

## Hingtgen, Robert J

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**From:** Gungle, Ashley  
**Sent:** Friday, February 14, 2014 7:52 AM  
**To:** 'Dennis Ritz'; Hingtgen, Robert J  
**Subject:** RE: Soitec Solar Development Program Environmental Impact Report PDS2012-3910-12005

Mr. Ritz,

We are in receipt of your comment letter dated February 10, 2014 and have included that letter as a public review comment.

I did want to provide you with additional information on your two questions below. If you have additional comments, please free to submit those as well. The public review period for this project has been extended until March 3, 2014. The Notice of Extended Public Review Period can be found at <http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/2014-02-12-Legal-Ad-Notice-of-Extended-Public-Review-Period-Soitec-Solar.pdf>.

*1. Our observatories are located within the map indicating 'sensitive' properties (red crosshatch below). Parcels to our south, east and west are 'sensitive', map figure EIR 2.5-4. Below is the map with an arrow pointing to our property. PEIR page 2.5-26 describes 'sensitive' land uses, but provides no criteria. Our question is: what are the criteria for 'sensitive'? The San Diego Astronomy Association believes our dark night sky observatories at TDS are clearly 'sensitive' to the proposed solar farm night lighting.*

**Response:** The Land Use Section of the EIR (Section 2.5) defined sensitive land uses as follows (see page 2.5-1 of the EIR): Sensitive land uses are land uses that are particularly susceptible to construction and operational disturbances (such as noise and traffic) and include residences, schools, recreational facilities, and medical facilities. Based on the use of your property, if you feel the site qualifies as a sensitive use, please provide this as a public review comment and staff and the applicant will further evaluate the site and determine if revisions are needed.

*2. The next corollary question is whether designation as 'sensitive' impacts our ability to ask/require mitigation measures be required/accepted by the proposer? Do we need to be designated as 'sensitive' to request mitigation; how does the 'sensitive' designation affect our mitigation requests.*

**Response:** The designation as a sensitive land use on Figure 2.5-4 does not necessarily correlate to the ability to require mitigation. At this time, there has been determined to be a less than significant impact in land use resulting from the Tierra Del Sol project and therefore, no mitigation has been proposed. If you feel that there is a significant impact to land use or another subject area in the EIR that has not been appropriately mitigated, please provide a public review comment and staff and the applicant will evaluate your comments.

Please let me know if you have any additional questions.

Thank you,

Ashley

Ashley Gungle  
Land Use/ Environmental Planner

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"How to access Zoning Information "online"; Open website: <http://www.sdcounty.ca.gov/pds>; click on "Online Services", scroll down and click on "Find Maps" (GIS); scroll down and click on "Property Profile Map"; enter APN and click "Submit".

"How to access the Zoning Ordinance "online"; Open website: <http://www.sdcounty.ca.gov/pds>; click on "Zoning Ordinance", click Part Two for Use Regulations, etc.

Please consider the environment before printing this email. 

**From:** Dennis Ritz [mailto:dennisritz@gmail.com]

**Sent:** Friday, February 07, 2014 1:57 PM

**To:** Gungle, Ashley; Hingtgen, Robert J

**Subject:** Soitec Solar Development Program Environmental Impact Report PDS2012-3910-12005

Dear Mr. Hingtgen and Ms. Gungle,

The San Diego Astronomy Association owns 10 acres within 1,000 feet of the proposed TDS Soitec solar farm project and the Board has asked me to keep informed. I delivered our initial comments to SD County PDS desk 58 yesterday, gave you copies at the Boulevard Planning meeting last night, and have attached the unsigned copy for your reference. Last night's meeting was a first for me; the developments are clearly quite controversial. We have two preliminary questions to which we hope you can respond before the official response is prepared after the Feb 17 deadline. I didn't know which of you may be best to reply, so have sent to both, please respond via email as appropriate.

1. Our observatories are located within the map indicating 'sensitive' properties (red crosshatch below). Parcels to our south, east and west are 'sensitive', map figure EIR 2.5-4. Below is the map with an arrow pointing to our property. PEIR page 2.5-26 describes 'sensitive' land uses, but provides no criteria. Our question is: what are the criteria for 'sensitive'? The San Diego Astronomy Association believes our dark night sky observatories at TDS are clearly 'sensitive' to the proposed solar farm night lighting.

2. The next corollary question is whether designation as 'sensitive' impacts our ability to ask/require mitigation measures be required/accepted by the proposer? Do we need to be designated as 'sensitive' to request mitigation; how does the 'sensitive' designation affect our mitigation requests.

Thank you very much, we look forward to your response,

Dennis P Ritz

Recording Secretary

San Diego Astronomy Association

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