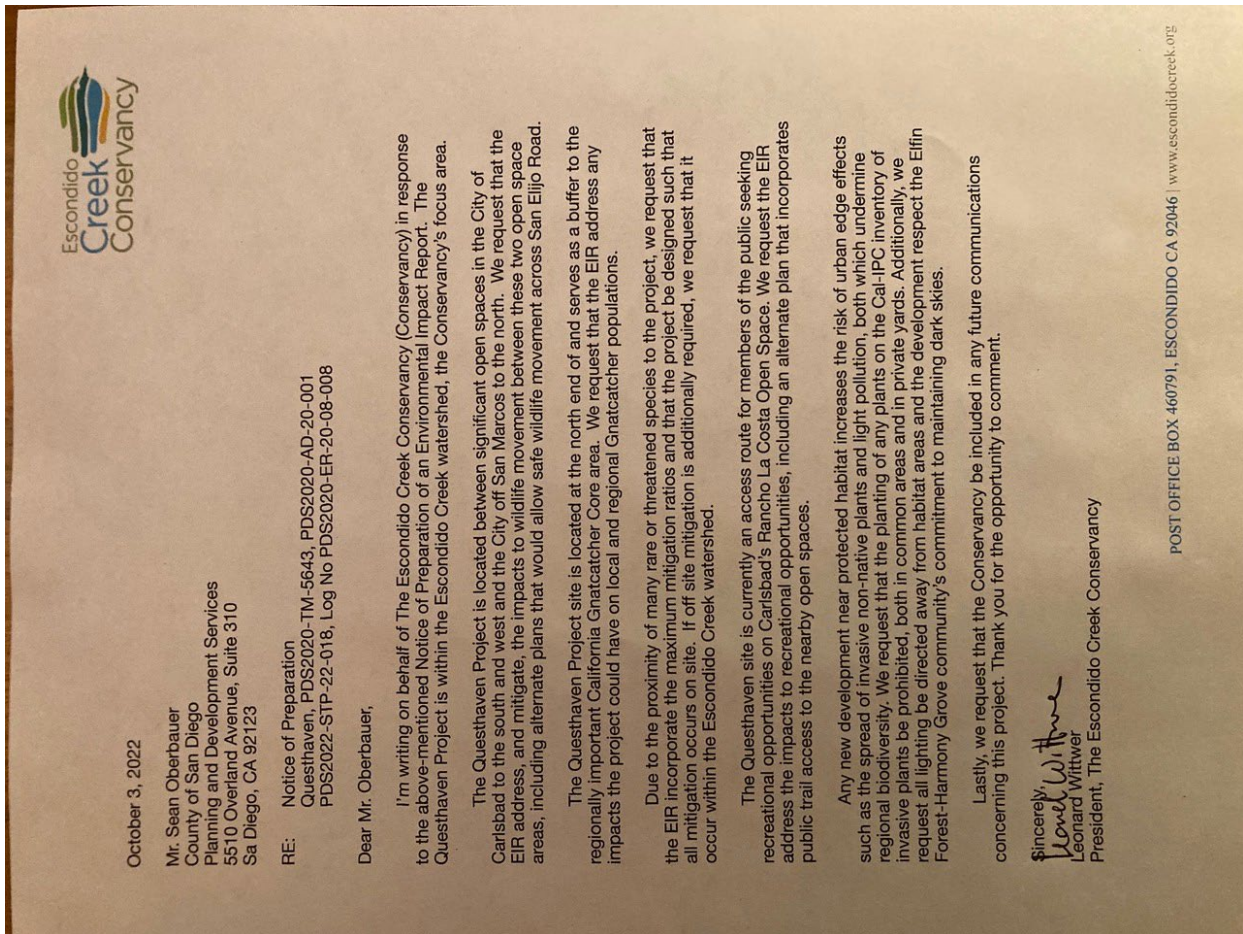
The Questhaven site is currently an access route for members of the public seeking recreational opportunities on Carlsbad's Rancho La Costa Open Space. We request the EIR address the impacts to recreational opportunities, including an alternate plan that incorporates public trail access to the nearby open spaces.

Any new development near protected habitat increases the risk of urban edge effects such as the spread of invasive non-native plants and light pollution, both which undermine regional biodiversity. We request that the planting of any plants on the Cal-IPC inventory of invasive plants be prohibited, both in common areas and in private yards. Additionally, we request all lighting be directed away from habitat areas and the development respect the Elfin Forest-Harmony Grove community's commitment to maintaining dark skies.

Lastly, we request that the Conservancy be included in any future communications concerning this project. Thank you for the opportunity to comment.

Sincerely,

Leonard Wittwer  
President, The Escondido Creek Conservancy





**From:** [Lisa Whitesell](#)  
**To:** [Oberbauer, Sean](#)  
**Cc:** [Elizabeth Lopez](#)  
**Subject:** [External] Questhaven PDS2020-TM-5643, PDS2020-AD-20-011, PDS2022-STP-22-018, LOG NO. PDS2020-ER-20-08-008  
**Date:** Thursday, September 8, 2022 9:06:48 AM  
**Attachments:** [image001.png](#)  
[Water Map.pdf](#)  
[2485-12.tif](#)  
[2196-14.tif](#)  
[2485-13.tif](#)  
[Sewer Area Map.pdf](#)  
[Annexation Packet 2022.pdf](#)

---

Hi Sean,

We received the notice of preparation of an Environmental Impact Report for the above referenced project. The project property is not within our service boundary for Water and I believe is either in Olivenhain Municipal Water District or Questhaven Municipal Water District water service area. However APN 223-080-46 is within our Sphere of Influence which means that we have the potential to serve this site if no other agency has facilities to serve it, the properties would need to annex into our Water District. Sewer is available to serve these properties, APN 223-080-46 is already within our sewer service boundary however the other two parcels (APN 223-070-08 & 07) are outside the boundary and would need to annex into the District for sewer service. There is an existing 16-inch DIP water main and a 15-inch VCP sewer main within San Elijo Road. I've attached area maps, as-builts and annexation packet for your reference.

A Water and Sewer Study will need to be done to determine the impacts that this prospective development may cause to the current Vallecitos Water District's infrastructure and will provide recommendations for needed improvements to provide service. This determination will dictate whether the current system can accept the sewer and provide the water necessary to not only service the development, but to provide enough flow for a potential fire event as required by the local fire agency.

Development projects including, but not limited to, commercial, industrial, and residential with three dwelling units or more are required to have the Water and Sewer Study completed prior to processing a plan check. The study should be completed as early in the development process as possible. The results of the study will determine if the owner/developer must provide any upgrades or additions to the current infrastructure.

Water and Sewer Study Requirements

**Assessor's Parcel Numbers (APN's):**

All existing properties affected by the proposed development should be clearly identified by Assessor's Parcel Numbers, street address information and acreage.

**Site Plan:**

A proposed site plan shall be submitted to the District for use in preparing the study.

- **Land Usage**

A breakdown of the land usage by acreage proposed for the project including: Commercial, Residential, Open Space, Right-of-Way, etc., shall be included. Total acreage.

**Dwelling Units**

The number and type of proposed dwelling units included in Site Plan.

- **Points of Connection**

The proposed points of connection to the existing water and/or sewer systems.

**Fire Flow**

The Fire Department must review plans and provide the fire flow requirements. (local)

**Water and Sewer Study Deposit**

A deposit of \$6,050.00 will be required for the study.

Please let myself or Elizabeth Lopez know if there is any additional information needed or if you have any questions. Thank you!

Thank you,

Lisa Whitesell

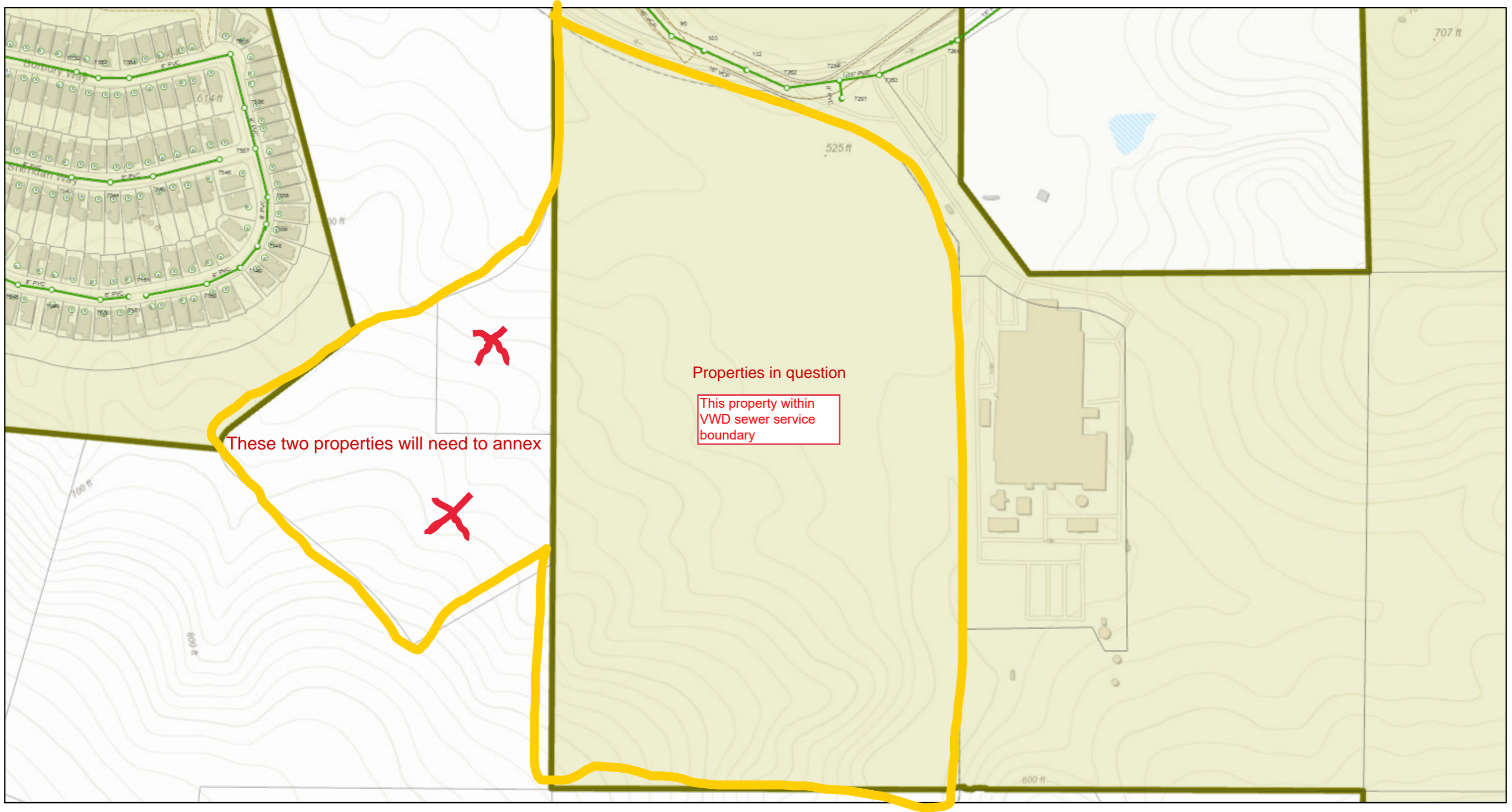
Engineering Technician III

Vallecitos Water District – 201 Vallecitos de Oro San Marcos, CA 92069



**Direct Office No. 760-752-7129**

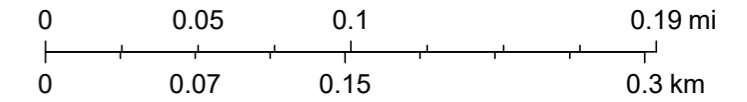
# Sewer Area Map



9/7/2022, 5:00:05 PM

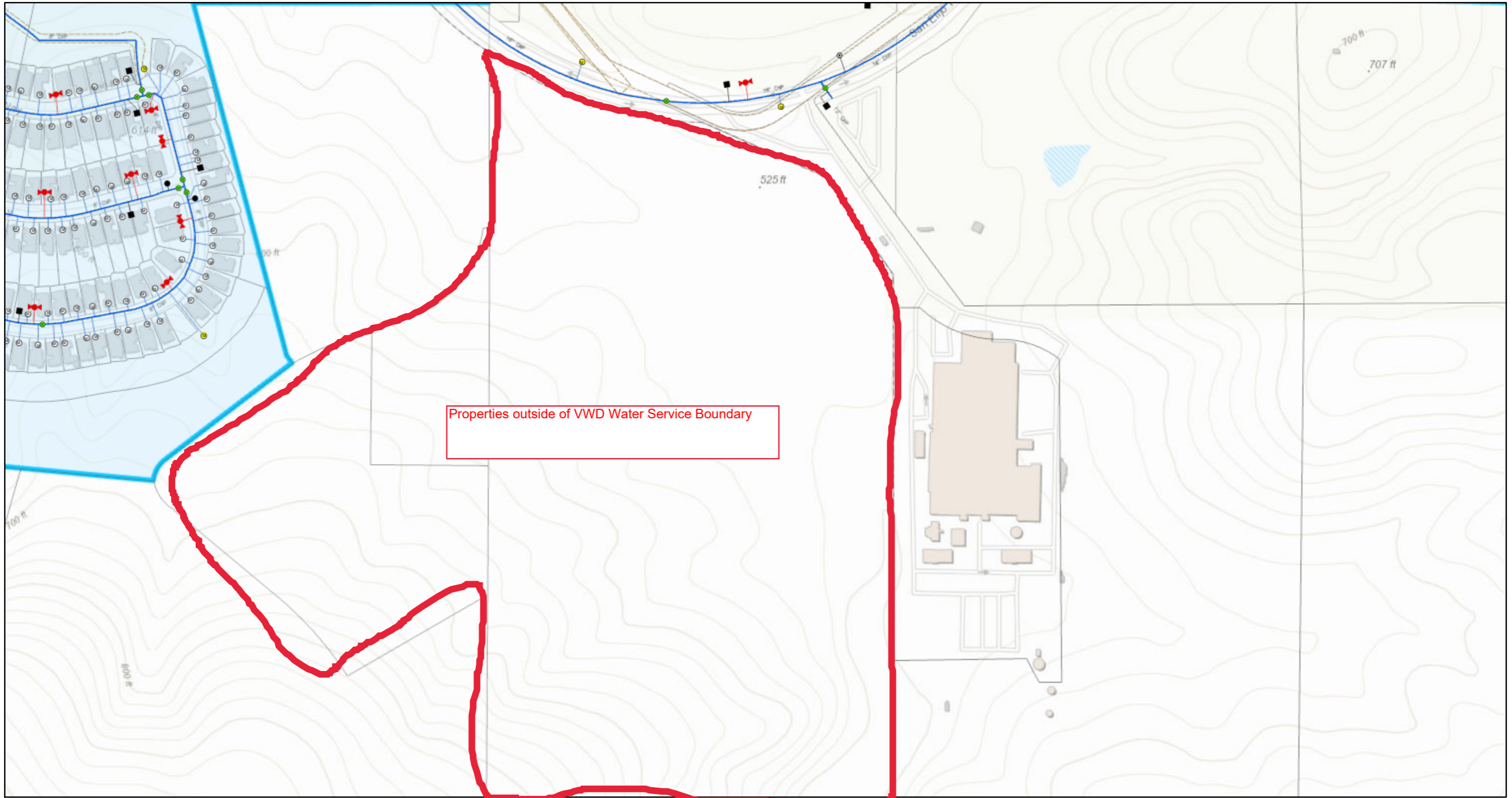
1:4,514

- |           |                    |                                      |  |   |         |
|-----------|--------------------|--------------------------------------|--|---|---------|
| Parcels   | GAS                | TELEPHONE                            | IN OPERATION, CARLSBAD MUNI WATER DIST | IN OPERATION, VWD, BUENA, CMWD            | Private |
| Easements | PUBLIC             | WATER                                | IN OPERATION, CMWD                     | IN OPERATION, VWD, OMWD                   |         |
| ACCESS    | QUITCLAIMED        | WATER & SEWER                        | IN OPERATION, PRIVATE                  | IN OPERATION, VWD, VISTA, CMWD            |         |
| DRAINAGE  | RAIL ROAD CROSSING | Reclaimed Water Lines                | IN OPERATION, VALLECITOS WATER DIST    | UNDER CONSTRUCTION, VALLECITOS WATER DIST |         |
| ELECTRIC  | SEWER              | Sewer Line                           | IN OPERATION, VWD, BUENA               | Sewer Line Nodes                          |         |
|           |                    | IN OPERATION, BUENA SANITATION DIST. |  | VWD                                       |         |



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Paul Cosmano, Dan Lopez, ESRI and Vallecitos Water District.

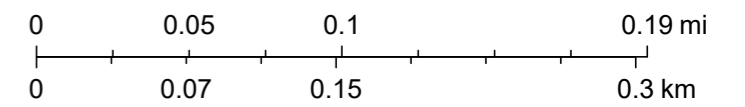
# Water Area Map



9/8/2022, 8:30:08 AM

- Parcels
- Aquaduct
- Easements
  - ACCESS
  - DRAINAGE
  - ELECTRIC

1:4,514



VWD GIS, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Paul Cosmano, Dan Lopez, ESRI and Vallecitos Water  
\*\*\*Disclaimer\*\*\*

Web AppBuilder for ArcGIS

accuracy of the maps and data provided; however, some information may not be accurate or current. Vallecitos Water District assumes no responsibility arising from use of this information and incorporates by reference its disclaimer regarding the lack of warranties, whether expressed or implied, concerning the use of the same.

**VALLECITOS WATER  
DISTRICT**

**ANNEXATION  
PROCEDURE**

**INFORMATION PACKET**



## ANNEXATION FEE SCHEDULE 2022

### State Board of Equalization

Less than 1 acre	\$300
1.00-5.99	\$350
6.00-10.99	\$500
11.00-20.99	\$800
21.00-50.99	\$1,200
51.00-100.99	\$1,500
101.00-500.99	\$2,000
501.00-1000.99	\$2,500
1001.00-2000.99	\$3,000
2001.00 and above	\$3,500

### Administration Deposit

0-10 acres	\$1,000
10-50 acres	\$2,000
Over 50 acres	\$3,000

### Annexation Fee/acre

Water	\$4,978
Sewer	\$10,622

### Detachment Fee/acre

Water	\$1,053
Sewer	\$1,879

**SAN DIEGO LAFCO PROCESSING FEE SCHEDULE \***  
EFFECTIVE | JANUARY 1, 2019

<u>ACRE(S)</u>	<u>FEE AMOUNT</u>
.50 acre and less	\$2,660
.51 -.99 acre	\$3,325
1 - 9.9	\$4,050
10 - 19.9	\$4,990
20 - 49.9	\$5,830
50 - 99.9	\$6,785
100 – 149.9	\$7,850
150 – 199.9	\$9,060
200+ (\$9,060 plus an acreage fee of \$90 per 100 acres over 200 acres)	\$9,060 / \$90
Incorporation (\$13,750 deposit, plus 60% of actual LAFCO review costs)	\$13,750+
District Formation	\$9,650
Consolidation/Merger/Dissolution/Subsidiary District	\$5,500
Dissolution for Inactivity	\$695

\* The above fees are charged for each jurisdictional change (i.e., annexation, detachment, latent power activation or expansion) and sphere amendment associated with a proposal, and apply to cities and districts. For contractual service agreements, payment of the applicable annexation and/or detachment fees as well as sphere amendment(s) must be made upon submittal of a contractual service agreement application. Proponents shall be responsible for actual hearing notification and mailing costs for public hearing items.

**SURCHARGE**

There will be a 30% surcharge for consideration of contractual service agreements. This surcharge is due prior to LAFCO consideration of the related annexation/detachment application. The surcharge does not apply to service agreements involving health or safety concerns where the property is eligible for immediate annexation, or fire protection contracts that receive agreement from all affected public agencies.

**CITY AND DISTRICT SPHERE OF INFLUENCE UPDATE\*\***

	<u>FEE AMOUNT</u>
Base rate for all city and district sphere update proposals	\$5,500
Acreage fee for every 100 acres included in the sphere update proposal beyond the current sphere	\$410
City or district service review	\$5,500

\*\* No sphere update or service review processing fee will be charged for sphere updates that involve reaffirmations or minor amendments. The acreage component for *district* sphere updates may be waived for financial hardship or other circumstances affecting the ability of a *district* to pay fees. Proposals (e.g., consolidations, dissolutions, etc.,) deemed consistent with LAFCO objectives will not be charged a processing fee if the applicant pays a sphere update fee and submits a sphere update study and supplemental feasibility report accepted as complete by the Executive Officer.

REQUEST FOR RECONSIDERATION/TIME EXTENSION

	<u>FEE AMOUNT</u>
Request for reconsideration of LAFCO determination	\$1,030
Request for extension of time to complete proceedings	\$350

PETITION FILING FEES

In addition to the proposal processing fee, each application submitted by petition will be charged LAFCO's actual costs to verify the signatures.

OTHER FEES

Applicants are responsible for payment of LAFCO's actual costs associated with conducting authority and protest proceedings.

