

May 1, 2024
COUNTY OF SAN DIEGO,
BORREGO SPRINGS COMMUNITY SPONSOR GROUP

*** APPROVED MINUTES***

Wednesday, May 1, 2024, 4:30 p.m.

THE PUBLIC IS ALWAYS WELCOME TO OUR MEETINGS
WE REPRESENT YOU WHEN ADVISING THE COUNTY OF SAN DIEGO
ON LAND USE ISSUES

A. CALL TO ORDER/ROLL CALL - All present

John Peterson, President
Judy Haldeman, Vice President
Bill Berkley - arrived at 4:45
Jim Dax
Bruce Durbin
Rebecca Falk
Bill Haneline
Nancy McRae, Secretary
Seat #7 - VACANT

B. APPROVAL OF MINUTES FOR THE MEETING of April 4, 2024

Motion to Approve: Rebecca Falk

Second: Jim Dax

Discussion: Falk suggested three changes which were made.

VOTE: MINUTES APPROVED - All voted to approve except Bruce Durbin who
Abstained

C. PUBLIC COMMUNICATION (may be limited to 3 min): Opportunity for members of the public to speak to the Group on any subject matter within the Group's jurisdiction that is not on the posted agenda.

Jim Wermers - Announced the Stewardship Council - Town Hall Visioning meeting at CRC (Community Resource Center) at 6:00 this evening. Meeting is about how BS should be in the future. Invited all to come.

No other comments from the Public.

D. ACTION ITEMS: Review of Draft letter BSCSG to County of San Diego regarding the proposed Rams Hill project. Draft Letter (DL) is included in agenda package.

Comments from the Public:

Cathy Milke - T2's Response to DL was read. Letter is attached to this document.

Comments from Sponsor Group:

Falk : Her understanding was that the DL was to influence in advance the scoping letter that the County would write to Rams Hill (RH). DL was addressed to Jim Desmond and many other people including the State Park, Water Master Board, Desmond's staff. She said it made it feel like a political move rather than addressing the County.

Comments that say "the community wants, the community needs, etc." - she said BSCSG can't do that based on the meeting that we had. Either have a vote under your belt or also show the disagreements. She questioned wording, for example "It is the community's understanding" - what does that even mean?

She had a major concern about water quality. Line 3 in the DL reduces that to engineering issues, so Falk did not feel her concern was accurately represented.

Haneline: He felt the DL sounded like we depend on RH and without them we'd be nothing. We need to strike that. RH was sitting fallow for awhile. BS does just fine with the park and visitors.

Dax: Thought the DL covered the concerns covered in the meeting - the view shed and 1600 ac. of dedicated open space.

Peterson: Purpose of DL came from motion of BSCSG. Difficult to wordsmith a letter than 25 people have input on. The purpose of the letter in John's mind was to be able to establish that the community is aware of the development, and that the BSCSG invited the community to hear from the developer and to hear pluses and minuses.

Falk: Change to "some members of the community" or "members of the community who were present," etc. But who are you trying to influence? Why is this going to everyone except the county staff who is working on it? Should be addressed to county staff person, not Jim Desmond.

Peterson: Carries more weight if it goes to the Supervisor, however, we can shorten that list down.

Falk: Please put something about the concern for future water quality. Should be expressed as a community concern.

Peterson: Need to soften language of DL. Need to add Mark Litman from RH. We can just send it to County staff.

Falk: Just respect the project manager.

Haneline reiterated his question (see above).

Durbin: Can he submit written changes he made? On DL it's the 3rd paragraph in the middle of first page. Remove last sentence.

Falk: Agrees, not our job to give the impression we pre-approve the project.

Motion to approve draft letter with changes: Jim Dax

Second: Bruce Durbin

VOTE: Approved unanimously. Note: Berkeley and McRae recused due to owning property in RH.

E. NON-ACTION ITEMS:

1. Update from Robin Joy Maxson regarding newly created seat on the SANDAG Board representing the unincorporated areas of San Diego County.

She is chair of the Association of Planning Groups (APG), and was voted to be the representative to SANDAG for their brand-new seat for unincorporated community

representation. SANDAG is the holder of the funds that come into the region - money goes into a big pot and the region plans what they need.

Cities have double representation - Mayor in on the Board and County is on the Board with a voting member. Unincorporated areas have only the County rep and they may or may not live in your area. The unincorporated area is the 2nd largest population base in county (second to city of SD). But we were absent from the table.

It is not a voting seat. She has found since January when she started that the presence is welcomed and overdue. She brings the perspective of the unincorporated area. Not there to represent Borrego Springs per se. She is there to work with SANDAG, for example, here's your sheet on projects and funding, what's going on in the unincorporated areas? Very little. We also have needs. 2025 budget has very little funding for unincorporated areas. Funding is mostly for coast and south bay. But her presence forces them to pay attention. Funding is limited, spend the \$ where it does the most good. We are 500,000 people. We deserve attention and funding. My goal as a rep is to continually point that out, provide solutions to gap in representation of funding.

