

ATTACHMENT C

Environmental Review Update Checklist Form For Projects with Previously Approved Environmental Documents

FOR PURPOSES OF CONSIDERATION OF ENVIRONMENTAL REVIEW FOR GREGORY CANYON LANDFILL PROJECT

The California Environmental Quality Act (CEQA) Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted Negative Declaration (ND) or a previously certified environmental impact report (EIR) covering the project for which a subsequent discretionary action is required. This Environmental Review Update Checklist Form has been prepared in accordance with CEQA Guidelines Section 15164(e) to explain the rationale for determining whether any additional environmental documentation is needed for the Gregory Canyon landfill project prior to approval of the solid waste facility permit. The previously certified EIR for purposes of this analysis is the Revised Final Environmental Impact Report (Revised Final EIR), which was certified by the Director of the County of San Diego, Department of Environmental Health acting as Local Enforcement Agency (LEA) on May 31, 2007

1. Background On Certified EIR For Gregory Canyon Project:

The Revised Final EIR for the Gregory Canyon landfill project found the project would result in significant and unavoidable impacts in the following areas: (1) significant and unavoidable project-related and cumulatively significant traffic impacts on SR 76, I-15, and intersections of SR 76 and I-15; (2) significant and unavoidable project-related and cumulative noise impacts to residents along SR 76, Camino del Norte/Camino del Sur, and I-15; (3) significant and unavoidable air quality impacts from project construction and operation; (4) significant and unavoidable impacts to archaeological and cultural resources from project construction and operation; (5) significant and unavoidable impacts to ethnohistorical and Native American resources from project construction and operation; and (6) a significant and unavoidable visual impact caused by the landfill footprint.

2. Name and address: County of San Diego Solid Waste Local Enforcement Agency 5500 Overland Avenue, San Diego, CA 92123

Contact: KariLyn Merlos
Phone number: (858) 694-3595
E-mail: Kari.Lyn.Merlos@sdcounty.ca.gov

3. Project applicant's name and address: Gregory Canyon Ltd. LLC c/o James Simmons, 160 Industrial Street, Suite 200, San Marcos, CA 92078

4. Summary of the activities authorized by present permit/entitlement applications: Solid Waste Facility Permit for Gregory Canyon Landfill.

5. Does the project for which a subsequent discretionary action is now proposed differ in any way from the previously approved project?

YES

Please refer Section VI of the CEQA Project Findings, Attachment B

DETERMINATION:

On the basis of this analysis, the Local Enforcement Agency has determined that:

- No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously adopted certified EIR is adequate without modification.
- No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous DR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, because the project is a residential project in conformance with, and pursuant to, a Specific Plan with a ER completed after January 1, 1980, the project is exempt pursuant to CEQA Guidelines Section 15182.
- Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However all new significant environmental effects or a substantial increase in severity of previously identified significant effects are clearly avoidable through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT ND is required.
- Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND or EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT or SUPPLEMENTAL EIR is required.

<hr/>	May 11, 2011
Jack Miller 	Director, San Diego County Department of Environmental Health