ENVIRONMENTAL REVIEW

(P.R.C. Section 21089)

CEQA Exemption.....	Actual cost
Review of Initial Study and preparation of Negative Declaration, Mitigated Declaration OR determination that EIR is required.....	Actual cost
Extended Initial Study (if required).....	Actual cost
Preparation of EIR.....	Actual cost
Department of Fish and Game Fee: Effective January 1, 2019	
Negative Declaration OR Mitigated Negative Declaration.....	\$2,354.75
EIR.....	\$3,271.00
Environmental Document pursuant to a Certified Regulatory Program (CRP).....	\$1,112.00
County Clerk Processing Fee.....	\$50.00

INCORPORATION FISCAL ANALYSIS REVIEW

	<u>FEE AMOUNT</u>
Processing of Request for State Controller's Review of an incorporation fiscal analysis	\$3,990

State Controller's review of fiscal analysis ..... Actual cost

PAYMENT OF FEES: Fees are due when proposals are submitted to LAFCO. A supplemental fee may be charged and collected prior to the LAFCO hearing if additional acreage or actions are required.

EXCEPTIONS: Fees may be waived or reduced by the Executive Officer if financial hardship is demonstrated, OR if application is in response to a LAFCO condition or recommendation.

PRE-APPLICATION CONSULTATION AND SPECIAL STUDY SERVICES: Actual cost for pre-application consultation and special study services beyond the first five hours of service provided.



## VALLECITOS WATER DISTRICT DEFINITION OF ANNEXATION'S FOR WATER AND / OR SEWER SERVICE

There are various types of annexations within the Vallecitos Water District. Some are handled in house and do not require approval by any other agency. Others require annexation/detachment from another agency and always require the Local Agency Formation Commission approval (LAFCO). Listed below are the different types of annexations.

- 1) Water & Sewer - Property Owner/Agent is requesting annexation into the Vallecitos Water District for both water and sewer service. This will require detachment from another agency and potentially a Sphere of Influence Amendment and approval by LAFCO.
- 2) Water - Property Owner/Agent is requesting annexation into the Vallecitos Water District for water service only. Sewer is usually not available when a water annexation is requested. This will require detachment and potentially a Sphere of Influence Amendment and approval by LAFCO.
- 3) Sewer - Property Owner/Agent is requesting sewer annexation. The property is currently within the boundaries of the Vallecitos Water District but not within the sewer service boundary. This is an inter-District annexation (in-house) and does not require detachment from any other agency or approval by LAFCO.
- 4) Sewer Only - Property Owner/Agent is receiving water service from another agency and is requesting sewer service only from the District. Although this does not require detachment from another agency, it does require approval by LAFCO and could potentially be a Sphere of Influence Amendment.

## VALLECITOS WATER DISTRICT ANNEXATION PROCEDURE FOR WATER AND / OR SEWER SERVICE

- 1) The Owner of the property is required to request annexation on the attached Letter of Request for Annexation along with an Administrative Deposit per **Ordinance 200** Section 4.1, and the **“Annexation Fee Schedule”** updated annually. For those annexations that are more complex in nature, a letter explaining the annexation along with plat maps may be required in addition to the letter of request at the time the annexation is submitted for approval. After Board approval of the annexation, annexation fees will be calculated and a letter will be mailed to the owner stating all terms and conditions of the annexation. **The District will NOT annex a portion of a property. When requesting annexation, owner will be required to annex the entire parcel including any open space, mitigation property, etc.**
- 2) All annexations requests must be signed by the owner(s) of the property. Any requests by a representative of the owner must include a letter from the owner stating that the representative is acting on their behalf.
- 3) All letters of request will be forwarded to Vallecitos Board of Directors for consideration. Depending on the complexity of the annexation, additional staff time may be required for review. The annexation request once reviewed will then be forwarded to the Board of Directors. Owner/applicant should make sure they allow ample time to process the request. The District's Board of Directors meets every 1st and 3rd Wednesday of the month at 4:00 P.M. (holiday schedule subject to changes).
- 4) Those persons with annexations requiring the Local Agency Formation Commission (LAFCO) approval must contact LAFCO to initiate the annexation procedure. LAFCO will also require the applicant to complete an application. The applicant should complete as much of the application as possible except those areas that pertain to water or sewer and forward the entire application to the Vallecitos Water District Engineering Department for completion. Applications will only be completed by District staff after all terms and conditions are established by formal action of the Board of Directors.
- 5) **LAFCO** will require fees (fee schedule attached) in addition to the District's annexation fees, **“Annexation Fee Schedule”** (attached). The applicant is advised to contact LAFCO directly for the current fee schedule. San Diego LAFCO, 9335 Hazard Way, Suite #200, San Diego, CA 92123, Phone: (858) 614-7755 and Web: SDLAFCO.org.
- 6) The detaching agency may also require detachment fees and should be contacted by the applicant for terms and conditions of detachment. Vallecitos Water District fees are outlined in **Ordinance 200** (attached) and the **“Annexation Fee Schedule”** (attached) updated annually.
- 7) In-house annexations may take up to 2 months to complete. Those requiring LAFCO approval may take approximately 3 to 6 months or longer.
- 8) Property owners requesting annexation may be subject to additional costs (in addition to annexation fees) such as connection/capacity fees, construction of sewer or water mains, and installation of water services or sewer laterals. Any additional costs incurred will be the responsibility of the property owner.

**LETTER OF REQUEST FOR  
ANNEXATION/DETACHMENT**

Vallecitos Water District  
Board of Directors  
201 Vallecitos de Oro  
San Marcos, CA 92069

ATTN: Engineering Department

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Assessor Parcel Number: \_\_\_\_\_ Acreage: \_\_\_\_\_

Address of Property: \_\_\_\_\_  
(If Available or Applicable)

- Type of Annexation Requested:
- Water
  - Water and Sewer
  - Sewer Only
- Type of Detachment Requested:
- Water
  - Sewer
- Reason for Annexation/Detachment:
- Condemned or Defective Septic System  
(A letter from the Health Dept. or certification from a Septic Company is required)
  - Access to Public Sewer
  - If no, owner will finance installation
  - Proposed Land Development  
(Subdivision, Lot Split, Parcel Map, Boundary Adjustment)

Current Water Provider: \_\_\_\_\_

I Certify that I am the Legal Owner/Owners or the Agent of the Owner and I am requesting annexation of my property.

\_\_\_\_\_  
Name of Owner/Agent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Owner/Agent

\_\_\_\_\_  
Date

\* (All legal owners of property must sign)

\*\* (Agents for the owner must provide a letter from the owner indicating that they are acting on their behalf)

ORDINANCE NO. 200

ORDINANCE OF THE VALLECITOS WATER DISTRICT  
ESTABLISHING POLICIES, CONDITIONS AND FEES IN CONNECTION WITH  
ANNEXATIONS TO OR DETACHMENTS FROM THE DISTRICT AND  
TO OR FROM THE SEWER IMPROVEMENT DISTRICT  
AND RESCINDING ORDINANCE NOS. 153 & 196

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE VALLECITOS WATER DISTRICT AS FOLLOWS:

SECTION 1: The Board of Directors finds and determines that the following facts are true and correct:

SECTION 1.1: From time to time Property may be annexed to or detached from the Vallecitos Water District (District) and Sewer Improvement District(s).

SECTION 1.2: The District desires to update its established policy, rules, and regulations for the orderly annexation of or detachment of lands from the District's service boundaries.

SECTION 1.3: The District wishes to ensure that additions to its service area are properly accounted for, and that expansion of service to or facilities for service to added territory shall not cause a hardship to existing customers of the District.

SECTION 1.4: The District wishes to establish and set fees for annexation and detachment of lands that are reasonable in scope, and non-discriminatory in application.

SECTION 2: POLICIES AND CONDITIONS

SECTION 2.1: An annexation to or detachment from the District or Sewer Improvement District may be initiated by written petition from a landowner or landowner's representative, or by the Board.

SECTION 2.2: Annexations and detachments shall comply with the California Environmental Quality Act (CEQA), applicable law (Cortese/Knox Act) and District guidelines and procedures.

SECTION 2.3: For annexations to the District, the Board shall require, as a condition of annexation, that the land be annexed concurrently to the San Diego County Water Authority and to the Metropolitan Water District of Southern California, and that the annexation shall be subject to all conditions established by said agencies; provided, however, that this condition shall not be required for an agency which the land is already a part.

SECTION 2.4: For annexations into a Sewer Improvement District, the Board shall require, as a condition of annexation, that the property also be annexed into the District, if it is not currently within the District, and that the annexation shall be subject to all conditions established by the Board.

SECTION 2.5: For Annexations to Sewer Improvement District "A", where water service is provided by another agency, the Board shall require, as a condition of annexation, that the property be concurrently annexed into the District, if not currently within the District, and that the annexation shall be subject to all conditions established by the Board. Upon completion of the annexation, the property shall be subject to taxation for the purposes of the Sewer Improvement District as identified in Section 3 (3.2b) of this ordinance. However, the property shall be exempt from taxation associated with the District identified in Section 3 (3.1b).

SECTION 2.6: The applicant shall provide to the District's staff, at the time the letter of request for annexation or detachment is submitted, all plat maps, legal description(s) and any other documents that the District's staff deems pertinent or necessary in connection with the annexation or detachment.

SECTION 2.7: All annexations or detachments shall be subject to the condition that the deposit for administrative expenses provided for in Section 4 of this Ordinance shall be paid at the time the request for consideration is made.

SECTION 2.8: All annexations or detachments shall also include such terms and conditions as the Board may deem appropriate in their sole discretion, as well as those that may otherwise be required by law.

SECTION 2.9: In the case of annexation to the District, the Board shall require as a condition of annexation that all water distribution and storage facilities, required for the delivery of water to the annexed land shall be provided by the proponent without cost to the District, and that the District shall be under no obligation to provide any improvements or service if the facilities are not completed and accepted.

SECTION 2.10: In the case of annexation to the Sewer Improvement District, the Board shall require as a condition to annexation that all sewerage facilities required for the collection, conveyance, treatment and disposal of sewer from the annexed land to the District shall be provided by the proponent without cost to the District, and that the District shall be under no obligation to provide any improvements or service if the facilities are not completed and accepted.

SECTION 2.11: All annexations shall be subject to the condition that the land affected by the annexation shall be subject to taxation, by the payment of the annexation fee provided for in Section 4 of this Ordinance, as if the land had always been a part of the District and Improvement District to which it is being annexed.

SECTION 2.12: All annexations shall be subject to the condition that the annexed land shall be subject to the applicable ordinances, resolutions and other rules and regulations of the District in effect, amended or adopted on, and after the date of final Board approval.

SECTION 2.13: For all annexations and detachments, any and all non-contiguous open space easements and dedications, developable lands, vacant lands, easements and road rights of way within the proposed development, parcel map or subdivision map shall be included in the annexation or detachment of lands to or from

the District or Sewer Improvement District. This may include separate parcels of land that are within the limits of the proposed development or subdivision map. Contiguous open space dedications, or parts thereof, may, in the discretion of the General Manager be excluded from annexation to the District or Sewer Service area, provided the land: (1) does not create islands of dedicated open spaces within the project area or District boundaries and (2) will not require water or sewer service from the District.

SECTION 2.14: District will not defend any action contesting an annexation or detachment, and shall leave such defense to the owner of the land affected by the annexation or detachment.

SECTION 2.15: Unless otherwise provided by law, an annexation or detachment shall terminate on the first to occur of:

- (a) Date of delivery to the District of applicants (or petitioner's) written notice of termination.
- (b) Board action terminating the annexation or detachment when the Board determines, in its sole discretion, that good cause exists for such termination, or the approval period identified in the conditions of annexation or detachment has expired.

### SECTION 3: ANNEXATION AND DETACHMENT DETERMINATIONS

SECTION 3.1: The following determinations by the Board shall be required in the case of annexation to District:

- (a) That the land proposed to be annexed will be benefited thereby, and that the District will also be benefited and will not be injured.
- (b) That after the annexation, the taxable property in the annexed area shall be subject to taxation for the purposes of the District, including obligations of the District authorized and outstanding at the time of the annexation and any future obligations.

SECTION 3.2: The following determinations by the Board shall be required in the case of detachment from the District:

- (a) That the land proposed to be detached will be disassociated from its benefits, and that the District will not be impacted and will not be injured.
- (b) That after the detachment, the taxable property in the detached area shall not be subject to taxation for the purposes of the District.

- (c) That upon detachment, the property owner waives and relinquishes all rights, claims and entitlements to capacity within any of the District's water facilities

SECTION 3.3: The following determinations by the Board shall be required in the case of annexation to the Sewer Improvement District:

- (a) That the land proposed to be annexed will be benefited thereby, and that the Sewer Improvement District will also be benefited and will not be injured.
- (b) That after the annexation, the taxable property in the annexed area shall be subject to taxation thereof for the purposes of the Sewer Improvement District, including obligations of the Sewer Improvement District authorized and outstanding at the time of the annexation and any future obligations.

SECTION 3.4: The following determinations by the Board shall be required in the case of detachment from the Sewer Improvement District:

- (a) That the land proposed to be detached will be disassociated from its benefits, and that the affected Sewer Improvement District will not be impacted thereby and will not be injured.
- (b) That after the detachment, the taxable property in the detached area shall not be subject to taxation for the purposes of the Sewer Improvement District.
- (c) That upon detachment, the property owner waives and relinquishes all rights, claims and entitlements to capacity within any of the District's wastewater facilities.

#### SECTION 4: ADMINISTRATIVE, ANNEXATION AND DETACHMENT CHARGES

SECTION 4.1: Deposit for Administrative Expenses. It is the policy of the Board to recover all expenses incurred by the District in connection with annexations or detachments. A deposit for administrative expenses is required to be paid to the District at the time of application or petition for annexation or detachment of property based upon the following:

0 -10 acres of land total:	\$1,000.00 deposit
10 – 50 acres of land total:	\$2,000.00 deposit
Over 50 acres total:	\$3,000.00 deposit

The deposit will be used by the District to recover all costs of District's staff, legal counsel, engineer, and other professional services required to process the annexation or detachment, including administrative overhead costs. Additional deposits, of an

amount determined by the District, may be required when the initial deposit is drawn down. Any fees due the District shall be paid in full prior to final Board action. Any deposit amount received in excess of the District's total expenses incurred in connection with the annexation or detachment, shall be refunded by the District within thirty (30) days after the conclusion of the annexation or detachment, whether by final approval or by termination. Deposit amounts may be adjusted from time to time at the sole discretion of the District General Manager.

SECTION 4.2: Annexation fee. It is the policy of the Board to require that a landowner whose land is being annexed pay a fair and equitable share of the value of the District or Sewer Improvement District to which the land is being annexed.

The annexation fee per acre for Water District annexations equals the total net assets of the District's water segment as noted in the most recent audited Annual Financial Report, divided by total acres within the Water District boundaries as of the last day of the fiscal year of the most recent audited Financial Report. As of the date of this Ordinance, the most recent audited Annual Financial Report accepted by the Board is for the Year Ended June 30, 2007, and the water annexation fee is \$5,010 per acre annexed, calculated as follows:

Total net assets – water segment	\$136,301,685
Divided by	-----
Total District acres	27,208

The annexation fee per acre for Sewer Improvement District annexations equals the total net assets of the District's sewer segment as noted in the most recent audited Annual Financial Report, divided by total acres within the Sewer Improvement District boundaries as of the last day of the fiscal year of the most recent audited Financial Report. As of the date of this Ordinance, the most recent audited Annual Financial Report accepted by the Board is for the Year Ended June 30, 2007, and the sewer annexation fee is \$6,809 per acre annexed, calculated as follows:

Total net assets – sewer segment	\$99,128,440
Divided by	-----
Total Sewer Improvement District acres	14,558

Changes in annexation fees will be effective the date the Board accepts the audited Annual Financial Report. Partial acres shall be pro-rated as a percentage of a whole acre.

SECTION 4.3: Detachment fee. It is the policy of the Board to require that a landowner whose land is being detached to pay a pro-rated and equitable share of the non-current bonded indebtedness, including outstanding Certificates of Participation, or any outstanding assessments which have been identified for the land.

The detachment fee per acre for Water District detachments equals the total non-current bonds, certificates of participation, and assessments outstanding of the District's water segment as noted in the most recent audited Annual Financial Report, divided by total acres within the Water District boundaries as of the last day of the fiscal year of the



most recent audited Financial Report. As of the date of this Ordinance, the most recent audited Annual Financial Report accepted by the Board is for the year ended June 30, 2007, and the water detachment fee is \$1,529 per acre detached, calculated as follows:

Total non-current liabilities – water	\$41,603,946
Divided by	-----
Total District acres	27,208

The detachment fee per acre for Sewer Improvement District detachments equals the total bonds, certificates of participation, and assessments outstanding of the District's non-current sewer segment as noted in the most recent audited Annual Financial Report, divided by total acres within the Water District boundaries as of the last day of the fiscal year of the most recent audited Financial Report. As of the date of this Ordinance, the most recent audited Annual Financial Report accepted by the Board is for the year ended June 30, 2007, and the sewer detachment fee is \$1,531 per acre detached, calculated as follows:

Total non-current sewer liabilities	\$22,288,420
Divided by	-----
Total Sewer Improvement District acres	14,558

Changes in detachment fees will be effective the date the Board accepts the audited Annual Financial Report. Partial acres shall be pro-rated as a percentage of a whole acre.

## SECTION 5: TERMS AND CONDITIONS

SECTION 5.1: Severability. The Board of Directors hereby declares that should any section, paragraph, sentence, or word of this Ordinance be declared for any reason to be invalid, it is the intent of the Board that it would have passed all other portions of this Ordinance independent of the elimination here from of any such portions as may be declared invalid.

SECTION 5.2: Venue. In the event of any legal or equitable proceeding to enforce or interpret the terms or conditions of this Ordinance, venue shall lie in the Federal or State courts in or nearest to the North County Judicial District, County of San Diego, and State of California.

SECTION 5.3: Repeal of conflicting Ordinances and Resolutions. All former Ordinances and Resolutions and parts thereof conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 5.4: Effective date. This Ordinance shall take effect and be in force and effect on March 5, 2008.

SECTION 5.5: This Ordinance shall be published once in a newspaper of general circulation within the District within ten days of its adoption.

THIS ORDINANCE PASSED, APPROVED AND ADOPTED at a regular meeting of the Board of Directors of the Vallecitos Water District this 3<sup>rd</sup> day of August, 2016, by the following roll call vote:

AYES: ELITHARP, EVANS, HERNANDEZ, MARTIN, SANNELLA  
NOES:  
ABSTAIN:  
ABSENT:



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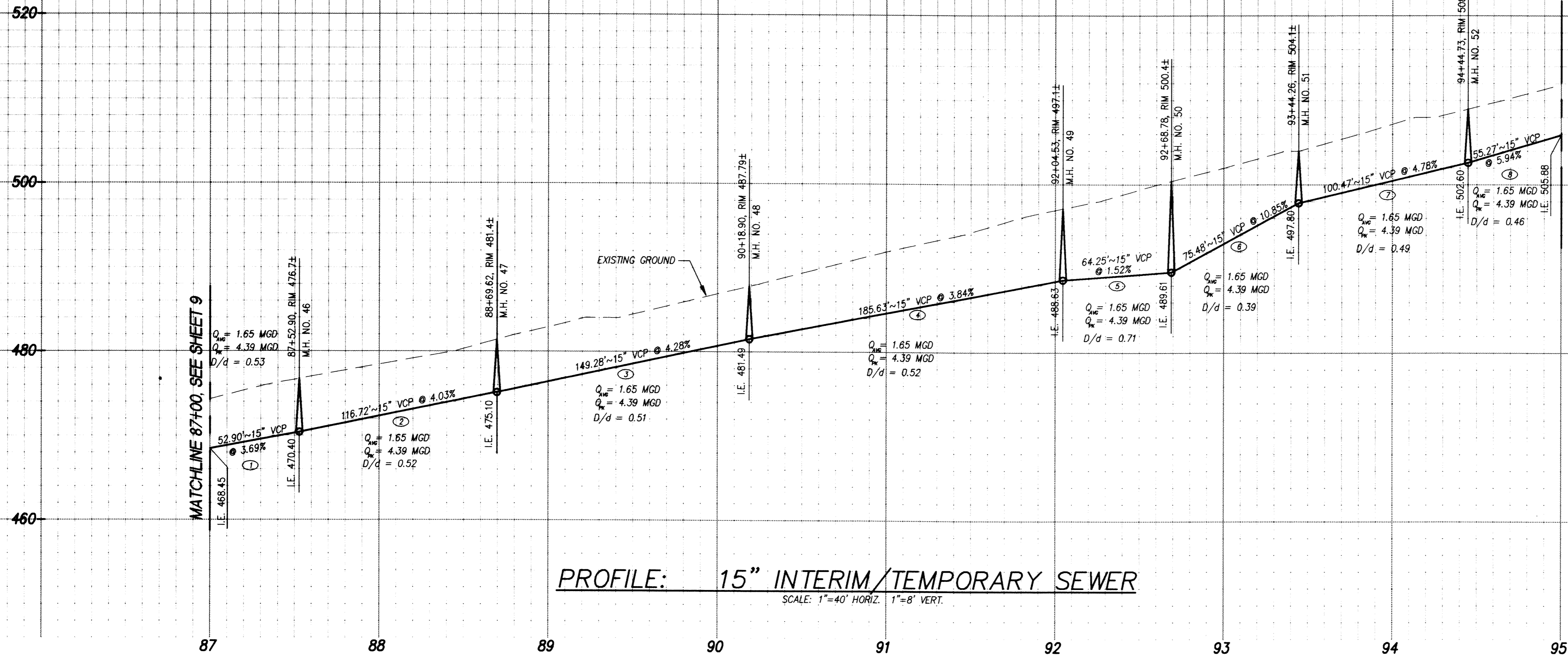
Michael A. Sannella, President  
Board of Directors  
Vallecitos Water District

Attest:

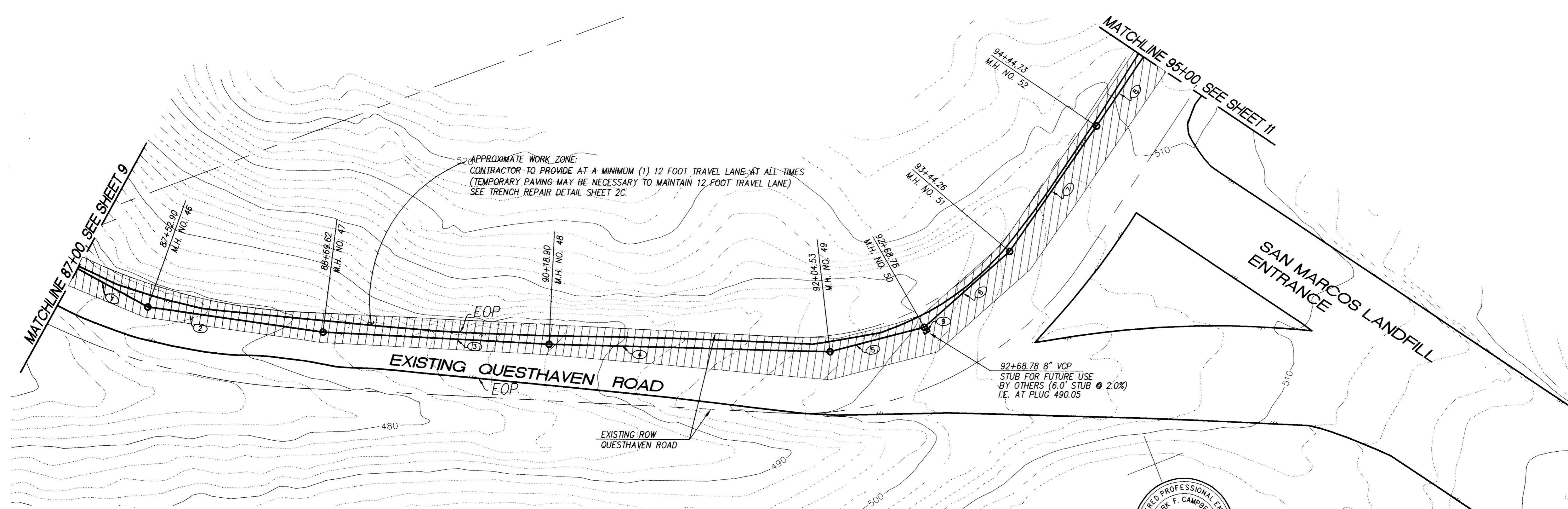


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Tom Scaglione, Secretary  
Board of Directors  
Vallecitos Water District



PROFILE: 15" INTERIM/TEMPORARY SEWER  
SCALE: 1"=40' HORIZ. 1"=8' VERT.