Unincorporated areas (18 planning groups) banded together to get the seat on SANDAG. The community sponsor groups, whose members are appointed rather than elected, were not something SANDAG would get on board with, but the APG sent an invitation to the Sponsor Groups to join the APG. We declined, but the invitation is still open.

With her on the SANDAG board - the unincorporated area is present.

Betsy Knaak: Wanted to follow up on why the invitation was declined.

Falk: She was chair, but the group declined. Thinks the group should accept.

Durbin: Elaborated on the reason given for declining. He said the issue was - how could one person represent all the views of these unique communities in the unincorporated areas?

Maxon: APG meets 2x/year; she sends her meeting notes from her SANDAG meetings every month.

Peterson: APG meeting coming up on Saturday in 2 weeks.

Maxon: That is an APG meeting. Bonsall, Jacumba, Twin Oaks have joined APG.

Falk: Have you heard from Julian?

Mason: Not yet. APG is not another layer of government. We just inform and communicate among ourselves. Sponsor Groups should continue to do what they do and communicate directly to SANDAG as a community sponsor group.

Peterson: Will be at meeting 2 weeks from Saturday. Wants to put issue of joining APG back on as an action item at June meeting.

2. Dark Sky actions update. Presentation by Rouya Rasoulzabeh, Environmental Planner PDS

County Staff: Rouya Rasoutzadh - project manager for Dark Sky project in 2020.

Dennis Howe - Chief of Building, Building Division

Tony Apodaca, Electrical Plumbing Mechanical Coordinator - Building Div.

Vanessa Pash - Planning Manager - Code Enforcement Division

Luke Campanella - Building Enforcement Supervisor - Code Enforcement Div

Rouya: Together with BS and Julian, the County created Zone C specifically for communities that are dark sky certified. She is here to answer questions. She showed the Fact Sheet that had been developed in 2020. Said that dark sky organization guidelines and county code match. Gave all residents/private property owners 10 years to bring their lighting standards up to code. Public lighting (right of way, street lights, public safety) has 5 years.

County is compliance based - they don't go out and check. When you see something that is an issue, fill out form on line (Falk has sent link?).

Member of Public (MP): Can her fact sheet be obtained? Rouya - She will send it back to Falk. Is it available on web? No, project website has been taken down. Would be useful to have for public. BSCSG will send it out.

Falk: Please mention some other aspects of the plan.

Rouya: At sunset, commercial lights can be on while in business (I believe until 10 pm). If they are not in operation, they should turn off their lights. All lighting needs to be directed down.

Dennis Howe - Explained 5 and 10 year follow up. Two things: on line Sec 51-101 - Div 1 building regulations is where all lighting ordinances lives. 2nd document is a PDF that classifies what is allowed in Zone A and B before Zone C was created. Zone C was added into ordinance document. Zone A is around observatories at Palomar and Mt. Laguna. Zone B is everything else, until Zone C was created.

Falk: How are requirements enforced for new building? What provision for existing structures when lighting is updated? Also, an issue about what the ordinance does and doesn't do.

Howe: Photometric plan. Plan check review process for new projects. Some people get permits, if lighting is part of the project, it would be reviewed. If there's no building permit, they may have the electrician come in after. Some people may not understand that lighting needs to be reviewed or addressed. Should be bringing things up to the current code.

Haneline: Just spent last 3 nights 40 miles south and realized how bad our dark sky situation in Borrego has become. Things like a glaring barn light on pole in front yard.

County: Fill out form to turn person in. Q - Do they have 10 years to remove their barn light? - Answer is yes if residential.

McRae - Asked where is lighting policy/regulations easy to find online? After some discussion, it was determined that the Fact Sheet is no longer online because it was taken off when the project was completed. McRae said that it would be immensely helpful to have Zone C guidelines up on the County website, easy to read and understand, so that when people want to comply or have questions they have an authoritative place to go for answers. County said they would look into that.

Elizabeth Rodrigues - Dollar General Lighting Plan was reviewed by County. They were not in compliance. They did correct the lumens on a large sign and flood lights (flooding into private property) and parking lights. They are in compliance now. Everything around building site is dark, so the site looks like a Walt Disney attraction even with compliance. She has driven by after hours and their lights are on after 10:00. They're not on timers, so they're lit all night long. This has been reported and still has not been addressed by

Dollar General. There is an erosion of non-compliance with ordinance. It could lead to Borrego Springs losing its Dark Sky designation. We've got to get this info out to community. There should be a website where community residents can go for information.

MP: President of SD Dark Sky Coalition, Cathy Handcel. She's been thinking about "light wisely" campaign. If the county were to come up with a "light wisely" campaign - it would help save money, cut down on green house gases. Need to work lighting into climate action plan. Maybe the County could offer a lighting workshop.

Howe: Has the lighting wisely campaign been done by others? We would love to have a partnership in what goes up on to site.