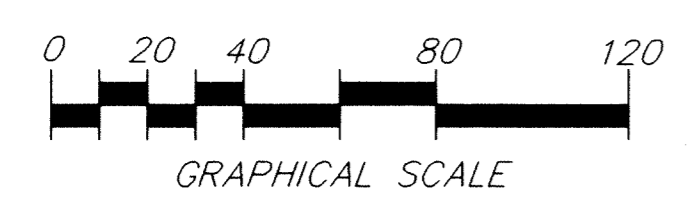


PLAN: 15" INTERIM/TEMPORARY SEWER  
SCALE: 1"=40'

SEWER DATA				
NO.	DELTA OR BRG.	RADIUS	LENGTH	REMARKS
①	N39°47'35"W	---	52.90'	15" VCP *
②	N60°22'26"W	---	116.72'	15" VCP *
③	N65°39'46"W	---	149.28'	15" VCP *
④	N67°17'55"W	---	185.63'	15" VCP *
⑤	N83°08'25"W	---	64.25'	15" VCP *
⑥	N69°52'36"E	---	75.48'	15" VCP *
⑦	N56°15'35"E	---	100.47'	15" VCP *
⑧	N55°19'10"E	---	55.27'	15" VCP *
⑨	N08°22'43"W	---	6.00'	8" VCP *

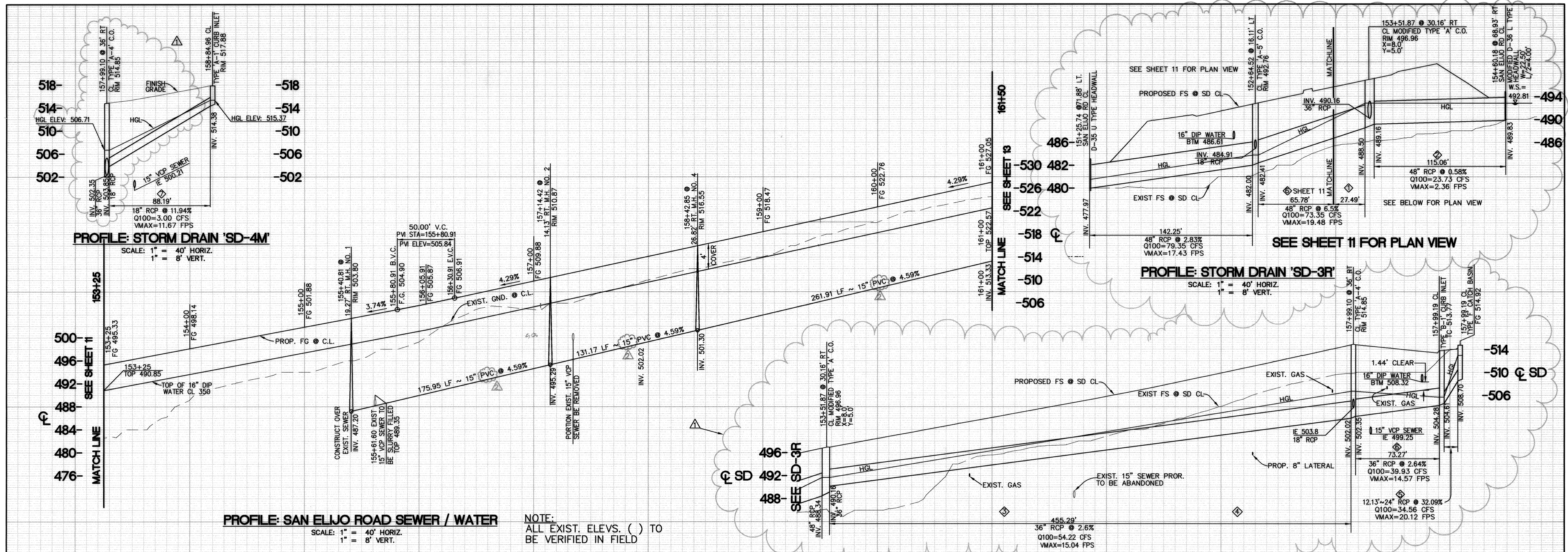
\* INTERIM/TEMPORARY ALIGNMENT

AS BUILT  
AS BUILT  
12-6-00  
DANIEL B. RAGLAND  
R.C.E.# 35985  
EXP. 6/30/04  
SAN MARCOS FIRE DEPARTMENT

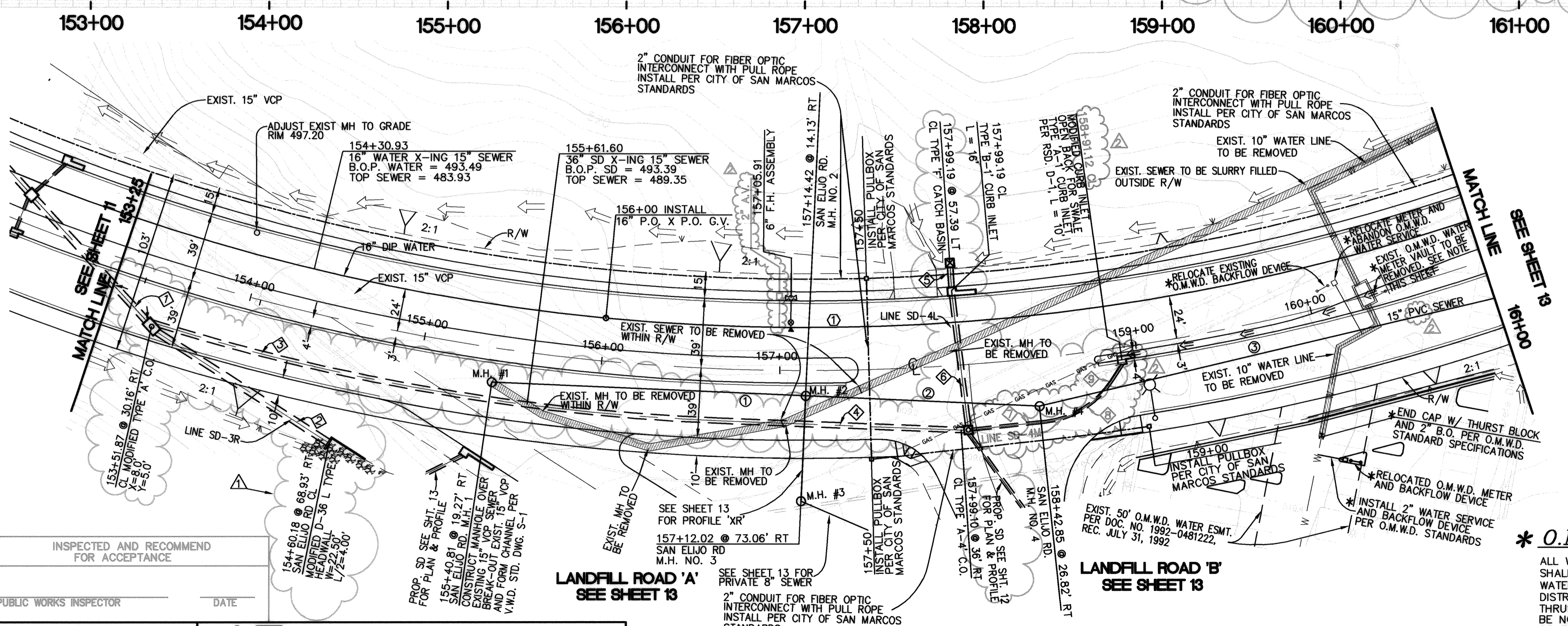


Project Design Consultants  
PLANNING ENGINEERING SURVEYING  
701 "B" Street, Suite 800, San Diego, Ca. 92101  
619-235-6471 FAX 234-0349

By: JOHN TWYMAN FIRE MARSHAL Date:	By: PRESTON H. LEWIS, P.E. RCE 45927 EXP 12/2002 DISTRICT ENGINEER Date: 4/5/00	ENGINEER OF WORK By: Mark F. Campbell MARK F. CAMPBELL R.C.E.# 48040 exp: 12-31-2003	CITY APPROVED CHANGES No. Description App'd By Date	RECOMMENDED FOR APPROVAL By: Eugenia A. Franco Title: City Engineer R.C.E.: 33530 exp: 3/21/01 Date: 4/6/00	APPROVED FOR CONSTRUCTION By: Alan Schuler Alan Schuler, City Engineer R.C.E.: 33530 exp: 6-30-02 Date: 4/6/00	BENCH MARK Description: 1117 ES 0392 TO 3" BRASS DISC. W/ SMALL EXTENSION IN PLACE OF PUNCH. SAN DIEGO COUNTY SURVEYOR MONUMENT 1867 ES 302 Location: 1.5 MILES EAST OF INTER. OF QUESTHAVEN RD. AND DANFORD SANTA FE RD. 700' EAST OF CENTER OF ROAD Record From: Record of Survey 13525 Elev.: 556.075 Datum: NSD 1929	PRIVATE CONTRACT CITY OF SAN MARCOS ENGINEERING DIVISION SAN MARCOS TRACT NO. 400 PUBLIC IMPROVEMENT PLANS FOR: SAN ELIJO HILLS - PHASE 1 OFFSITE SEWER, QUESTHAVEN ROAD STATION 87+00.00 TO STATION 95+00.00	City Drawing No. 4415 Sheet 10 of 13
--	---	---	--	---	--	--	---	--



**PROFILE: MAIN STORM DRAIN LINE**  
SCALE: 1" = 40' HORIZ.  
1" = 8' VERT.



**PLAN: SAN ELJO ROAD UTILITIES**  
SCALE 1" = 40'

SEWER DATA				
NO.	BRG. OR DELTA	RADIUS	LENGTH	DESCRIPTION
①	N 82°30'24" E		175.95'	15" PVC
②	N 82°30'24" E		131.17'	15" PVC
③	N 66°42'23" E		261.91'	15" PVC

STORM DRAIN DATA				
NO.	BRG. OR DELTA	RADIUS	LENGTH	DESCRIPTION
** ①	N 52°27'15" W		27.49'	48" R.C.P. CL. 1350-D
** ②	N 67°14'27" W		115.06'	48" R.C.P. CL. 1350-D
** ③	S 82°10'54" W		135.38'	36" R.C.P. CL. 1350-D
** ④	N 13°57'13" W		12.13'	24" R.C.P. CL. 1350-D
** ⑤	N 17°03'33" W		73.81'	36" R.C.P. CL. 1350-D
** ⑥	N 73°52'31" E		41.54'	18" R.C.P. CL. 1350-D
** ⑦	S 50°53'39" W	50.00'	44.41'	18" R.C.P. CL. 1350-D
** ⑧	N 22°58'51" E		11.71'	18" R.C.P. CL. 1350-D

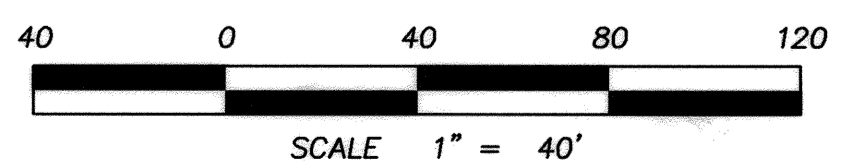
WATER DATA				
NO.	BRG. OR DELTA	RADIUS	LENGTH	DESCRIPTION
①	38°11'50"	1176.00'	784.00'	16" D.I.P. CL. 350

**\* O.M.W.D. FACILITY NOTE:**

ALL WORK INVOLVED IN THE REMOVAL OF THE EXISTING WATER METER VAULT SHALL BE PERFORMED IN ACCORDANCE WITH THE OLIVENHAIN MUNICIPAL WATER DISTRICT STANDARD SPECIFICATIONS AND IN THE PRESENCE OF A DISTRICT INSPECTOR. EXISTING PIPELINE TO BE END CAPPED WITH A THRUST BLOCK AND 2" BLOW-OFF PER O.M.W.D. STANDARDS. O.M.W.D. SHALL BE NOTIFIED PRIOR TO THE WORK COMMENCING AND A PRE-CONSTRUCTION CONFERENCE SHALL BE HELD WITH THE CONTRACTOR DOING THE WORK.

**INLET FILTER NOTE**

- ALL STORM DRAIN FILTERS TO BE "SUNTREE INFILTRATION BASKETS".
- ALL STORM DRAINS ARE PUBLIC, UNLESS INDICATED "PRIVATE".



AS BUILT

**HALE ENGINEERING**  
CIVIL ENGINEERING SURVEYING LAND PLANNING  
7840 CONVOY COURT  
SAN DIEGO, CA 92111  
(858) 715-1420  
(858) 715-1424 FAX

By: **JOHN A. HAYES**  
R.C.E.: 58003 Exp.: 6-30-08

By: **MATTHEW ERNAU**  
FIRE MARSHAL

By: **PRESTON H. LEWIS, P.E.**  
R.C.E.: 45927 EXP. 12-31-06

By: **JOHN A. HAYES**  
R.C.E.: 58003 Exp.: 6-30-08

By: **SASSAN HAGGOO, PRINCIPAL CIVIL ENGINEER**  
R.C.E.: 42201 Exp.: \_\_\_\_\_

By: **EUGENIA AGUILAR FRANCO, CITY ENGINEER**  
R.C.E.: 36149 Exp.: \_\_\_\_\_

By: **DATE:** \_\_\_\_\_

CITY APPROVED CHANGES			RECOMMENDED FOR APPROVAL		APPROVED FOR CONSTRUCTION	
NO.	DESCRIPTION	APP. BY/DATE	NO.	DESCRIPTION	NO.	DESCRIPTION
1	REVISED STORM DRAIN	S.H. 11/7/79				
2	AS-BUILT					

**AS-BUILT**

VMD DWG. NO. 2AB5-1Z

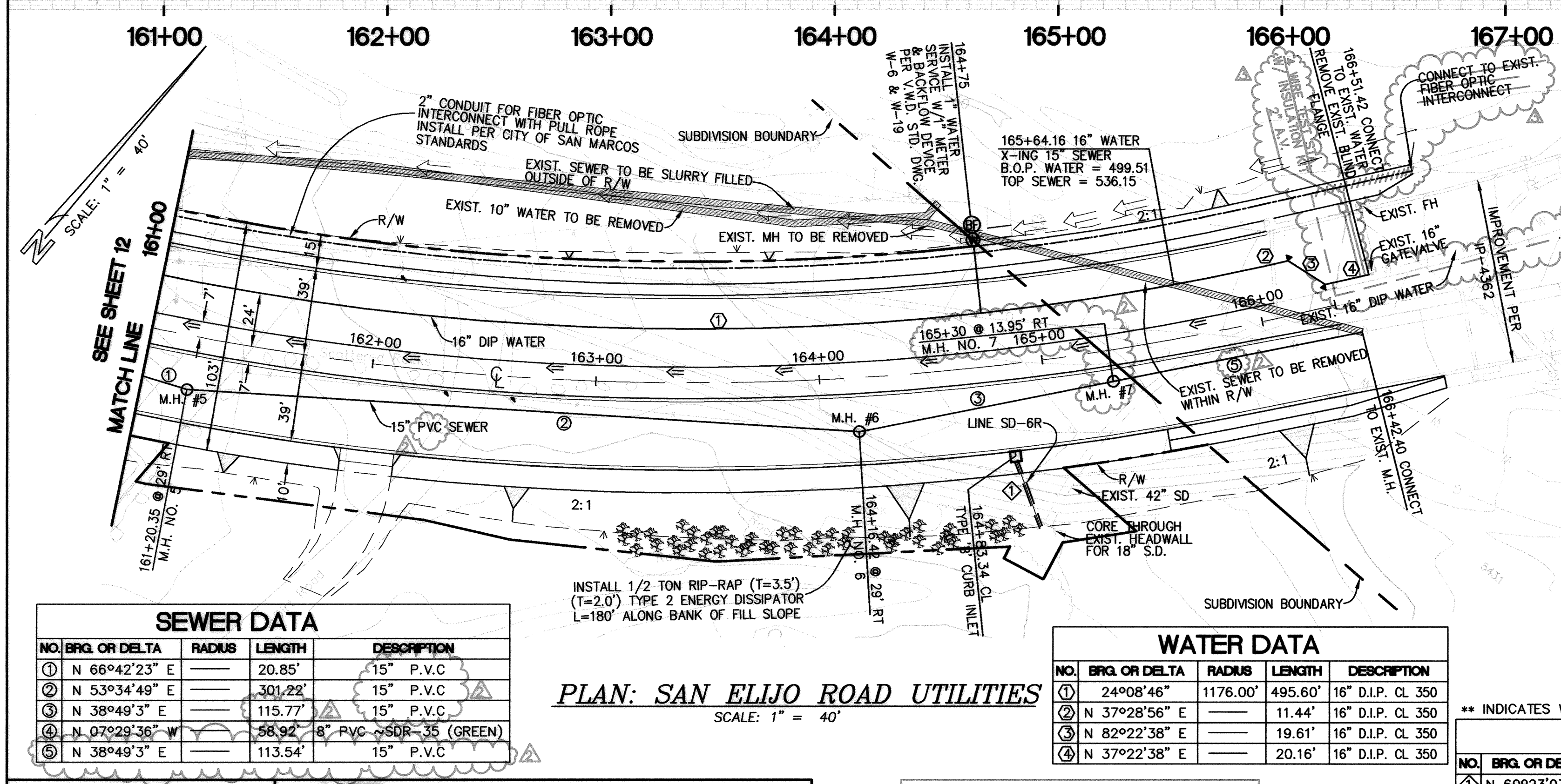
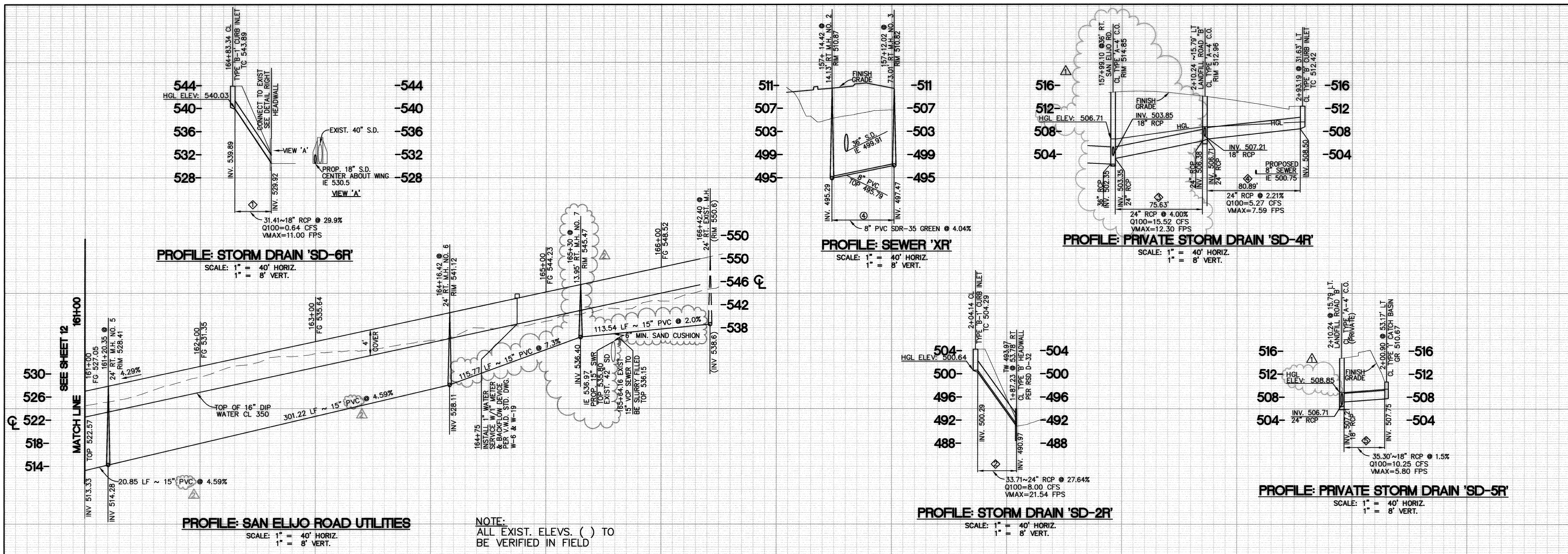
CITY OF SAN MARCOS ENGINEER DIVISION

CITY DRAWING NO. IP-4624

SHEET 12 OF 24

W.O. 204-615 VMD 03-039

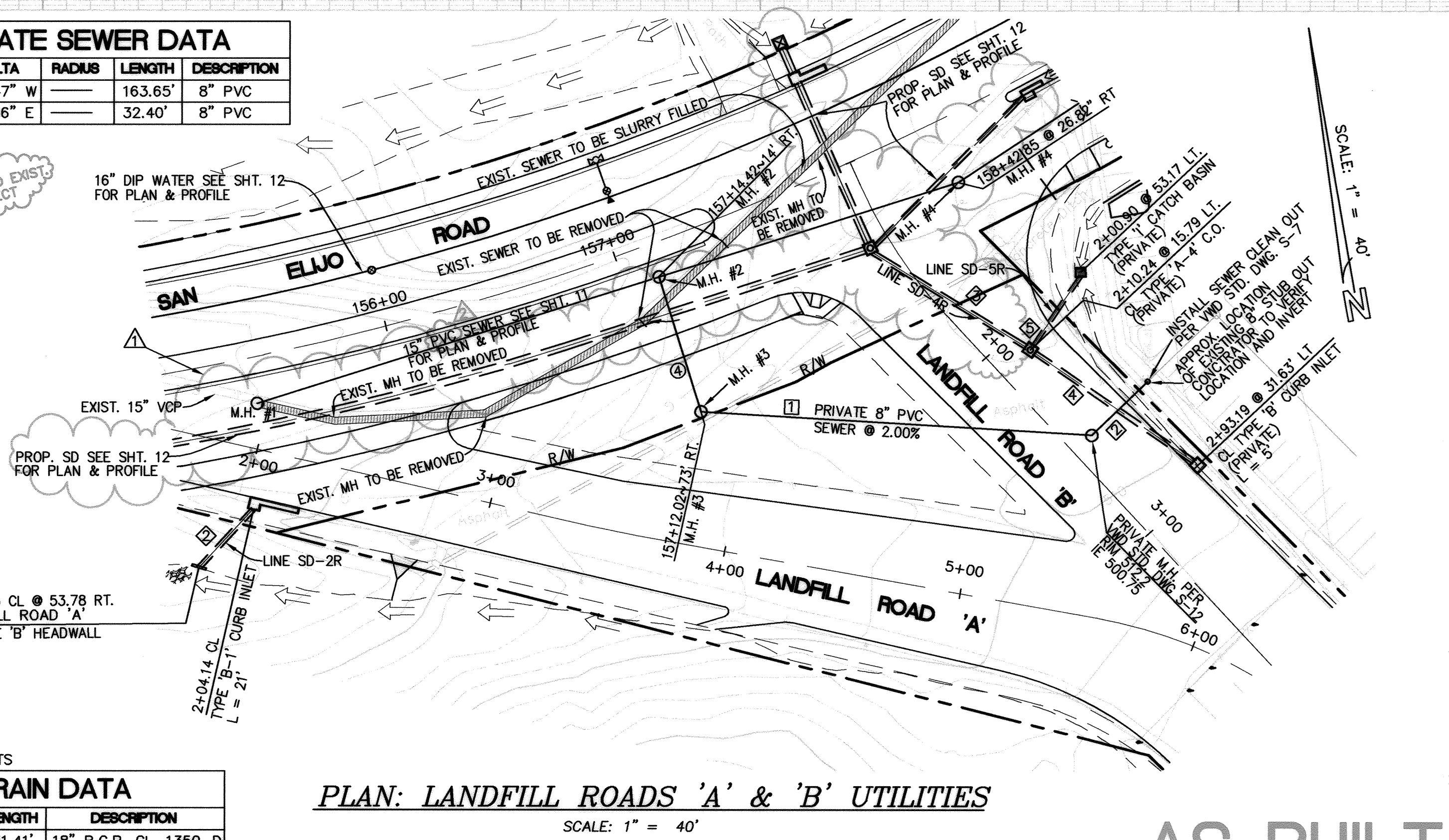
H. L. JOB NO. 0335 6/12/06



NO.	BRG. OR DELTA	RADIUS	LENGTH	DESCRIPTION
1	N 76°36'47\" W		163.65'	8\" PVC
2	N 56°04'36\" E		32.40'	8\" PVC

NO.	BRG. OR DELTA	RADIUS	LENGTH	DESCRIPTION
1	N 66°42'23\" E		20.85'	15\" P.V.C
2	N 53°34'49\" E		301.22'	15\" P.V.C
3	N 38°49'3\" E		115.77'	15\" P.V.C
4	N 07°29'36\" W		58.92'	8\" PVC SDR-35 (GREEN)
5	N 38°49'3\" E		113.54'	15\" P.V.C

NO.	BRG. OR DELTA	RADIUS	LENGTH	DESCRIPTION
1	24°08'46\"	1176.00'	495.60'	16\" D.I.P. CL 350
2	N 37°28'56\" E		11.44'	16\" D.I.P. CL 350
3	N 82°22'38\" W		19.61'	16\" D.I.P. CL 350
4	N 37°22'38\" W		20.16'	16\" D.I.P. CL 350



NO.	BRG. OR DELTA	RADIUS	LENGTH	DESCRIPTION
1	N 60°23'03\" W		31.41'	18\" R.C.P. CL. 1350-D
2	N 52°56'34\" E		33.81'	24\" R.C.P. CL. 1350-D
3	N 45°36'33\" W		75.63'	24\" R.C.P. CL. 1350-D
4	N 45°48'27\" W		80.89'	24\" R.C.P. CL. 1350-D
5	N 44°11'33\" E		35.30'	18\" R.C.P. CL. 1350-D

AS BUILT

*John A. Hayes*

JOHN A. HAYES  
R.C.E.: 58003 Exp.: 6-30-06

**HALE ENGINEERING**

CIVIL ENGINEERING SURVEYING LAND PLANNING

7840 CONVOY COURT  
SAN DIEGO, CA 92111  
(858) 715-1420  
(858) 715-1424 FAX

INSPECTED AND RECOMMEND FOR ACCEPTANCE

PUBLIC WORKS INSPECTOR \_\_\_\_\_ DATE \_\_\_\_\_

NOTE

1. ALL STORM DRAIN FILTERS TO BE "SUNTREE INFILTRATION BASKETS"

2. ALL STORM DRAIN IS PUBLIC, UNLESS INDICATED AS PRIVATE

**AS-BUILT**

VMD DWG. NO.  
2485-13

SAN MARCOS FIRE DEPARTMENT		VALLECITOS WATER DISTRICT		ENGINEER OF WORK		CITY APPROVED CHANGES		RECOMMENDED FOR APPROVAL		APPROVED FOR CONSTRUCTION		BENCH MARK		CITY OF SAN MARCOS ENGINEER DIVISION	
By: <u>ORIGINALLY APPROVED 6/22/04</u>	By: <u>ORIGINALLY APPROVED 7/28/04</u>	By: _____	By: _____	By: _____	By: _____	By: _____	By: _____	By: _____	By: _____	By: _____	By: _____	By: _____	By: _____	By: _____	By: _____
Date: _____	Date: _____	Date: _____	Date: _____	Date: _____	Date: _____	Date: _____	Date: _____	Date: _____	Date: _____	Date: _____	Date: _____	Date: _____	Date: _____	Date: _____	Date: _____
SAN MARCOS FIRE DEPARTMENT		VALLECITOS WATER DISTRICT		ENGINEER OF WORK		CITY APPROVED CHANGES		RECOMMENDED FOR APPROVAL		APPROVED FOR CONSTRUCTION		BENCH MARK		CITY OF SAN MARCOS ENGINEER DIVISION	
By: <u>ORIGINALLY APPROVED 6/22/04</u>		By: <u>ORIGINALLY APPROVED 7/28/04</u>		By: _____		By: _____		By: <u>ORIGINALLY APPROVED 8/16/04</u>		By: <u>ORIGINALLY APPROVED 8/17/04</u>		By: _____		By: _____	
Date: _____		Date: _____		Date: _____		Date: _____		Date: _____		Date: _____		Date: _____		Date: _____	
R.C.E.: 58003 Exp.: 6-30-06		R.C.E.: 45927 Exp.: 12-31-06		R.C.E.: 58003 Exp.: 6-30-06		NO. DESCRIPTION APP. BY DATE		SASSAN HAGGOGU, PRINCIPAL CIVIL ENGINEER R.C.E.: 42201 Exp.: _____		EUGENIA AGUILAR FRANCO, CITY ENGINEER R.C.E.: 38149 Exp.: _____		Description: 1117 ES 0322 FD 3\" BRASS DISC. W/ SMALL EXTRUSION IN PLACE OF PUNCH S.D. COUNTY SURVEYOR MONUMENT 1987 ES 322		CITY OF SAN MARCOS ENGINEER DIVISION	
SAN MARCOS FIRE DEPARTMENT		VALLECITOS WATER DISTRICT		ENGINEER OF WORK		CITY APPROVED CHANGES		RECOMMENDED FOR APPROVAL		APPROVED FOR CONSTRUCTION		BENCH MARK		CITY OF SAN MARCOS ENGINEER DIVISION	
By: <u>ORIGINALLY APPROVED 6/22/04</u>		By: <u>ORIGINALLY APPROVED 7/28/04</u>		By: _____		By: _____		By: <u>ORIGINALLY APPROVED 8/16/04</u>		By: <u>ORIGINALLY APPROVED 8/17/04</u>		By: _____		By: _____	
Date: _____		Date: _____		Date: _____		Date: _____		Date: _____		Date: _____		Date: _____		Date: _____	
R.C.E.: 58003 Exp.: 6-30-06		R.C.E.: 45927 Exp.: 12-31-06		R.C.E.: 58003 Exp.: 6-30-06		NO. DESCRIPTION APP. BY DATE		SASSAN HAGGOGU, PRINCIPAL CIVIL ENGINEER R.C.E.: 42201 Exp.: _____		EUGENIA AGUILAR FRANCO, CITY ENGINEER R.C.E.: 38149 Exp.: _____		Description: 1117 ES 0322 FD 3\" BRASS DISC. W/ SMALL EXTRUSION IN PLACE OF PUNCH S.D. COUNTY SURVEYOR MONUMENT 1987 ES 322		CITY OF SAN MARCOS ENGINEER DIVISION	
SAN MARCOS FIRE DEPARTMENT		VALLECITOS WATER DISTRICT		ENGINEER OF WORK		CITY APPROVED CHANGES		RECOMMENDED FOR APPROVAL		APPROVED FOR CONSTRUCTION		BENCH MARK		CITY OF SAN MARCOS ENGINEER DIVISION	
By: <u>ORIGINALLY APPROVED 6/22/04</u>		By: <u>ORIGINALLY APPROVED 7/28/04</u>		By: _____		By: _____		By: <u>ORIGINALLY APPROVED 8/16/04</u>		By: <u>ORIGINALLY APPROVED 8/17/04</u>		By: _____		By: _____	
Date: _____		Date: _____		Date: _____		Date: _____		Date: _____		Date: _____		Date: _____		Date: _____	
R.C.E.: 58003 Exp.: 6-30-06		R.C.E.: 45927 Exp.: 12-31-06		R.C.E.: 58003 Exp.: 6-30-06		NO. DESCRIPTION APP. BY DATE		SASSAN HAGGOGU, PRINCIPAL CIVIL ENGINEER R.C.E.: 42201 Exp.: _____		EUGENIA AGUILAR FRANCO, CITY ENGINEER R.C.E.: 38149 Exp.: _____		Description: 1117 ES 0322 FD 3\" BRASS DISC. W/ SMALL EXTRUSION IN PLACE OF PUNCH S.D. COUNTY SURVEYOR MONUMENT 1987 ES 322		CITY OF SAN MARCOS ENGINEER DIVISION	

SHEET 13 OF 24

**From:** [clarkemh@aol.com](mailto:clarkemh@aol.com)  
**To:** [Oberbauer, Sean](mailto:Oberbauer_Sean)  
**Cc:** [westone47@gmail.com](mailto:westone47@gmail.com); [dnygaard3@gmail.com](mailto:dnygaard3@gmail.com); [laurahunter744@gmail.com](mailto:laurahunter744@gmail.com); [piheatherington@gmail.com](mailto:piheatherington@gmail.com); [dsilverla@me.com](mailto:dsilverla@me.com); [susan\\_wynn@fws.gov](mailto:susan_wynn@fws.gov); [david.mayer@wildlife.ca.gov](mailto:david.mayer@wildlife.ca.gov); [sallyp123@mac.com](mailto:sallyp123@mac.com); [sifarrell1900@gmail.com](mailto:sifarrell1900@gmail.com)  
**Subject:** [External] Questhaven, PDS2020-TM-5643, etc., Notice of Preparation of EIR  
**Date:** Monday, October 3, 2022 12:29:44 PM

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Dear Mr. Oberbauer:

Thank you for the opportunity to review and comment on the Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the Questhaven project.

This project is in a biologically sensitive location which has been identified as the Gnatcatcher Core Area. This area includes lands in San Marcos, Carlsbad, Encinitas and the County and is a the focus of conservation in the Multiple Habitat Conservation Plan (MHCP) and the County's North County Multiple Species Conservation Plan (NC-MSCP).

The Sierra Club, San Diego, has been involved as a stakeholder in the development of both the MHCP and the NC-MSCP. We formed the North County MSCP/MHCP Task Force of our Conservation Committee in the early 2000's to participate in the development of these two major conservation plans.

Members of our Task Force visited the Questhaven project site on September 26, 2022. We observed that the valuable, undisturbed habitat is in the southern part of the project site. The northern part of the site is primarily disturbed land. We noted that power lines and towers run through the Questhaven property in an easterly to westerly direction. Adjacent to the project site on the east side, in the City of San Marcos, is a facility for movie production, called Lomas San Marcos. Adjacent to or nearby the project site on the west side is a habitat conservation area called the Rancho La Costa Reserve. We were not able to observe land uses on the south side of the project site.

The Preliminary Public Review Draft of the MSCP North County Plan dated Feb. 19, 2009, identifies the project site as a Pre-Approved Mitigation Area (PAMA), in which conservation is focused. We are concerned about the preservation and protection of the valuable habitat on the site and about the preservation of corridors and linkages for wildlife movement through the site and to and from adjacent conserved lands.

We urge the County to do a thorough review of these issues in the EIR. Specifically, we request that the EIR address the following:

1. How do the areas proposed for conservation of wildlife and habitat in the Questhaven project plan relate physically and functionally to conserved areas adjacent and nearby? Please provide a map showing conserved areas on the site, adjacent to the site, and nearby the site.
2. Describe and show on a map the linkages/corridors for wildlife movement on the project site and to and from adjacent areas. Please show the direction of wildlife movement.
3. How will the conserved areas on the site be managed, monitored and protected?

Illegal and destructive recreational uses of areas conserved for wildlife and habitat are major problems in our County and beyond. To discourage damaging recreational uses such as mountain biking off established trails, the project plan should locate all trails for recreational use as far away from the conserved areas as possible.

Placing trails as far away from conserved areas as possible will probably help somewhat with the problem of illegal and damaging recreational uses of conserved areas. However, due to the widespread problem of damaging recreational uses of conserved areas, at this point, the only solution appears to be enforcement. What protections will the conserved areas have? Who will manage and enforce the

protections on the conserved areas?

4. What uses are proposed for the easement areas under the power lines?

5. Given the importance of whole Gnatcatcher Core Area for wildlife conservation, especially for the California coastal gnatcatcher, are there opportunities in this project to restore coastal sage scrub in the disturbed areas?

Thank you for your consideration of our comments and concerns. We look forward to reviewing and commenting on the draft EIR when it is available.

Please feel free to contact me at 760-453-2311 if you have any questions or concerns.

Sincerely,

Mary Clarke  
Co-Chair, North County MSCP/MHCP Task Force, Conservation Committee, Sierra Club - San Diego  
Chapter  
2006 Trevino Ave.  
Oceanside, CA 92056



## NATIVE AMERICAN HERITAGE COMMISSION

September 9, 2022

Sean Oberbauer  
County of San Diego (Attn Planning & Development Services)  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123

**Re: 2022090029, Questhaven Project, San Diego County**

Dear Mr. Oberbauer:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

**Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

CHAIRPERSON  
**Laura Miranda**  
Luiseño

VICE CHAIRPERSON  
**Reginald Pagaling**  
Chumash

PARLIAMENTARIAN  
**Russell Atebery**  
Karuk

SECRETARY  
**Sara Dutschke**  
Miwok

COMMISSIONER  
**William Mungary**  
Paiute/White Mountain  
Apache

COMMISSIONER  
**Isaac Bojorquez**  
Ohlone-Costanoan

COMMISSIONER  
**Buffy McQuillen**  
Yokayo Pomo, Yuki,  
Nomlaki

COMMISSIONER  
**Wayne Nelson**  
Luiseño

COMMISSIONER  
**Stanley Rodriguez**  
Kumeyaay

EXECUTIVE SECRETARY  
**Raymond C. Hitchcock**  
Miwok/Nisenan

**NAHC HEADQUARTERS**  
1550 Harbor Boulevard  
Suite 100  
West Sacramento,  
California 95691  
(916) 373-3710  
[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)  
[NAHC.ca.gov](http://NAHC.ca.gov)



## AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. **Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
  - a. A brief description of the project.
  - b. The lead agency contact information.
  - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
  - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
  
2. **Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).
  - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
  
3. **Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
  - a. Alternatives to the project.
  - b. Recommended mitigation measures.
  - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
  
4. **Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
  - a. Type of environmental review necessary.
  - b. Significance of the tribal cultural resources.
  - c. Significance of the project's impacts on tribal cultural resources.
  - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
  
5. **Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
  
6. **Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
  - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
  - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
    - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
    - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
  - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
    - i.** Protecting the cultural character and integrity of the resource.
    - ii.** Protecting the traditional use of the resource.
    - iii.** Protecting the confidentiality of the resource.
  - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
  - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
  - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
  - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
  - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
  - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalePAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalePAPDF.pdf)

## SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at:

[https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf).

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

### NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([https://ohp.parks.ca.gov/?page\\_id=30331](https://ohp.parks.ca.gov/?page_id=30331)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
  - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
  
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
  - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:  
[Pricilla.Torres-Fuentes@nahc.ca.gov](mailto:Pricilla.Torres-Fuentes@nahc.ca.gov).

Sincerely,

*Pricilla Torres-Fuentes*

Pricilla Torres-Fuentes  
Cultural Resources Analyst

cc: State Clearinghouse

**From:** [Raslich, Nicole \(TRBL\)](#)  
**To:** [Oberbauer, Sean](#)  
**Subject:** [External] Questhaven PDS2020-TM-5643  
**Date:** Monday, September 26, 2022 2:13:30 PM  
**Attachments:** [image001.png](#)  
[9-1-2022 Questhaven SanDiego.pdf](#)

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Hello,

We appreciate your effort and thank you for your inquiry.

A records check of the Tribal Historic preservation office's cultural registry revealed that this project is not located within the Tribe's Traditional Use Area. Therefore, we defer to the other tribes in the area. This letter shall conclude our consultation efforts.

Best,

**Nicole A. Raslich, M.A.**

*Archaeological Technician*

Tribal Historic Preservation Office

Agua Caliente Band of Cahuilla Indians

D: +1 (760) 883-1134

C: +1 (760) 985-3615

[nraslich@aguacaliente.net](mailto:nraslich@aguacaliente.net)





# County of San Diego

PLANNING & DEVELOPMENT SERVICES  
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123  
(858) 505-6445 General • (858) 694-2705 Codes  
(858) 565-5920 Building Services  
www.SDCPDS.org

DAHVIA LYNCH  
DIRECTOR

## NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

September 1, 2022

NOTICE IS HEREBY GIVEN that the County of San Diego, Planning & Development Services, will be the Lead Agency and will prepare an Environmental Impact Report in accordance with the California Environmental Quality Act for the following project. The Department is seeking public and agency input on the scope and content of the environmental information to be contained in the Environmental Impact Report (EIR). A Notice of Preparation (NOP) document, which contains a description of the probable environmental effects of the project, can be reviewed at the following website link: [http://www.sdcounty.ca.gov/pds/ceqa\\_public\\_review.html](http://www.sdcounty.ca.gov/pds/ceqa_public_review.html).

**QUESTHAVEN, PDS2020-TM-5643; PDS2020-AD-20-011; PDS2022-STP-22-018, LOG NO. PDS2020-ER-20-08-008.** The Questhaven Project (Project) consists of a Tentative Map, Site Plan, Density Bonus Permit, and an Administrative Permit on approximately 89.23 acres. The Project consists of 76 single-family residential homes on 18.27 acres, recreation uses on 0.31 acres, and water quality detention basins on 2.4 acres. The Project also includes open space on approximately 63.9 acres that would provide for biological open space. The Project is designed to cluster development in the northern portion of the Project site in order to allow for the development of residential uses while providing biological open space in the southern portion of the site. The Project also includes 0.09-acre of off-site clearing within an existing right-of-way. The Project proposes seven affordable housing units as part of the Density Bonus application. Zoning Use Regulations for the site is Rural Residential (RR) and Open Space (S80). The General Plan Designations for the Site are Semi-Rural (SR-1 and SR-10) and the General Plan Regional Categories for the site are Semi-Rural and No Jurisdiction. The Project is located in unincorporated San Diego County within the San Dieguito Community Plan Area on approximately 89.23 acres, immediately south and west of the City of San Marcos and east of the City of Carlsbad. Interstate 5 (I-5) is located approximately 5.3 miles west of the Project site. Specifically, the Project site is located south of San Elijo Road and east of Denning Drive. Access to the site would be from San Elijo Road to the north.

In accordance with CEQA Guidelines Section 15063(a), the County has determined that an EIR is required for the project and has elected to not prepare an Initial Study. The County anticipates that the EIR will evaluate impacts for the following subject areas in accordance with CEQA Guidelines Appendix G: Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire. Full documentation regarding if

the project will have significant impacts to the following subject areas will be provided in the EIR.

Consistent with Section 21083.9 of the CEQA Statutes, an online/phone-in public scoping meeting/teleconference will be held to solicit comments on the NOP. This meeting will be held virtually on Tuesday, September 20, 2022, at 6:00 p.m. and will end by 7:30 p.m. via Microsoft Teams. The meeting may be accessed at this web link:

<https://www.sandiegocounty.gov/pds/ceqa/TM-5643>

Comments on this NOP document must be received no later than October 3, 2022 at 4:00 p.m. (a 32-day public review period). Comments on the NOP must be sent to Sean Oberbauer, Planning & Development Services, 5510 Overland Avenue, Suite 310, San Diego, CA 92123 or emailed to [sean.oberbauer@sdcounty.ca.gov](mailto:sean.oberbauer@sdcounty.ca.gov).



# County of San Diego

SERVICIOS DE PLANIFICACIÓN Y DESARROLLO  
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123  
(858) 505-6445 General • (858) 694-2705 Códigos  
(858) 565-5920 Servicios de construcción  
www.SDCPDS.org

DAHVIA LYNCH  
DIRECTOR

## AVISO DE PREPARACIÓN DE INFORME DE IMPACTO AMBIENTAL

1 de septiembre de 2022

SE DA AVISO POR LA PRESENTE que los Servicios de Desarrollo y Planificación del Condado de San Diego será la agencia líder y preparará un Informe de impacto ambiental conforme a la Ley de Calidad Ambiental de California para el siguiente proyecto. El Departamento está buscando opiniones públicas y de la agencia sobre el alcance y el contenido de la información ambiental que contendrá el Informe de Impacto Ambiental (Environmental Impact Report, EIR). Puede revisar el documento de Aviso de preparación (Notice of Preparation, NOP) que contiene una descripción de los efectos ambientales potenciales del proyecto en el siguiente enlace del sitio web: [http://www.sdcountry.ca.gov/pds/ceqa\\_public\\_review.html](http://www.sdcountry.ca.gov/pds/ceqa_public_review.html).

**QUESTHAVEN, PDS2020-TM-5643; PDS2020-AD-20-011; PDS2022-STP-22-018, N.º DE REGISTRO PDS2020-ER-20-08-008.** El Proyecto Questhaven (el Proyecto) está formado por un mapa tentativo, un plan del sitio, un permiso de bono de densidad y un permiso administrativo de aproximadamente 89.23 acres. El Proyecto está formado por 76 hogares residenciales unifamiliares en 18.27 acres, usos recreativos en 0.31 acres y cuencas de retención de calidad del agua en 2.4 acres. El Proyecto también incluye espacio abierto de aproximadamente 63.9 acres que brindarían espacio abierto biológico. El Proyecto está diseñado para agrupar el desarrollo en la parte norte del sitio del Proyecto para permitir la creación de usos residenciales y también brindar espacio abierto biológico en la parte sur del sitio. El Proyecto también incluye 0.09 acres de desbroce externo dentro de un derecho de paso existente. El Proyecto propone siete unidades de alojamiento asequible como parte de la aplicación del bono de densidad. Las normas de uso de zonificación para el sitio son rural residencial (RR) y espacio abierto (S80). Las designaciones del plan general para el sitio son semirural (SR-1 and SR-10) y las categorías regionales del plan general son semirural y sin jurisdicción. El Proyecto está ubicado en el Condado de San Diego no incorporado dentro del Área del plan comunitario de San Dieguito en aproximadamente 89.23 acres, inmediatamente al sur y al oeste de la Ciudad de San Marcos y al este de la Ciudad de Carlsbad. La interestatal 5 (I-5) está ubicada a aproximadamente 5.3 millas al oeste del sitio del Proyecto. Específicamente, el sitio del Proyecto está ubicado al sur de San Elijo Road y al este de Denning Drive. El acceso al sitio sería desde San Elijo Road hacia el norte.

Conforme a la sección 15063(a) de las pautas CEQA, el Condado ha determinado que se exige un EIR para el proyecto y ha decidido no preparar un estudio inicial. El Condado anticipa que el EIR evaluará los impactos para las siguientes áreas conforme al Apéndice G de las Pautas CEQA: Estética, agricultura y recursos forestales, calidad del aire, recursos biológicos, recursos



culturales, energía, geología y suelos, emisiones de gas del efecto invernadero, peligros y materiales peligrosos, hidrología y calidad del agua, uso de la tierra y planificación, recursos minerales, ruido, población y alojamiento, servicios públicos, recreación, transporte, recursos culturales tribales, servicios públicos y sistemas de servicios e incendios forestales. La documentación completa que indicará si el proyecto tendrá impactos significativos en las siguientes áreas se proporcionará en el EIR.

Conforme a la sección 21083.9 de los estatutos CEQA, se celebrará una reunión/teleconferencia en línea o por llamada sobre el alcance para solicitar comentarios sobre el NOP. La reunión se celebrará virtualmente el martes 20 de septiembre de 2022 a las 6:00 p. m. y finalizará a las 7:30 p. m. por Microsoft Teams. Puede acceder a la reunión mediante el siguiente enlace:  
<https://www.sandiegocounty.gov/pds/ceqa/TM-5643>

Los comentarios sobre este NOP deben recibirse a más tardar el 3 de octubre de 2022 a las 4:00 p. m. (período de notificación de divulgación pública de 32 días). Los comentarios sobre el NOP deben enviarse a Sean Oberbauer, Servicios de Desarrollo y Planificación, 5510 Overland Avenue, Suite 310, San Diego, CA 92123 o enviarse por correo electrónico a [sean.oberbauer@sdcounty.ca.gov](mailto:sean.oberbauer@sdcounty.ca.gov).



# County of San Diego

خدمات التخطيط والتطوير

5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123

505-6445 (858) عام • 694-2705 (858) الانظمة

565-5920 (858) خدمات المبنى

www.SDCPDS.org

داهفيا لينتش (DAHVIA LYNCH)

مدير

## إشعار بإعداد تقرير حول التأثير على البيئة

1 سبتمبر، 2022

يتم الإشعار بموجب هذا بأن خدمات التخطيط والتطوير التابعة لمقاطعة سان دييغو ستكون الهيئة القائدة وستعد تقرير حول التأثير على البيئة حسب قانون كاليفورنيا لجودة البيئة للمشروع التالي. تسعى الإدارة إلى الحصول على ملاحظات من الجمهور والوكالات حول نطاق ومحتوى المعلومات البيئية التي سيتم تضمينها في تقرير الأثر البيئي (EIR). يمكن الاطلاع على مستند الإشعار بالإعداد (NOP)، الذي يحتوي على وصف للتأثيرات البيئية المحتملة للمشروع، على رابط الموقع الإلكتروني التالي:

[http://www.sdcounty.ca.gov/pds/ceqa\\_public\\_review.html](http://www.sdcounty.ca.gov/pds/ceqa_public_review.html)

**PDS2020-ER-، رقم القطعة: PDS2022-STP-22-018؛ PDS2020-AD-20-011؛ QUESTHAVEN، PDS2020-TM-5643**

**20-08-008**. يتكون Questhaven Project (المشروع) من خريطة مبدئية وخطة الموقع وتصريح منحة الكثافة وتصريح إداري وهو على مساحة قدرها 89.23 هكتارًا تقريبًا. يتكون المشروع من 76 منزلًا سكنيًا مخصصًا لعائلة واحدة على مساحة قدرها 18.27 هكتارًا، ووسائل ترفيهية على مساحة 0.31 هكتار، وأحواض احتجاز جودة المياه على مساحة 2.4 هكتار. يتضمن المشروع أيضًا مساحة مفتوحة على ما يقرب من 63.9 هكتار من شأنها أن توفر مساحة حيوية مفتوحة. تم تصميم المشروع لتجميع التطوير في الجزء الشمالي من موقع المشروع من أجل إتاحة تطوير الاستخدامات السكنية إلى جانب توفير مساحة حيوية مفتوحة في الجزء الجنوبي من الموقع. كما يتضمن المشروع أيضًا تمهيد لمساحة 0.09 هكتار خارج موقع العمل في الجانب الأيمن وفقًا لإذن حق المرور القائم. يقدم المشروع سبع وحدات سكنية ميسورة التكلفة كجزء من تطبيق منحة الكثافة. أنظمة تقسيم المناطق للموقع هي سكي ريفي (RR) ومساحات مفتوحة (S80). تعيينات الخطة العامة للموقع هي سكي شبه ريفي (SR-1 و SR-10) والفئات الإقليمية للخطة العامة للموقع هي سكي شبه ريفي وبدون ولاية قضائية. يقع المشروع في مقاطعة سان دييغو غير المدمجة ضمن منطقة التخطيط المجتمعي في سان دييغو على مساحة تقارب 89.23 هكتارًا، جنوب وغرب مدينة سان ماركوس مباشرةً وشرق مدينة كارلسباد. يقع طريق Interstate 5 (I-5) على بعد حوالي 5.3 أميال غرب موقع المشروع. وعلى وجه التحديد، يقع موقع المشروع جنوب طريق San Elijo Road وشرق Denning Drive. يمكن الوصول إلى الموقع من طريق San Elijo Road شمالاً.

وفقًا للقسم 15063(a) من توجيهات قانون الجودة البيئية بولاية كاليفورنيا (CEQA)، قررت المقاطعة أن تقرير الأثر البيئي مطلوب للمشروع واختارت عدم إعداد دراسة أولية. تتوقع المقاطعة أن يعمل تقرير الأثر البيئي بتقييم التأثيرات لمجالات الموضوعات التالية وفقًا للملحق (ز) من توجيهات قانون الجودة البيئية بولاية كاليفورنيا: الجماليات، والزراعة وموارد الحرجة، وجودة الهواء، والموارد الحيوية، والموارد الثقافية، والطاقة، والجيولوجيا والتربة، وانبعاثات غازات الدفيئة، والأخطار والمواد الخطرة، والهيدرولوجيا وجودة المياه، واستخدام الأراضي والتخطيط، والموارد المعدنية، والضوضاء، وفتات السكان والإسكان، والخدمات العامة، والترفيه، والنقل، والموارد الثقافية القبلية، والمرافق وأنظمة الخدمات، وحرائق الغابات. سيتم توفير الوثائق الكاملة المتعلقة بما إذا كان المشروع سيكون له تأثيرات كبيرة على المجالات التالية في تقرير الأثر البيئي.

وتماشياً مع القسم 21083.9 من لوائح قانون الجودة البيئية بولاية كاليفورنيا، سيتم عقد اجتماع/ مؤتمر عن بُعد بشأن تحديد النطاق العام عبر الإنترنت/ عبر الهاتف لطلب الملاحظات بخصوص مستند NOP. سيتم عقد هذا الاجتماع افتراضياً في يوم الثلاثاء، 20 سبتمبر 2022، عند الساعة 6:00 مساءً، وسيتهي بحلول الساعة 7:30 مساءً عبر Microsoft Teams. يمكن الوصول إلى الاجتماع عبر رابط الويب هذا:

<https://www.sandiegocounty.gov/pds/ceqa/TM-5643>

يجب استلام الملاحظات بشأن مستند NOP في موعد لا يتجاوز تاريخ 3 أكتوبر 2022، في الساعة 4:00 عصرًا (فترة مراجعة مدتها 32 يومًا). يجب إرسال الملاحظات حول مستند NOP إلى شون أوبرباور (Sean Oberbauer)، إدارة خدمات التخطيط والتطوير الكائنة في Overland Avenue, Suite 310, San Diego, CA 921235510 أو عبر البريد الإلكتروني: [sean.oberbauer@sdcounty.ca.gov](mailto:sean.oberbauer@sdcounty.ca.gov)



# County of San Diego

PLANNING & DEVELOPMENT SERVICES  
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123  
(858) 505-6445 總機 • (858) 694-2705 代碼  
(858) 565-5920 建築服務科  
www.SDCPDS.org

DAHVIA LYNCH  
導向器主任

## 環境影響報告準備通知

2022 年 9 月 1 日

特此通知，聖地亞哥縣規劃與發展服務處將擔任牽頭機構，並將根據《加州環境品質法》為以下專案準備一份環境影響報告。本處正在就環境影響報告 (EIR) 所含環境資訊範圍和內容徵求公眾和機構的意見。可在以下網站連結中查看含有專案的可能環境影響描述準備通知 (NOP) 文件：  
[http://www.sdcounty.ca.gov/pds/ceqa\\_public\\_review.html](http://www.sdcounty.ca.gov/pds/ceqa_public_review.html)。

**QUESTHAVEN, PDS2020-TM-5643; PDS2020-AD-20-011; PDS2022-STP-22-018, LOG NO. PDS2020-ER-20-08-008.** Questhaven 專案 (該專案) 包括一份暫定地圖、場地規劃、密度額外許可證和約 89.23 英畝的行政許可證。該專案包括 76 個獨戶住宅，佔地 18.27 英畝，休閒用途佔地 0.31 英畝，水質滯留池佔地 2.4 英畝。該專案還包括約 63.9 英畝的開放空間，可提供生物開放空間。該專案旨在將專案場地北部的開發集群化，以便在場地南部提供生物開放空間的同時開發住宅用途。該專案還包括在現有的通行權內進行 0.09 英畝的場外清理。該專案提出了七個經濟適用房單元作為密度額外申請的一部分。該場地的區劃使用規定是農村住宅 (RR) 和開放空間 (S80)。場地總體規劃指定為半農村 (SR-1 和 SR-10)，場地的總體規劃區域類別為半農村且無管轄權。該專案位於內聖迭吉托社區規劃區 (San Dieguito Community Plan Area) 內未建制聖地亞哥縣，佔地約 89.23 英畝，緊鄰聖馬科斯市的南部和西部及卡爾斯巴德市東部。5 號州際公路 (I-5) 位於專案工地以西約 5.3 英里處。具體而言，專案地點位於聖埃利霍路以南和丹寧大道以東。從聖埃利霍路向北進入該場地。

根據《加州環境品質法案》(CEQA) 指引第 15063(a) 節，縣府已確定該專案需要環境影響報告 (EIR)，並選擇不準備初步研究。縣府預計環境影響報告 (EIR) 將根據《加州環境品質法》(CEQA) 指引附錄 G 評估對以下主題領域的影響：美學、農林資源、空氣品質、生物資源、文化資源、能源、地質與土壤、溫室氣體排放、危害與有害物質、水文與水質、土地利用與規劃、礦產資源、噪音、人口與住房、公共服務、娛樂、交通、部落文化資源、公用事業和服務系統及野火。環境影響報告 (EIR) 將提供有關該專案是否會對以下主題領域產生重大影響的完整文件。

根據《加州環境品質法》(CEQA) 法規第 21083.9 節，將舉行線上/電話公開範圍界定會議/電話會議，以徵求對 NOP 的意見。本次會議將通過 Microsoft Teams 於 2022 年 9 月 20 日 (週二) 下午 6 點虛擬舉行，並將於晚上 7 點 30 分結束。可通過此網路連結加入會議：

<https://www.sandiegocounty.gov/pds/ceqa/TM-5643>

對 NOP 的書面評議必須在 2022 年 10 月 3 日下午 4 點之前（32 天公開審評期）收到。對 NOP 的評議必須寄給 Sean Oberbauer, Planning & Development Services, 5510 Overland Avenue, Suite 310, San Diego, CA 92123 或電郵給 [sean.oberbauer@sdcounty.ca.gov](mailto:sean.oberbauer@sdcounty.ca.gov)。



# County of San Diego

خدمات پلان‌گذاری و انکشاف

5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123

کودها (858) 694-2705 ▪ عمومی (858) 505-6445

خدمات ساختمان (858) 565-5920

www.SDCPDS.org

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رییس

## اعلان تهیه راپور اثرات زیست محیطی

1 سپتمبر 2022

بدینوسیله اخطار داده می‌شود که کانتی سن دیگو، خدمات پلان‌گذاری و انکشاف، آژانس اصلی خواهد بود و راپور اثرات زیست‌محیطی را بر بنیاد قانون کیفیت زیست‌محیطی کالیفورنیا برای پروژه ذیل تهیه خواهد کرد. دپارتمان به دنبال نظرات عموم و آژانس درباره محدوده و محتوای معلومات زیست محیطی است که در راپور اثرات زیست محیطی (EIR) موجود است. سند اعلان تهیه (NOP) که حاوی توضیحاتی درباره اثرات احتمالی زیست محیطی پروژه است، در لنک ویب سایت ذیل قابل بررسی است:

[http://www.sdcounty.ca.gov/pds/ceqa\\_public\\_review.html](http://www.sdcounty.ca.gov/pds/ceqa_public_review.html)

### QUESTHAVEN, PDS2020-TM-5643; PDS2020-AD-20-011; PDS2022-STP-22-018, LOG NO.

**PDS2020-ER-20-08-008** پروژه Questhaven (پروژه) بشمول یک نقشه آزمایشی، پلان ساحه، مجوز تراکم اضافه و مجوز اداری در حدود 89.23 هکتار است. این پروژه بشمول 76 خانه مسکونی تک فامیل در 18.27 هکتار، استفاده‌های تفریحی در 0.31 هکتار و حوضچه‌های نگهداری آب با کیفیت در 2.4 هکتار است. این پروژه همچنین بشمول فضای باز در حدود 63.9 هکتار است که فضای باز بایولوژیک را فراهم می‌کند. این پروژه برای انکشاف خوشه‌ای در بخش شمالی ساحه پروژه طراحی شده است تا امکان انکشاف استفاده‌های مسکونی را فراهم کند و در عین حال فضای باز بایولوژیک را در قسمت جنوبی ساحه فراهم کند. این پروژه همچنان بشمول 0.09 هکتار پاک کاری خارج از محل حق تقدم موجود است. این پروژه هفت واحد مسکونی مقرون به صرفه را به منحبث بخشی از برنامه تراکم اضافه پیشنهاد می‌کند. مقررات استفاده از تقسیم بندی برای ساحه، اقامتگاه مسکونی قریوی (RR) و فضای باز (S80) است. تخصیص‌های پلان عمومی برای ساحه، نیمه قریوی و خارج از اختیار مقامات هستند. این پروژه در ساحه شامل نشده کانتی سن دیگو در منطقه طرح جامع سن دیه گیتو در حدود 89.23 هکتار، بلافاصله در جنوب و غرب شهر سن مارکوس و شرق شهر کارلزباد واقع شده است. بخش بین ایالتی 5 (I-5) تقریباً در 5.3 مایلی غرب ساحه پروژه قرار دارد. خصوصاً، ساحه پروژه در جنوب سرک سن الیجو و شرق دنینگ در ایو واقع شده است. دسترسی به ساحه از سرک سن الیجو به سمت شمال خواهد بود.

بر بنیاد رهنمودهای CEQA بخش (a) 15063، کانتی تشخیص داده است که EIR برای پروژه ضرورت دارد و تصمیم گرفته است که مطالعه اولیه را تهیه نکند. کانتی انتظار دارد بر بنیاد رهنمودهای CEQA ضمیمه G، EIR تأثیرات را برای ساحات موضوعی ذیل ارزیابی کند: زیبایی شناسی، منابع زراعتی و جنگلداری، کیفیت هوا، منابع بایولوژیک، منابع فرهنگی، انرژی، زمین شناسی و خاک، نشر گازهای گلخانه‌ای، مخاطرات و مواد خطرناک، هایدروالوجی و کیفیت آب، استفاده از زمین و پلان گذاری، منابع معدنی، Moise، جمعیت و اسکان، خدمات عامه، تفریحی، ترانسپورت، منابع فرهنگی قبیلوی، خدمات و سیستم‌های خدماتی و اطفانیه. مستندات مکمل درباره اینکه آیا پروژه تأثیرات قابل توجهی در ساحات موضوعی ذیل خواهد داشت یا نه در EIR ارائه خواهد شد.

بربنیاد بخش 21083.9 اساسنامه CEQA، یک جلسه/کانفرانس تیلیفونی درباره محدوده کلی برای تقاضای اخذ نظرات درباره NOP برگزار خواهد شد. این جلسه روز سه شنبه 20 سپتمبر 2022 ساعت 6:00 بعد چاشت طرز مجازی ذریعه Microsoft Teams برگزار می‌شود و الی ساعت 7:30 بعد چاشت ختم می‌شود. جلسه از لنک ویب ذیل قابل دسترسی است:  
<https://www.sandiegocounty.gov/pds/ceqa/TM-5643>

نظرات درباره سند NOP باید حداکثر الی 3 اکتوبر 2022 ساعت 4:00 بعد چاشت دریافت شود. (یک دوره بررسی عمومی 32 روزه). نظرات درباره NOP باید به Sean Oberbauer، Planning & Development Services, 5510 Overland Avenue, Suite 310, San Diego, CA 92123، روان شوند یا به [sean.oberbauer@sdcounty.ca.gov](mailto:sean.oberbauer@sdcounty.ca.gov) ایمیل شوند.



# County of San Diego

خدمات برنامه‌ریزی و توسعه

5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123

کدما (858) 694-2705 • عمومی (858) 505-6445

خدمات ساختمان (858) 565-5920

www.SDCPDS.org

داهویا لینچ (DAHVIA LYNCH)

سرپرست

## اطلاعیه تهیه گزارش تأثیرات زیست محیطی

1 سپتامبر 2022

بدینوسیله به اطلاع می‌رساند که خدمات برنامه‌ریزی و توسعه کانتی سن‌دیگو سازمان مسنول خواهد بود و گزارش تأثیرات زیست محیطی را مطابق با قانون کیفیت زیست محیطی کالیفرنیا برای پروژه زیر تهیه خواهد کرد. این سازمان به دنبال دریافت اطلاعات عمومی و اطلاعات سازمان در مورد دامنه و محتوای اطلاعات زیست محیطی است تا در گزارش اثرات زیست محیطی (EIR) درج شوند. سند اطلاعیه آمادسازی (NOP) که حاوی توضیحاتی در مورد اثرات زیست محیطی احتمالی پروژه است، در لینک وبسایت زیر قابل مشاهده است: [http://www.sdcounty.ca.gov/pds/ceqa\\_public\\_review.html](http://www.sdcounty.ca.gov/pds/ceqa_public_review.html).

### **QUESTHAVEN, PDS2020-TM-5643; PDS2020-AD-20-011; PDS2022-STP-22-018, LOG NO.**

**PDS2020-ER-20-08-008** پروژه Questhaven (پروژه) شامل یک نقشه موقتی، نقشه محل، مجوز تراکم اضافی و یک مجوز اجرایی برای حدودا 89.23 جریب فرنگی است. این پروژه شامل 76 خانه مسکونی تک خانواری در 18.27 جریب، کاربری‌های تفریحی در 0.31 جریب و حوضچه‌های نگهداری آب پاکیزه در 2.4 جریب است. همچنین این پروژه شامل فضای باز در حدود 63.9 جریب است که امکان داشتن فضای باز طبیعی را فراهم می‌کند. این پروژه برای توسعه خوشه‌ای در بخش شمالی محل پروژه طراحی شده است تا امکان توسعه کاربری‌های مسکونی را فراهم کند و در عین حال فضای باز طبیعی را در بخش جنوبی محل فراهم کند. این پروژه همچنین شامل 0.09 جریب پاکسازی خارج از محل در یک معبر قانونی موجود است. این پروژه هفت واحد مسکونی مقرون به صرفه را به عنوان بخشی از برنامه مجوز تراکم اضافی پیشنهاد می‌کند. مقررات کاربری منطقه‌بندی برای محل عبارتند از مقررات مسکونی روستایی (RR) و فضای باز (S80). انتصاب طرح عمومی برای محل، نیمه روستایی (SR-1 و SR-10) و گروهبندی‌های منطقه‌ای طرح عمومی برای محل، نیمه روستایی و فاقد حوزه قضایی می‌باشد. این پروژه در بخشی از زمین‌های ثبت شده کانتی سن‌دیگو واقع شده است که در منطقه طرح جامعه سن‌دیگیتو به مساحت حدود 89.23 جریب، بلافاصله در جنوب و غرب شهر سن‌مارکوس و شرق شهر کارلس‌بَد قرار دارد. بزرگراه میان‌ایالتی (I-5) 5 تقریباً در 5.3 مایلی غرب محل پروژه قرار دارد. به طور دقیقتر، محل پروژه در جنوب جاده سان‌الیجو و شرق دنینگ درایو واقع شده است. دسترسی به محل از طریق جاده سان‌الیجو به سمت شمال خواهد بود.

مطابق با دستورالعمل CEQA بخش (a) 15063، کانتی تشخیص داده است که EIR برای پروژه مورد نیاز است و تصمیم گرفته است که پژوهش اولیه را تهیه نکند. کانتی پیش‌بینی می‌کند که EIR تأثیرات روی حوزه‌های موضوعی زیر را مطابق با دستورالعمل CEQA ضمیمه G ارزیابی می‌کند: زیبایی‌شناسی، منابع کشاورزی و جنگلداری، کیفیت هوا، منابع طبیعی، منابع فرهنگی، انرژی، زمین‌شناسی و خاک، انتشار گازهای گلخانه‌ای، مخاطرات و مواد خطرناک، هیدرولوژی و کیفیت آب، کاربری زمین و برنامه‌ریزی، منابع معدنی، مویز، جمعیت و مسکن، خدمات عمومی، تفریح، حمل‌ونقل، منابع فرهنگی طایفه‌ای، خدمات و سیستم‌های خدماتی، و آتش‌سوزی. مستندات کامل در مورد اینکه آیا این پروژه بر حوزه‌های موضوعی زیر تأثیر چشمگیری داشته است یا خیر در EIR ارائه خواهد شد.



مطابق با بخش 21083.9 اساسنامه CEQA، یک نشست/جلسه از راه دور عمومی آنلاین/تلفنی برای درخواست نظرات در مورد NOP برگزار خواهد شد. این جلسه روز سه‌شنبه 20 سپتامبر 2022 ساعت 6:00 بعد از ظهر به صورت مجازی با مایکروسافت تیمز برگزار می‌شود و در ساعت 7:30 به پایان می‌رسد. این جلسه را می‌توان در لینک اینترنتی زیر مشاهده کرد:  
<https://www.sandiegocounty.gov/pds/ceqa/TM-5643>

نظرات مربوط به سند NOP باید حداکثر تا 3 اکتبر 2022 ساعت 4:00 بعد از ظهر ارائه شوند. (یک دوره بررسی عمومی 32 روزه). نظرات مربوط به NOP باید به نشانی Sean Oberbauer، Planning & Development Services، 5510 Overland Avenue، Suite 310، San Diego، CA 92123 ارسال شود یا به آدرس [sean.oberbauer@sdcounty.ca.gov](mailto:sean.oberbauer@sdcounty.ca.gov) ایمیل شود.



# County of San Diego

PLANNING & DEVELOPMENT SERVICES  
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123  
(858) 505-6445 일반 • (858) 694-2705 강령  
(858) 565-5920 건물관리부  
www.SDCPDS.org

다비아 린치(DAHVIA LYNCH)  
책임자

## 환경 영향 보고서 작성에 관한 통지서

2022년 9월 1일

이로써 샌디에이고 카운티의 계획 및 개발 서비스는 주도 기관이 되어 다음 프로젝트에 대해 캘리포니아 환경질법(Environmental Quality Act)에 따라 환경 영향 보고서를 준비할 것임을 알려드립니다. 본 부서는 환경 영향 보고서(EIR, Environmental Impact Report)에 포함될 환경 정보의 범위와 내용에 대한 일반인 및 기관의 의견을 구하고 있습니다. 프로젝트의 개연성 있는 환경 영향에 대한 설명이 포함된 준비통지서(NOP, Notice of Preparation) 문서는 다음 웹사이트 링크에서 검토하실 수 있습니다. [http://www.sdcounty.ca.gov/pds/ceqa\\_public\\_review.html](http://www.sdcounty.ca.gov/pds/ceqa_public_review.html).

### **QUESTHAVEN, PDS2020-TM-5643; PDS2020-AD-20-011; PDS2022-STP-22-018, LOG NO. PDS2020-ER-20-08-008.**

퀘스트헤이븐 프로젝트(Questhaven Project, 이하 프로젝트)는 약 89.23 에이커에 대한 잠정적인 지도, 부지 계획, 밀도 특별 허가, 행정 허가로 구성됩니다. 프로젝트는 18.27 에이커에 76 개의 단독 주택, 0.31 에이커에 오락 용도, 2.4 에이커에 수질 유수지로 구성됩니다. 프로젝트에는 생물학적 녹지를 제공할 약 63.9 에이커의 녹지도 포함됩니다. 프로젝트는 부지의 남쪽 부분에 생물학적 녹지를 제공하면서 북쪽 부분에 주거 용도의 개발을 허용하기 위해 프로젝트 부지의 북쪽 부분에 개발을 밀집하도록 설계되었습니다. 프로젝트에는 기존 통행권 내 0.09 에이커의 부지 외 빈터도 포함됩니다. 프로젝트에서는 밀도 특별 신청의 일환으로 7 개의 저렴 주택을 제안합니다. 부지에 대한 구역 사용 규정은 농촌주택(RR, Rural Residential)과 녹지(Open Space, S80)입니다. 부지에 대한 일반 계획 지명은 준 지방(Semi-Rural, SR-1 및 SR-10)이고 부지에 대한 일반 계획 지역 범주는 준 지방(Semi-Rural) 및 관할권 없음(No Jurisdiction)입니다. 프로젝트는 샌 마르코스시 바로 남서쪽과 칼즈배드시 동쪽에 위치한 약 89.23 에이커의 샌 디에귀토 지역사회 계획 지역 내의 샌디에이고 카운티 직할지에 위치합니다. 5번 주간(interstate) 고속도로(I-5)는 프로젝트 부지에서 서쪽으로 약 5.3 마일 떨어져 있습니다. 구체적으로 프로젝트 부지는 샌 엘리조 로드(San Elijo Road)의 남쪽과 데닝 드라이브(Denning Drive)의 동쪽에 있습니다. 샌 엘리조 로드에서 북쪽으로 부지에 접근할 수 있습니다.

CEQA 지침 15063(a)조에 따라 카운티는 프로젝트에 EIR이 필요하다고 판단했고 초기 연구를 준비하지 않기로 선택했습니다. 카운티는 EIR이 CEQA 지침 부록 G에 따라 다음 주제 영역에 대한 영향을 평가할 것으로 예상합니다. 미학, 농림 자원, 대기질, 생물학적 자원, 문화적 자원, 에너지, 지질 및 토양, 온실가스 배출, 위험 요소 및 유해 물질, 수문학 및 수질, 토지 이용 및 계획, 광물 자원, 소음, 인구 및 주택, 공공 서비스, 레크리에이션, 교통, 부족 문화 자원, 공익사업 및 서비스 시스템, 산불. 프로젝트가 다음 주제 영역에 중대한 영향을 미칠지에 관한 전체 문서는 EIR에서

제공됩니다.

CEQA 법규의 21083.9조에 따라 NOP에 대한 의견을 요청하기 위해 온라인/전화를 통한 공개 관찰 회의/원격 회의가 개최됩니다. 이 회의는 2022년 9월 20일 화요일 오후 6시에 Microsoft Teams를 통해 가상으로 열리며 오후 7시 30분에 종료됩니다. 다음의 웹 링크에서 회의에 액세스할 수 있습니다.

<https://www.sandiegocounty.gov/pds/ceqa/TM-5643>

이 NOP 문서에 대한 의견은 늦어도 2022년 10월 3일 오후 4시까지 제출하셔야 합니다(공개 검토 기간 32일). NOP에 대한 의견은 반드시 Sean Oberbauer(손 오버bauer), Planning & Development Services, 5510 Overland Avenue, Suite 310, San Diego, CA 92123으로 발송하거나 [sean.oberbauer@sdcounty.ca.gov](mailto:sean.oberbauer@sdcounty.ca.gov)로 이메일을 보내십시오.



# County of San Diego

ADEEGYADA QORSHEYNTA IYO HORMARINTA  
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123  
(858) 505-6445 Guud • (858) 694-2705 Codes  
(858) 565-5920 Adeegyada Dhismaha  
www.SDCPDS.org

DAHVIA LYNCH  
AGAASIMAHA

## OGEYSIINTA DIYAARINTA WARGELINTA SAAMEYNTA DEEGAANKA

Sebteembar 1, 2022

OGEYSIINTA WAXAA HALKAAN LAGU SIIYAY in Gobolka San Diego, Adeegyada Qorsheynta iyo Hormarinta, ay ahaaneyso Hay'ada Hogaanka ah oo waxay diyaarineysaa Wargelinta Saameynta Deegaanka sida waafaqsan Xeerka Tayada Deegaanka California ee mashruuca xigga. Waaxda waxay raadineysaa tallada dadweynaha iyo wakaalada ee baaxada iyo tasmada warbixinta deegaanka inay ku jiraan Wargelinta Saameynta Deegaanka (EIR). Dokumintiga Ogeysiinta Diyaarinta (NOP), kaas oo ka kooban sharaxaada saameynada deegaanka suurto-galka ah ee mashruuca, ayaa dib looga eegi karaa linkiga websaydka xigga: [http://www.sdcountry.ca.gov/pds/ceqa\\_public\\_review.html](http://www.sdcountry.ca.gov/pds/ceqa_public_review.html).

**QUESTHAVEN, PDS2020-TM-5643; PDS2020-AD-20-011; PDS2022-STP-22-018, LOG NO. PDS2020-ER-20-08-008.** Mashruuca Questhaven (Mashruuca) wuxuu ka koobanyahay Qariirada Hore, Qorshaha Goobta, Mugga Ogolaanshaha Gunada, iyo Ogolaanshaha Maamulka oo qiyaastii ah 89.23 hektar. Mashruuca wuxuu ka koobanyahay 76 guryo deegaan qoys-kali oo 18.27 hektar, madadaalada ayaa isticmaasho 0.31 hektar, iyo tayada biyaha goobaha harka biyaha oo 2.4 hektar ah. Mashruuca ayaa sidoo kale ku jiro boos furan oo qiyaastii 63.9 hektar oo siineyso boos furan oo noolaansha ah. Mashruuca waxaa loo naqshadeeyay inuu isu keeno hormarinta qeybta wuqooyi ee goobta Mashruuca si ay markaas ugu ogolaato hormarinta isticmaalada deegaanka iyaga oo ku bixinayo boos furan oo noolaanshaha ah qeybta koonfurta goobta. Mashruuca ayaa sidoo kale ka mid ah 0.09-hektar goobta ka baxsan ee ku taal gudaha wadada midig ee jirtay. Mashruuca wuxuu soo jeedinayaa todoba qeybo guryo la goyn karo sida ka qeyb ah arjiga Mugga Gunnada. Xeerarka Istimaalka Aageynta ee loogu talloagalay goobta waa Deegaanka Baadiyaha (RR) iyo Booska Furan (S80). Naqshadeynta Qorshaha Guud ee Goobta waa Semi-Rural (SR-1 iyo SR-10) iyo Qeybaha Goboleedka Qorshaha Guud ee goobta waa Semi-Rural iyo Xukun La'aanta. Mashruuca wuxuu ku yaalaa Gobolka San Diego ee aan laheyn maamulka deegaan ee gudaha Aaga Qorshaha Bulshada San Dieguito oo qiyaastii ah 89.23 hektar, islamarkiiba koonfurta iyo galbeedka Caasimada San Marcos iyo bariga Caasimada Carlsbad. Gobolada u dhaxeeyo 5 (I-5) wuxuu ku yaalaa qiyaastii 5.3 mayl galbeedka goobta Mashruuca. Gaar ahaan, goobta Mashruuca waxay ku taalaa koonfurta San Elijo Road iyo bariga Denning Drive. Gelitaanka goobta waxay noqoneysaa ka imaanshaha San Elijo Road ee ku aadan wuqooyiga.

Sida waafaqsan Qeybta Tilmaamaha CEQA 15063(a), Gobolka wuxuu go'aansaday in EIR looga baahanyahay mashruuca oo wuxuu doortay inuusan u diyaar garoobin Daraasad Koowaad. Gobolka wuxuu filayaa in EIR ay qiimeyneysa saameynada aagaga mowduuca xiga sida waafaqsan Tilmaamaha CEQA Lifaafa G: Qurxinta, Illaha Beeraha iyo Keymaha, Tayada Hawada, Illaha Noolaha, Illaha Dhaqanka, Tamarta, Cilmiga dhulka iyo Ciida, Qiiqa Guriga Dhirta, Walxahaa Qatarta ah ama Qataraha keeno, Tayada Dhaqaaqa dhulka iyo Biyaha, Istimaalka Dhulka iyo Qorsheynta, Illaha Macdanta,

Moise, Dadka iyo Guryaha, Adeegyada Dadweynaha, Madadaalada, Gaadiidka, Illaha Dhaqanka Qabiilka, Nidaamyada Korontada iyo Adeegyada, iyo Duurjoogta. Dukumintiga buuxo ee la xiriiro haddii mashruuca uu ku yeelanayo saameyno weyn aagaga mowduuca xiga waxaa lagu bixinayaa EIR.

Sida waafaqsan Qeybta 21083.9 ee Xeerarka CEQA, kulanka/kulanka taleefonka onleenk/taleefonka-goobaha dadweynaha ayaa loo qabanayaa si ay uga codsadaan faalooyin NOP. Kulanka waxaa lagu qabanayaa onleen ahaan Tallaadada, Sebteembar 20, 2022, saacada 6:00 p.m. oo wuxuu dhammaanayaa 7:30 p.m. iyadoo la isticmaalayo Microsoft Teams. Kulanka waxaa laga geli karaa linkiga webkaan: <https://www.sandiegocounty.gov/pds/ceqa/TM-5643>

Faallooyinka dokumintigaan NOP waa in la helaa waqti aan ka dambeyn Oktoobar 3, 2022 saacada 4:00 p.m. (a 32-maalin muddada dib u eegida dadweynaha). Faallooyinka NOP waa in loo diraa Sean Oberbauer, Adeegyada Qorsheynta iyo Hormarinta, 5510 Overland Avenue, Suite 310, San Diego, CA 92123 ama i-meel loogu diraa [sean.oberbauer@sdcounty.ca.gov](mailto:sean.oberbauer@sdcounty.ca.gov).



# County of San Diego

MGA SERBISYO SA PAGPAPLANO AT PAG-UNLAD  
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123  
(858) 505-6445 General • (858) 694-2705 Codes  
(858) 565-5920 Building Services  
www.SDCPDS.org

DAHVIA LYNCH  
DIREKTOR

## ABISO NG PAGHAHANDA NG ISANG ULAT SA PANGKAPALIGIRANG EPEKTO

Setyembre 1, 2022

ITO AY ISANG PAUNAWA na ang Mga Serbisyo ng Pagpapalano at Pag-unlad ng County ng San Diego, ay ang Pangunahing Ahensya at maghahanda ng isang Ulat ng Pangkapaligirang Epekto alinsunod sa California Environmental Quality Act (Batas ng Pangkapaligirang Kalidad ng California) para sa sumusunod na proyekto. Ang Departamento ay humihingi ng komento mula sa publiko at ahensiya tungkol sa saklaw at nilalaman ng pangkapaligirang impormasyon na ipapaloob sa Environmental Impact Report (EIR). Ang isang dokumento ng Abiso ng Paghahanda (Notice of Preparation o NOP), na naglalaman ng deskripsyon ng posibleng mga epekto ng proyekto, ay maaaring rebyuhin sa sumusunod na website link: [http://www.sdcounty.ca.gov/pds/ceqa\\_public\\_review.html](http://www.sdcounty.ca.gov/pds/ceqa_public_review.html).

**QUESTHAVEN, PDS2020-TM-5643; PDS2020-AD-20-011; PDS2022-STP-22-018, LOG NO. PDS2020-ER-20-08-008.** Ang Questhaven Project (Proyekto) ay binubuo ng isang Tentative Map (Pansamantalang Mapa), Site Plan (Plano ng Lugar), Density Bonus Permit (Permisong Bonus na Densidad), at isang Administrative Permit (Administratibong Permisong) sa humigit-kumulang 89.23 na ektarya. Ang Proyekto ay binubuo ng 76 na mga pang-isang-pamilyang residensyal na mga tirahan sa 18.27 na ektarya, pang-libangang gamit na 0.31 na ektarya, at mga detention basin para sa kalidad ng tubig sa 2.4 na ektarya. Kasama rin sa Proyekto ang bukas na espasyo sa humigit-kumulang na 63.9 na ektarya na magbibigay ng biyolohikal na bukas na espasyo. Ang Proyekto ay dinisenyo upang pagsamahin ang pag-unlad sa hilagang bahagi ng lugar ng Proyekto upang payagan ang pagpapaunlad ng mga residensyal na paggamit habang nagbibigay ng biyolohikal na bukas na espasyo sa katimugang bahagi ng lugar. Kasama rin sa Proyekto ang 0.09-ektarya na off-site clearing sa loob ng umiiral na right-of-way. Ang Proyekto ay nagmumungkahi ng pitong abot-kayang mga yunit ng pabahay bilang bahagi ng aplikasyon ng Density Bonus. Ang mga Regulasyon sa Sona ng Paggamit (Zoning Use Regulations) para sa lugar ay Rural Residential (RR) at Open Space (S80). Ang mga Designasyon sa Pangkalahatang Plano para sa Lugar ay Semi-Rural (SR-1 at SR-10) at ang mga Rehiyonal na Kategoriya ng Pangkalahatang Plano para sa ay Semi-Rural at No Jurisdiction (Walang Hurisdiksyon). Ang Proyekto ay matatagpuan sa hindi pinagsamang San Diego County sa loob ng Community Plan Area ng San Dieguito sa humigit-kumulang 89.23 na ektarya, sa timog at kanluran ng Lungsod ng San Marcos at silangan ng Lungsod ng Carlsbad. Ang Interstate 5 (I-5) ay matatagpuan humigit-kumulang na 5.3 milya kanluran ng lugar ng Proyekto. Ang lugar ng Proyekto ay matatagpuan sa timog ng San Elijo Road at silangan ng Denning Drive. Ang pag-akseso sa lugar ay mula sa San Elijo Road patungo sa hilaga.

Alinsunod sa CEQA Guidelines Section 15063 (a), nagpasiya ang County na kailangan ang EIR para sa proyekto at pinili na huwag maghanda ng Panimulang Pag-aaral. Inaasahan ng County na susuriin ng EIR ang epekto para sa sumusunod na mga lugar alinsunod sa CEQA Guidelines Appendix G (Mga Alituntunin ng CEQA Apendiks G): Aesthetics (Mga Estetiko), Agriculture and Forestry Resources (Mga Mapagkukunan sa Agrikultura at Panggugubat), Air Quality (Kalidad ng Hangin), Biological Resources (Mga Mapagkukunang Biyolohikal), Cultural Resources (Mga Mapagkukunang Kultural), Energy (Enerhiya), Geology and Soils (Heyolohiya at mga Lupa), Greenhouse Gas Emissions (Mga Emisyon ng Greenhouse Gas), Hazards and Hazardous Materials (Mga Panganib at Mapanganib na mga Materyales), Hydrology and Water Quality (Hidrolohiya at Kalidad ng Tubig), Land Use and Planning (Paggamit ng Lupa at Pagpaplano), Mineral Resources (Mga Mapagkukunan ng Mineral), Noise (Ingay), Population and Housing (Populasyon at Pabahay), Public Services (Mga Serbisyong Pampubliko), Recreation (Libangan), Transportation (Transportasyon), Tribal Cultural Resources (Mga Mapagkukunan sa Tribung Kultural), Utilities and Service Systems (Mga Sisterma sa Yutilidad at Serbisyo), at Wildfire (Malalaking Sunog). Ang buong dokumentasyon tungkol sa kung ang proyekto ay magkakaroon ng makabuluhang epekto sa sumusunod na mga lugar ay ibibigay sa EIR.

Alinsunod sa Seksyon 21083.9 ng CEQA Statutes (Batas ng CEQA), isang online/phone-in (tawag) na pampublikong pagpupulong/telekumperensya ay gaganapin upang makakuha ng mga komento sa NOP. Ang pulong na ito ay birtuwal na gaganapin sa Martes, Setyembre 20, 2022, nang alas-6:00 n.g. at magtatapos sa alas 7:30 n.g. sa pamamagitan ng Microsoft Teams. Ang pulong ay maaaring ma-akseso sa web link na ito:

<https://www.sandiegocounty.gov/pds/ceqa/TM-5643>

Ang mga komento sa dokumentong NOP ay kailangang matanggap nang hindi lalagpas sa Oktubre 3, 2022 sa alas 4:00 n.h. (isang 32-araw na panahon ng pampublikong pagsusuri). Ang mga komento sa NOP ay dapat ipadala kay Sean Oberbauer, Planning & Development Services, 5510 Overland Avenue, Suite 310, San Diego, CA 92123 o sa email sa [sean.oberbauer@sdcounty.ca.gov](mailto:sean.oberbauer@sdcounty.ca.gov).



# County of San Diego

PLANNING & DEVELOPMENT SERVICES  
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123  
(858) 505-6445 Chung • (858) 694-2705 Mã  
(858) 565-5920 Dịch vụ xây dựng  
www.SDCPDS.org

DAHVIA LYNCH  
GIÁM ĐỐC

## THÔNG BÁO VỀ VIỆC CHUẨN BỊ BÁO CÁO TÁC ĐỘNG MÔI TRƯỜNG

01/09/2022

ĐÂY LÀ THÔNG BÁO rằng Quận San Diego, Cơ Quan Quy Hoạch & Phát Triển, sẽ là Cơ Quan Chủ Trì và chuẩn bị Báo Cáo Tác Động Môi Trường theo Đạo Luật Chất Lượng Môi Trường California cho dự án sau. Sở đang kêu gọi ý kiến đóng góp của công chúng và cơ quan về phạm vi và nội dung của thông tin môi trường trong Báo Cáo Tác Động Môi Trường (EIR). Tài liệu Thông Báo về việc Chuẩn Bị (NOP), trong đó có mô tả những tác động môi trường có thể xảy ra của dự án, có thể xem lại tại liên kết trang web sau: [http://www.sdcounty.ca.gov/pds/ceqa\\_public\\_review.html](http://www.sdcounty.ca.gov/pds/ceqa_public_review.html).

### **QUESTHAVEN, PDS2020-TM-5643; PDS2020-AD-20-011; PDS2022-STP-22-018, LOG NO.**

**PDS2020-ER-20-08-008.** Dự Án Questhaven (Dự Án) bao gồm Bản Đồ Dự Kiến, Quy Hoạch Địa Điểm, Giấy Phép Thưởng Mật Độ và Giấy Phép Hành Chính trên diện tích khoảng 89,23 acre. Dự Án bao gồm 76 ngôi nhà cho hộ gia đình cư trú trên 18,27 acre, diện tích cho giải trí là 0,31 acre và các lưu vực trữ nước là 2,4 acre. Dự Án cũng bao gồm không gian mở trên khoảng 63,9 acre sẽ cung cấp không gian mở sinh học. Dự Án được thiết kế để phát triển theo cụm ở phần phía bắc của Dự Án nhằm cho phép phát triển các mục đích sử dụng trong dân cư đồng thời cung cấp không gian mở sinh học ở phần phía nam. Dự Án cũng bao gồm 0,09 acre giải phóng mặt bằng trong phạm vi lộ giới hiện có. Dự Án đề xuất xây dựng nhà ở giá rẻ như một phần áp dụng Thưởng Mật Độ. Quy Định Phân Vùng Sử Dụng chung là Khu Dân Cư Nông Thôn (RR) và Không Gian Mở (S80). Các Chỉ Số Kế Hoạch Cộng Đồng Địa Điểm là Bán Nông Thôn (SR-1 và SR-10). Các Hạng Mục Kế Hoạch Chung Khu Vực là Bán Nông Thôn và Không Có Quyền Hạn. Dự Án nằm ở khu vực chưa hợp nhất của Quận San Diego thuộc Khu Vực Quy Hoạch Cộng Đồng San Dieguito trên khoảng 89,23 acre, ngay phía nam và phía tây của Thành Phố San Marcos và phía đông của Thành Phố Carlsbad. Giao Lộ 5 (I-5) nằm cách địa điểm Dự Án khoảng 5,3 dặm về phía Tây. Cụ thể, địa điểm Dự Án nằm ở phía nam đường San Elijo và phía đông Denning Drive. Đường vào địa điểm sẽ là từ đường San Elijo đi về phía bắc.

Theo Nguyên Tắc CEQA Phần 15063(a), Quận đã xác định rằng cần có EIR cho dự án và đã quyết định không chuẩn bị Nghiên Cứu Ban Đầu. Quận dự đoán rằng EIR sẽ đánh giá các tác động đối với các lĩnh vực chủ đề sau theo Phụ Lục G của Nguyên Tắc CEQA: Thẩm Mỹ, Tài Nguyên Nông Nghiệp và Lâm Nghiệp, Chất Lượng Không Khí, Tài Nguyên Sinh Vật, Tài Nguyên Văn Hóa, Năng Lượng, Địa Chất và Đất, Khí Thải Nhà Kính, Mối Nguy và Vật Liệu Độc Hại, Thủy Văn và Chất Lượng Nước, Quy Hoạch và Sử Dụng Đất, Tài Nguyên Khoáng Sản, Tiếng Òn, Dân Số và Nhà Ở, Dịch Vụ Công Cộng, Giải Trí, Giao Thông Vận Tải, Tài Nguyên Văn Hóa Bộ Lạc, Tiềm Ích và Hệ Thống Dịch Vụ, và Cháy Rừng. Tài liệu đầy đủ về việc liệu dự án có tác động



đáng kể đến các lĩnh vực chủ đề sau đây hay không sẽ được cung cấp trong EIR.

Phù hợp với Phần 21083.9 của Nguyên Tắc CEQA, một cuộc họp/hội nghị trực tuyến/quá điện thoại về phạm vi công cộng sẽ được tổ chức để trưng cầu ý kiến về NOP. Cuộc họp này sẽ được tổ chức trực tuyến vào lúc 6:00 chiều Thứ Ba, ngày 20 tháng 9 năm 2022 và kết thúc trước 7:30 tối qua Microsoft Teams. Cuộc họp có thể được truy cập tại liên kết web này:

<https://www.sandiegocounty.gov/pds/ceqa/TM-5643>

Các ý kiến về tài liệu NOP này phải được nhận không quá 4:00 chiều ngày 3 tháng 10 năm 2022 (thời gian lấy ý kiến công chúng là 32 ngày). Các ý kiến về NOP phải được gửi tới Sean Oberbauer, Planning & Development Services, 5510 Overland Avenue, Suite 310, San Diego, CA 92123 hoặc qua email tới [sean.oberbauer @ sdcounty.ca.gov](mailto:sean.oberbauer@sdcounty.ca.gov).

**From:** [Rebecca Barker](#)  
**To:** [Oberbauer, Sean](#)  
**Cc:** [mvespa@earthjustice.org](mailto:mvespa@earthjustice.org)  
**Subject:** [External] Earthjustice Comments on Questhaven NOP  
**Date:** Wednesday, September 7, 2022 8:46:04 AM  
**Attachments:** [ATT00001.png](#)  
[Earthjustice Comments on Questhaven Project NOP.pdf](#)

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Hello,

Attached please find public comments of Earthjustice on the NOP for the Questhaven Project. As explained more fully in the attached comments, Earthjustice strongly urges the County to require all-electric design of the buildings planned for the Project as a feasible mitigation measure to avoid the greenhouse gas, energy, and health impacts that would result from new buildings connected to the gas system. All-electric new construction is less costly than mixed-fuel construction in addition to mitigating multiple potential Project impacts.

Thank you for your consideration, and please include both Matt Vespa ([mvespa@earthjustice.org](mailto:mvespa@earthjustice.org)) and me ([rbarker@earthjustice.org](mailto:rbarker@earthjustice.org)) on any future notifications regarding this development.

Best,  
Rebecca Barker

Rebecca Barker  
*She/her/hers*  
Associate Attorney  
Clean Energy Program  
50 California Street, Suite 500  
San Francisco, CA 94111  
Phone: 415.217.2056  
[rbarker@earthjustice.org](mailto:rbarker@earthjustice.org)



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Via Electronic Mail

September 7, 2022

Sean Oberbauer  
Planning & Development Services  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123  
[sean.oberbauer@sdcounty.ca.gov](mailto:sean.oberbauer@sdcounty.ca.gov)

**Re: Earthjustice Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Questhaven Project**

Earthjustice appreciates the opportunity to comment on the Notice of Preparation of a Draft Environmental Impact Report (“DEIR”) for the Questhaven Project (“Project”), which contemplates a development of 76 single-family homes. Our initial comments focus on the importance of incorporating building electrification requirements into the Project. New construction that relies on burning gas for end uses such as cooking and space and water heating has significant greenhouse gas (“GHG”), energy, and health impacts under the California Environmental Quality Act (“CEQA”). All-electric buildings avoid these impacts. Moreover, all-electric buildings are typically less costly to due to avoided costs of gas infrastructure. With the California Public Utilities Commission (“CPUC”) now ending subsidies for gas lines to new development, cost savings from all-electric construction will further increase. Accordingly, to comply with CEQA’s obligation to adopt all feasible mitigation to reduce significant environmental impacts, the County must require an all-electric Project design that is not connected to the gas system.

**I. Projects Connecting to the Gas System Have Significant GHG, Energy and Public Health Impacts.**

**A. The GHG Impacts of Projects Connecting to the Gas System Are Significant.**

CEQA requires a DEIR to identify all the significant impacts of a proposed project, including impacts from the project’s GHG emissions.<sup>1</sup> One option to determine the significance of the Project’s GHG impacts is to apply a net-zero emissions threshold. In addition to being CEQA-compliant, a net-zero threshold is also consistent with the severity of the climate crisis and the recognition that any increase in GHG emissions exacerbates the cumulative impacts of climate change.

Another option is to apply the approach recently adopted by the Bay Area Quality Management District (“BAAQMD”). In determining the significance of project impacts, a lead

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<sup>1</sup> CEQA Guidelines § 15126.2; Appendix F.

agency “must ensure that CEQA analysis stays in step with evolving scientific knowledge and state regulatory schemes.” *Cleveland National Forest Foundation v. San Diego Assn. of Gov’ts* (2017) 3 Cal.5<sup>th</sup> 497, 519. To stay in step with evolving scientific knowledge and state policy, the Bay Area Quality Management District (“BAAQMD”) updated its previous CEQA GHG guidance for buildings this year to require all new projects to be built without natural gas and with no inefficient or wasteful energy usage in order to receive a finding of no significant impact.<sup>2</sup> BAAQMD’s previous 1,100 MT GHG significance threshold was derived from Assembly Bill (“AB”) 32’s 2020 GHG reduction targets, but did not reflect later developments, such as Senate Bill (“SB”) 32’s requirement to reduce GHGs to 40 percent below 1990 levels by 2030, nor Executive Order B-55-18’s requirement to achieve carbon neutrality by 2045.<sup>3</sup> As BAAQMD properly noted in its justifications for its updated GHG threshold, “[f]or California to successfully eliminate natural gas usage by 2045, it will need to focus available resources on retrofitting existing natural gas infrastructure. This task will become virtually impossible if we continue to build more natural gas infrastructure that will also need to be retrofit within the next few years.”<sup>4</sup>

Even outside of BAAQMD’s jurisdiction, the analysis supporting its zero-gas threshold provides substantial evidence to support an EIR’s finding of significance, particularly where, as here, GHGs are a globally dispersed pollutant. Indeed, state agencies have made similar findings regarding the incompatibility of gas in new construction with achievement of state climate requirements. As the California Energy Commission (“CEC”) determined in its 2018 Integrated Energy Policy Report (“IEPR”) Update:

New construction projects, retrofitting existing buildings, and replacing appliances and other energy-consuming equipment essentially lock in energy system infrastructure for many years. As a result, each new opportunity for truly impactful investment in energy efficiency and fuel choice is precious. If the decisions made for new buildings result in new and continued fossil fuel use, it will be that much more difficult for California to meet its GHG emission reduction goals. Parties planning new construction have the opportunity instead to lock in a zero- or low-carbon emission outcome that will persist for decades.<sup>5</sup>

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<sup>2</sup> See BAAQMD, *Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans*, at 11 (Apr. 2022) (“BAAQMD 2022 Update”), <https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa-thresholds-2022/justification-report-pdf.pdf?la=en>.

<sup>3</sup> See BAAQMD, *CEQA Guidelines Update, Proposed Thresholds of Significance* at 10-22 (Dec 7, 2009), <http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/proposed-thresholds-of-significance-dec-7-09.pdf?la=en> (explaining methodology for previous project-level GHG threshold).

<sup>4</sup> Justification Report at 12.

<sup>5</sup> CEC, *2018 Integrated Energy Policy Report Update, Vol. II* at 18 (Jan. 2019) (“2018 IEPR Update”), <https://efiling.energy.ca.gov/getdocument.aspx?tn=226392>

Consistent with the CEC’s findings, the California Public Utilities Commission (“CPUC”) recently issued a Proposed Decision that would end gas line extension allowances, finding that “gas line subsidies encourage gas use by providing incentives to builders to install more gas appliances, perpetuating a continued reliance on the gas system both now and over the life of the appliance, and offsetting if not reversing any GHG emission reduction benefits secured through other decarbonization measures.”<sup>6</sup> Accordingly, the CPUC found, subsidies for these new gas connections “work against today’s climate goals and conflict[] with SB 32 and 1477.”<sup>7</sup> This reflects the growing consensus that aggressive electrification will be needed to achieve the state’s climate goals. Indeed, the 2022 Title 24 update already requires heat pumps as a baseline for either space or water heating in single-family homes, as well as a heat pump space heating standard for new multi-family homes and businesses.<sup>8</sup> In addition, any new mixed-fuel single-family homes must already be electric-ready so they can “easily convert from natural gas to electric in the future.”<sup>9</sup>

Earthjustice strongly cautions against using approaches to determine the significance of Project GHG impacts that involve comparisons against “business-as-usual” emissions or a per capita emissions metric. In *Center for Biological Diversity v. Cal. Dept of Fish & Wildlife* (2015) 62 Cal.4th 204, the California Supreme Court held that determining the significance of project GHG impacts by comparing project emissions with emissions under a business-as-usual scenario derived from statewide emissions reduction goals under AB 32 lacked substantial evidence. For similar reasons, use of statewide per capita emissions metrics to determine the significance of project emissions has also been rejected for the purpose of determining project GHG impacts under CEQA. As the court held in *Golden Door Properties LLC*, “using a statewide criterion requires substantial evidence and reasoned explanation to close the analytical gap left by the assumption that the ‘level of effort required in one [statewide] context . . . will suffice in the other, a specific land use development.’” *Golden Door Properties LLC v. County of San Diego* (2018) 27 Cal.App.5th 892, 904 (quoting *Center for Biological Diversity*, 62 Cal.4th at 227). While use of a statewide per capita metric to determine the significance of GHG impacts may be useful for a General Plan, which examines collective community emissions of existing and proposed new development, it is not appropriate for projects that only govern new development.

**B. The Energy Impacts of Projects Connecting to the Gas System are Significant.**

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<sup>6</sup> R. 19-01-011, Phase III Decision Eliminating Gas Line Extension Allowances, Ten-Year Refundable Payment Option, and Fifty Percent Discount Payment Option Under Gas Line Extension Rules, at 27 (Aug. 8, 2022), <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M496/K415/496415627.PDF>.

<sup>7</sup> *Id.*

<sup>8</sup> See CEC, 2022 Building Energy Efficiency Standards Summary, at 9 (Aug. 2021), [https://www.energy.ca.gov/sites/default/files/2021-08/CEC\\_2022\\_EnergyCodeUpdateSummary\\_ADA.pdf](https://www.energy.ca.gov/sites/default/files/2021-08/CEC_2022_EnergyCodeUpdateSummary_ADA.pdf).

<sup>9</sup> *Id.*

A key purpose of the evaluation of project energy impacts under CEQA is “decreasing reliance on fossil fuels, such as coal, natural gas and oil.”<sup>10</sup> Addressing energy impacts of proposed projects requires more than mere compliance with Title 24 Building Energy Efficiency Standards.<sup>11</sup> Including gas hook-ups in new projects, and thereby perpetuating reliance on fossil fuels, is contrary to California’s energy objectives and should be considered a significant impact under CEQA.

In addition to the lock-in effect discussed above and its perpetuation of reliance on fossil fuel infrastructure, gas appliances are also inherently wasteful because they are significantly less efficient than their electric alternatives. Heat pumps for space and water heating are substantially more efficient than their gas counterparts. Because heat pumps use electricity to move heat around rather than creating heat, their efficiency is far greater than 100 percent (energy services delivered are much greater than energy input). For example, gas water heaters advertised by Rheem, a major water heating manufacturer, have uniform efficiency factor (“UEF”) of 0.58 – 0.83.<sup>12</sup> In contrast, Rheem’s heat pump water heaters have UEFs between 3.7 and 4.0, making them roughly four to seven times more efficient than gas alternatives.<sup>13</sup> As recognized by the CEC, “[u]sing heat pumps for space and water heating, as well as other uses, is cost-effective in the long run simply because electrification technologies can be significantly more efficient than natural gas technologies.”<sup>14</sup> Given the low inherent efficiencies of gas space and water heating as compared to heat pump options, homes that continue to rely on gas cannot be reasonably construed as “the wise and efficient use of energy” and therefore result in significant energy impacts under CEQA.

### **C. The Health/Air Quality Impacts of Projects Connecting to the Gas System are Significant.**

CEQA also requires consideration of “health and safety problems” that may result from a project’s emissions.<sup>15</sup> Indeed, Section III.(d) of Appendix G of the CEQA Guidelines specifically asks a lead agency to evaluate if the project would “[e]xpose sensitive receptors to substantial pollutant concentrations.”<sup>16</sup> The health and safety hazards of gas-burning appliances in buildings are well-documented by the California Air Resources Board (“CARB”), the CEC, and numerous peer-reviewed academic studies. In a Board-adopted resolution, CARB determined that that “cooking emissions, especially from gas stoves, are associated with

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<sup>10</sup> CEQA Guidelines, Appendix F, Sec. I.

<sup>11</sup> See *California Clean Energy Committee v. City of Woodland* (2014) 225 Cal.App.4th 173, 211.

<sup>12</sup> Rheem, *Gas Water Heaters*, [https://www.rheem.com/products/residential/water-heating/tank/residential\\_gas/](https://www.rheem.com/products/residential/water-heating/tank/residential_gas/).

<sup>13</sup> Rheem, *Professional Prestige Series ProTerra Hybrid Electric Water Heater with LeakGuard*, <https://www.rheem.com/group/rheem-hybrid-electric-water-heater-professional-prestige-series-hybrid-electric-water-heater>.

<sup>14</sup> 2018 IEPR Update at 32.

<sup>15</sup> CEQA Guidelines § 15126.2; see also *Sierra Club v. County of Fresno* (2018) 6 Cal. 5th 502, 520 (requiring an EIR to not only discuss air quality impacts and human health impacts separately, but to draw a connection between the two segments of information, to “meet CEQA’s requirements.”).

<sup>16</sup> CEQA Guidelines, Appendix G, Sec. III(d).

increased respiratory disease.”<sup>17</sup> Children in homes with gas stoves are particularly at risk. A meta-analysis examining the association between gas stoves and childhood asthma found that “children in homes with gas stoves have a 42 percent increased risk of experiencing asthma symptoms (current asthma)” and “a 24 percent increased risk of ever being diagnosed with asthma by a doctor (lifetime asthma).”<sup>18</sup> Other health effects observed in children from exposure to nitrogen dioxide (“NO<sub>x</sub>”), which is a byproduct of gas combustion, include cardiovascular effects, increased susceptibility to allergens and lung infections, irritated airways and other aggravated respiratory symptoms, and learning deficits.<sup>19</sup> As found repeatedly by peer-reviewed studies, combustion of gas in household appliances produces harmful indoor air pollution, including carbon monoxide, nitric oxide and nitrogen dioxide, formaldehyde, acetaldehyde, and ultrafine particles, often in excess of the levels set out by the California Ambient Air Quality Standards and the National Ambient Air Quality Standards.<sup>20</sup> CARB has therefore recognized “the conclusion of recent studies that 100 percent electrification of natural gas appliances in California would result in significant health benefits.”<sup>21</sup> Accordingly, projects that permit gas appliances such as stoves have significant air quality impacts under CEQA.

Gas appliances contribute to indoor air pollution even when they are not turned on. A recent study sampling the gas supply to home appliances also found additional harmful pollutants present, including the Hazardous Air Pollutants benzene and hexane in 95% and 98%

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<sup>17</sup> CARB, *Combustion Pollutants & Indoor Air Quality*, <https://perma.cc/J6YH-VVZH> (as of March 30, 2022).

<sup>18</sup> Brady Seals & Andee Krasner, *Gas Stoves: Health and Air Quality Impacts and Solutions*, Rocky Mountain Institute, Physicians for Social Responsibility, and Sierra Club, at 13 (2020), <https://rmi.org/insight/gas-stoves-pollution-health/>.

<sup>19</sup> *Id.*

<sup>20</sup> See, e.g., Jennifer M. Logue et al., *Pollutant Exposures from Natural Gas Cooking Burners: A Simulation-Based Assessment for Southern California*, 122 *Env’t Health Perspectives* 43, 43–50 (2014), <http://dx.doi.org/10.1289/ehp.1306673> (modeling exposure rates for gas stove pollutants and finding that “62%, 9%, and 53% of occupants are routinely exposed to NO<sub>2</sub>, CO, and HCHO levels that exceed acute health-based standards and guidelines” and that “reducing pollutant exposures from [gas stoves] should be a public health priority.”); John Manuel, *A Healthy Home Environment?*, 107 *Env’tl. Health Perspectives* 352, 352–57 (1999), <https://doi.org/10.1289/ehp.99107a352> (finding that gas furnaces and other gas appliances can be sources of unsafe indoor carbon monoxide concentrations); Nasim A. Mullen et al., *Impact of Natural Gas Appliances on Pollutant Levels in California Homes*, Lawrence Berkeley Nat’l Lab’y (Dec. 2012), [https://eta-publications.lbl.gov/sites/default/files/impact\\_of\\_natural\\_gas\\_appliances.pdf](https://eta-publications.lbl.gov/sites/default/files/impact_of_natural_gas_appliances.pdf) (finding that concentrations of NO<sub>2</sub>, NO<sub>x</sub>, and carbon monoxide were associated with use of gas appliances); Dr. Zhu et al., *Effects of Residential Gas Appliances on Indoor and Outdoor Air Quality and Public Health in California*, UCLA Fielding School of Pub. Health, (Apr. 2020), <https://ucla.app.box.com/s/xyzt8jclixnetiv0269qe704wu0ihif7> (finding that gas combustion appliances are associated with higher concentrations of NO<sub>2</sub>, NO<sub>x</sub>, CO, fine particulate matter, and formaldehyde in indoor air, and discussing the health impacts of acute and chronic exposure to each pollutant).

<sup>21</sup> CARB Resolution 20-32, *California Indoor Air Quality Program Update*, at 2 (Nov. 19, 2020), <https://ww3.arb.ca.gov/board/res/2020/res20-32.pdf>.

of samples, respectively, among others.<sup>22</sup> These pollutants have serious health impacts, particularly given that residential appliances can last for upwards of ten years, and residents may be repeatedly exposed to their pollution multiple times daily. For example, in addition to being a known carcinogen, non-cancer long-term health effects of exposure to benzene include “harmful effects on the bone marrow,” “excessive bleeding,” and can compromise the immune system.<sup>23</sup> Similarly, “[c]hronic inhalation exposure to hexane is associated with sensorimotor polyneuropathy in humans, with numbness in the extremities, muscular weakness, blurred vision, headache, and fatigue,” and animal studies have shown “pulmonary lesions” as well as damage to reproductive organs following chronic inhalation exposure.<sup>24</sup> These pollutants were present in the gas supplied to home appliances prior to combustion, and a 2022 study also found that most gas stoves leak supply gas “continuously” even while turned off.<sup>25</sup>

## II. Building Electrification is Feasible and Effective Mitigation to Reduce Project GHG, Energy, and Health Impacts.

A lead agency may not lawfully approve a project where “there are feasible alternatives or feasible mitigation measures available which would substantially lessen [its] significant environmental effects.”<sup>26</sup> Only when feasible mitigation measures have been exhausted may an agency find that overriding considerations exist that outweigh the significant environmental effects.<sup>27</sup> This mandate—to avoid, minimize and mitigate significant adverse effects where feasible—has been described as the “most important” provision of the law.<sup>28</sup>

Eliminating natural gas use in new buildings is feasible mitigation that will substantially lessen the Project’s GHG, energy, and air quality/health impacts. For example, in *Residential Building Electrification in California*, Energy and Environmental Economics (“E3”) determined that “electrification is found to reduce total greenhouse gas emissions in single family homes by approximately 30 to 60 percent in 2020, relative to a natural gas-fueled home.”<sup>29</sup> Moreover, “[a]s the carbon intensity of the grid decreases over time, these savings are estimated to increase

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<sup>22</sup> Drew R. Michanowicz et al., *Home is Where the Pipeline Ends: Characterization of Volatile Organic Compounds Present in Natural Gas at the Point of the Residential End User*, *Environ. Sci. Technol.* 2022, 56, 10258–10268 at 10262 (Jun. 2022), <https://pubs.acs.org/doi/pdf/10.1021/acs.est.1c08298>.

<sup>23</sup> See Centers for Disease Control and Prevention, *Facts about Benzene*, [https://emergency.cdc.gov/agent/benzene/basics/facts.asp#:~:text=\(Long%2Dterm%20exposure%20mean%20exposure,increasing%20the%20chance%20for%20infection](https://emergency.cdc.gov/agent/benzene/basics/facts.asp#:~:text=(Long%2Dterm%20exposure%20mean%20exposure,increasing%20the%20chance%20for%20infection).

<sup>24</sup> U.S. Env. Prot. Agency, *Hexane*, <https://www.epa.gov/sites/default/files/2016-09/documents/hexane.pdf>.

<sup>25</sup> Eric D. Lebel, et al., *Methane and NO<sub>x</sub> Emissions from Natural Gas Stoves, Cooktops, and Ovens in Residential Homes*, *Environ. Sci. Technol.* 2022, 56, 4, at 2534 (Jan. 27, 2022), <https://doi.org/10.1021/acs.est.1c04707>.

<sup>26</sup> Pub. Res. Code § 21002.

<sup>27</sup> *Id.* § 21081; see also CEQA Guidelines 15091(a).

<sup>28</sup> *Sierra Club v. Gilroy City Council*, 222 Cal. App. 3d 30, 41 (1990).

<sup>29</sup> E3, *Residential Building Electrification in California*, at iv (Apr. 2019), [https://www.ethree.com/wp-content/uploads/2019/04/E3\\_Residential\\_Building\\_Electrification\\_in\\_California\\_April\\_2019.pdf](https://www.ethree.com/wp-content/uploads/2019/04/E3_Residential_Building_Electrification_in_California_April_2019.pdf).



to approximately 80 to 90 percent by 2050, including the impacts of upstream methane leakage and refrigerant gas leakage from air conditioners and heat pumps.”<sup>30</sup> As shown in the graph below, the GHG savings from heat pumps are substantial today and will only increase as California continues to decarbonize its grid as required under SB 100.

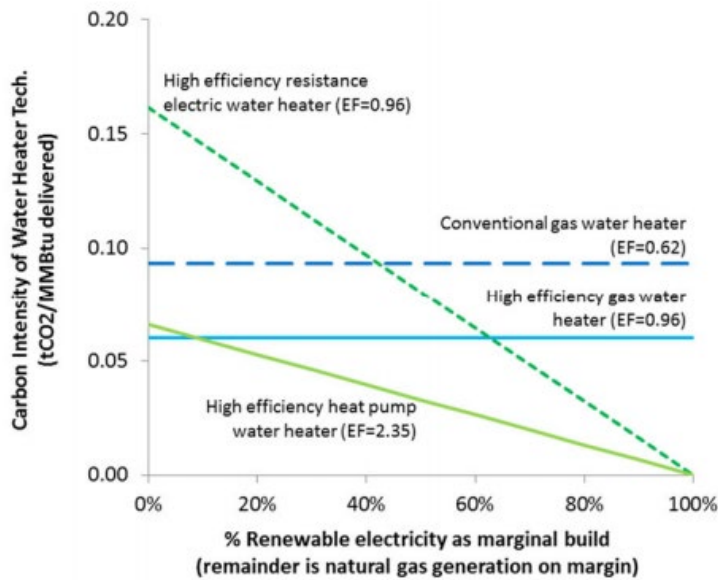


Figure 3. Carbon intensity of water heater technologies, as a function of renewable electricity percentage. Source: Author’s calculations

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In contrast, because gas appliance will generate the same level of pollution over their lifetime, their emissions relative to electric alternatives will increase over time and increasingly interfere with achievement of California’s climate objectives.

Numerous local jurisdictions have also adopted all-electric building policies for a variety of building types, demonstrating the feasibility of all-electric new construction. For example, San Francisco adopted an ordinance effective June 2021 prohibiting gas in new construction for all building types, with narrow exceptions.<sup>32</sup> Several other California municipalities have adopted similar legislation, including Berkeley, San Luis Obispo, and Half Moon Bay, and the City of Los Angeles is close behind.<sup>33</sup>

<sup>30</sup> *Id.*

<sup>31</sup> Amber Mahone et al., *What If Efficiency Goals Were Carbon Goals*, at 9-7, American Council for an Energy-Efficient Economy (2016), [https://aceee.org/files/proceedings/2016/data/papers/9\\_284.pdf](https://aceee.org/files/proceedings/2016/data/papers/9_284.pdf).

<sup>32</sup> San Francisco Building Code § 106A.1.17.1, [https://codelibrary.amlegal.com/codes/san\\_francisco/latest/sf\\_building/0-0-0-92027](https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_building/0-0-0-92027).

<sup>33</sup> See, e.g., San Luis Obispo Ordinance No. 1717, <http://opengov.slocity.org/WebLink/DocView.aspx?id=162695&dbid=0&repo=CityClerk>, (prohibiting natural gas in new construction effective January 1, 2023, with narrow commercial availability and viability exceptions); Los Angeles City Council Motion, [https://drive.google.com/file/d/1KLRBqAT2sj2sQJd2NKGtME8WX5ZEn\\_9/view](https://drive.google.com/file/d/1KLRBqAT2sj2sQJd2NKGtME8WX5ZEn_9/view), (directing Los

All-electric new construction is also a feasible mitigation measure to avoid the health impacts of gas, particularly the indoor air pollution impacts in residential buildings. For example, Marin Clean Energy developed its Low-Income Families and Tenants (“LIFT”) Pilot Program to reduce energy burdens and improve quality of life for residents in income-qualified multifamily properties through energy efficiency, electrification, and health, safety, and comfort upgrades.<sup>34</sup> An evaluation of the LIFT Pilot found that on a per dwelling basis, participants who received heat pump replacements for gas or propane heating equipment saw reductions of greenhouse gases by over one ton of CO<sub>2</sub> per dwelling, NO<sub>x</sub> reductions of close to 1 pound, and carbon monoxide reductions of more than 2 pounds.<sup>35</sup> Notably, because the national health and safety limit for carbon monoxide is 1 pound annually, residents had been living with unsafe carbon monoxide levels. Heat pump installation virtually eliminated this pollution source.<sup>36</sup> In addition to direct health benefits from reduced pollution, tenants reported increased comfort, with “indoor air temperature being just right even on very hot days,” better air quality and reduced noise.<sup>37</sup> Electrifying gas end uses in buildings demonstrably mitigates not only building emissions but their associated health and safety impacts.

All-electric building design is also economically feasible under CEQA. When considering economic feasibility of alternatives under CEQA, courts consider “whether the marginal costs of the alternative as compared to the cost of the proposed project are so great that a reasonably prudent [person] would not proceed with the [altered project].”<sup>38</sup> That is, even if an alternative is *more* expensive than the original plan, “[t]he fact that an alternative may be more expensive or less profitable is not sufficient to show that the alternative is financially infeasible.”<sup>39</sup>

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Angeles city agencies to develop a plan within six months that will “require all new residential and commercial buildings in Los Angeles to be built so that they will achieve zero-carbon emissions,” to be effective January 1, 2023); Half Moon Bay Municipal Code § 14.06.030, <https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay14/HalfMoonBay1406.html#14.06.030>, (requiring all-electric construction for all new buildings, effective March 17, 2022). *See also* Sierra Club, *California’s Cities Lead the Way on Pollution-Free Homes and Buildings*, <https://www.sierraclub.org/articles/2021/07/californias-cities-lead-way-pollution-free-homes-and-buildings>, (running list of California municipalities with gas-free buildings commitments and electrification building codes).

<sup>34</sup> DNV, MCE Low-Income Families and Tenants Pilot Program Evaluation at 1 (Aug 5, 2021) <https://www.mcecleanenergy.org/wp-content/uploads/2021/07/MCE-Low-Income-Families-and-Tenants-Pilot-Program-Evaluation.pdf>.

<sup>35</sup> *Id.* at 28.

<sup>36</sup> *Id.* at 29.

<sup>37</sup> *Id.* at 4, 35 (Aug 5, 2021) <https://www.mcecleanenergy.org/wp-content/uploads/2021/07/MCE-Low-Income-Families-and-Tenants-Pilot-Program-Evaluation.pdf>.

<sup>38</sup> *SPRAWLDEF v. San Francisco Bay Conservation and Development Comm’n* (2014) 226 Cal. App. 4th 905, 918 (citing *Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal. App. 4th 587, 600).

<sup>39</sup> *Id.* (citing *Center for Biological Diversity v. Cty. of San Bernardino* (2010) 185 Cal. App. 4th 866, 833).

All-electric building design for new construction indisputably financially feasible because it is now cheaper than mixed-fuel construction.<sup>40</sup> The CEC has found that capital costs for all-electric single family homes are “several thousand dollars less expensive than mixed-fuel homes.”<sup>41</sup> For mid-rise multi-family homes, “[a]n average reduction of \$3,300 per unit was found” by avoiding the costs of gas piping, venting, and trenching to connect to the gas system.<sup>42</sup> Indeed, as noted in Redwood Energy’s A Zero Emissions All-Electric Multifamily Construction Guide, “[i]n the downtown of a city like Los Angeles, just trenching and piping gas to an apartment building in a busy street can cost \$140,000.”<sup>43</sup> Moreover, there are additional embedded savings from faster build-out (related to not having to install gas plumbing and piping inside of the home), and by installing one heat pump instead of a separate furnace and air conditioning. As the CPUC has proposed to eliminate gas line extension allowances for all customer classes starting in July 2023, the infrastructure buildout to support gas hookups will raise costs of projects connecting to the gas system even more than before, when line extensions were subsidized.<sup>44</sup> Additionally, as discussed above, the 2022 update to the Title 24 Building Code already requires heat pumps as a baseline for space or water heating, and requires panel upgrades and other space modifications in any new mixed-fuel homes to ensure they are electric-ready when they inevitably convert to all-electric.<sup>45</sup> As a result, mixed-fuel design in new construction is likely *less* financially feasible than all-electric design, in addition to imposing significant GHG, energy, and health impacts.

Now is the critical window for the County to jump-start this transition away from gas to clean energy buildings. CEQA is an essential vehicle to take all feasible action to reduce GHGs and limit further expansion of gas infrastructure. To comply with CEQA, we urge incorporation of all-electric building design into the Questhaven Project.

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<sup>40</sup> See CARB, Draft 2022 Scoping Plan, Appendix F: Building Decarbonization, at 14–15 (May 2022) (finding that “all-electric new construction is one of the most cost-effective near-term applications for building decarbonization efforts,” and that all-electric new construction is crucial in particular because “it is less costly to build, avoids new pipeline costs to ratepayers, and avoids expensive retrofits later.”), <https://ww2.arb.ca.gov/sites/default/files/2022-05/2022-draft-sp-appendix-f-building-decarbonization.pdf>.

<sup>41</sup> See CEC, Final 2021 Integrated Energy Policy Report Volume I: Building Decarbonization at 89 (Feb. 2022), <https://efiling.energy.ca.gov/GetDocument.aspx?tn=241599>, (citing E3, *Residential Building Electrification in California: Consumer Economics, Greenhouse Gases and Grid Impacts*, [https://www.ethree.com/wp-content/uploads/2019/04/E3\\_Residential\\_Building\\_Electrification\\_in\\_California\\_April\\_2019.pdf](https://www.ethree.com/wp-content/uploads/2019/04/E3_Residential_Building_Electrification_in_California_April_2019.pdf)).

<sup>42</sup> CEC, *California Building Decarbonization Assessment*, at 83 (Aug. 13, 2021) (“CEC Building Decarbonization Assessment”), <https://efiling.energy.ca.gov/GetDocument.aspx?tn=239311>.

<sup>43</sup> Redwood Energy, A Zero Emissions All-Electric Multifamily Construction Guide at 2 (2019), <https://fossilfreebuildings.org/ElectricMFGuide.pdf>

<sup>44</sup> R. 19-01-011, Phase III Decision Eliminating Gas Line Extension Allowances, Ten-Year Refundable Payment Option, and Fifty Percent Discount Payment Option Under Gas Line Extension Rules, (Aug. 8, 2022), <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M496/K415/496415627.PDF>.

<sup>45</sup> See CEC, 2022 Building Energy Efficiency Standards Summary, at 9 (Aug. 2021), [https://www.energy.ca.gov/sites/default/files/2021-08/CEC\\_2022\\_EnergyCodeUpdateSummary\\_ADA.pdf](https://www.energy.ca.gov/sites/default/files/2021-08/CEC_2022_EnergyCodeUpdateSummary_ADA.pdf).

Please contact Rebecca Barker at [rbarker@earthjustice.org](mailto:rbarker@earthjustice.org), and Matt Vespa at [mvespa@earthjustice.org](mailto:mvespa@earthjustice.org) with any questions or concerns, and please include each of us in future notifications on the Project's development.

Sincerely,

Matt Vespa  
Senior Attorney  
Earthjustice  
50 California Street, Suite 500  
San Francisco, CA 94111  
[Email: mvespa@earthjustice.org](mailto:mvespa@earthjustice.org)  
Telephone: (415) 217-2123

Rebecca Barker  
Associate Attorney  
Earthjustice  
50 California Street, Suite 500  
San Francisco, CA 94111  
[Email: rbarker@earthjustice.org](mailto:rbarker@earthjustice.org)  
Telephone: (415) 217-2056