Durbin: Wrote dark sky ordinance for LA County. Sent email to Howe with links to a lot of resources. Critically important to partner with organization like dark sky, SD astronomers, etc. Develop video. Offer to talk more.

Paul Erickson: Zone A (Palomar and Mt. Laguna) protected zone around observatories. Low pressure sodium is impossible to get. People don't know what to do to replace it. Zone A is also being eroded. Ordinance is not clear or specific enough. Request to do ordinance update for Zone A as well as Zone C.

Betsy Knaak: Wells Fargo cash machine is an example of issue that is difficult to deal with. We are not the lighting police, we're more about education. Dealt with them years ago, but when they changed out their lights more recently, they became very bright again. There are safety issues because of cash machine, but it goes on and on with no change. We're left with code enforcement, but there's the 10 year issue. There are still lighting codes, even in Zone B that we don't have to wait 10 years for.

Response from County: Reach out to code enforcement directly after meeting.

MP - Julian lighting is affected by whole county, even more so than by lighting in Julian. Need revisions to current zoning ordinances for the whole county. Basic ordinance is obsolete - technology has changed. Any prospect of having it updated in the near future? Does Zone C apply to school districts and CalFire?

Zouya- No immediate plan to update ordinance for County. CalFire and school district not under our jurisdiction.

MP - What do we have to do to get an ordinance update started? Response: The communities have to want that - a group of people/not just one or two people. Show that there is a need/want. Julian collected binders of support letters and brought that to the county.

Falk: Code enforcement. They used to come out at night when there were multiple issues. Response: They will still come out at night if there are enough transgressions.

MP: If we can't enforce the code until the end of the 10 year period, what good does that do? County response - It's going to take some time to get this rolling.

3. Discussion regarding speed limits on Palm Canyon Drive: presenter Bill Haneline.

February - radar set up, did a survey, engineers are happy with the way things are, so are going to keep the speed limits the same. A while ago a CHP officer said they can't use radar to enforce limits. Turns out it is enforceable by CHP. We have our downtown area, but it doesn't meet any specifications that meet the definition of downtown, so can't use that as a reason to slow down. Next scheduled speed survey will be in 2027.

Durbin - use street improvements that are occurring to do another survey. Our community could benefit from signs that say "Entering pedestrian zone" or something like that. Maybe use a symbol.

F. GROUP BUSINESS:

1. **Chair Report, status update on filling vacant seat #7.** Not much to report. Has an inquiry into County as to when Nancy Burke will be added to SG. Nothing from Desmond's office.

2. **Topics for future discussion at BSCSG meetings,** SDG&E service update on power grid, other? Peterson will be talking with Association of Planning Groups. McRae asked Berkeley about \$14M SDGE grant he is working on and asked that it be placed on future meeting agenda.

3. **Subcommittee Reports: None**

4. **Meeting Updates: None**

5. **Correspondence received:** Falk - Deadline was extended to May 23 to award contract for shade construction. Construction will be scheduled for during summer. Letter from T2.

G. ADJOURNMENT

MOTION: Falk

SECOND: Berkley

VOTE: Unanimous

The next regular meeting is scheduled for Wednesday, June 5, 2024 at 4:30 at the Borrego Springs Library Community Room, 2850 Country Club Rd, Borrego Springs, California and via Zoom.

UPCOMING STANDING SUBCOMMITTEE MEETINGS:

The Chair has appointed the following BSCSG Members to serve as points of contact for the following areas:

a) Road Maintenance, Bill Haneline

b) Dark Sky Ordinance and issues, Rebecca Falk

Emails sent to the Chair at petersonenv@hotmail.com will be forwarded to the appropriate person.

To sign up for County of San Diego email or text notices about various programs and topics that you can choose, visit: <https://public.govdelivery.com/accounts/CASAND/subscriber/new?preferences=true#tab1> or search for the program at the county you want to find and scroll down to their email sign up link.

T2 BORREGO LLC

Via Email

April 29, 2024

Mr. John Peterson
Chair, Borrego Springs Community Sponsor Group
Borrego Springs, CA 92004

Dear John:

Thank you for the opportunity to present at the Community Sponsor Group (“CSG”) meeting on April 4th. We enjoyed meeting with the community, presenting our project, and answering questions. I write today on behalf of T2 Borrego LLC and our team that was at the CSG meeting (Shannon, Rodney, myself, and our consultant Mark Linman).

I have reviewed the draft letter you circulated to the public (with a file name of “Draft new Final Letter pdf on Rams Hill April 19, 2024”). Your letter summarizes many comments from the meeting and addresses the community’s “questions and concerns”, which was the stated objective of the Rams Hill agenda item. Thank you to Jim Dax and you for drafting the letter. We will have more scientific data and information forthcoming, and we look forward to continuing the discussion with the community and the CSG, as this information will be responsive to some of the items raised and will be helpful for your understanding of the project. In your letter, I’d like to ask that you add Mark Linman’s name to the list of those who represented the project applicant. I also recommend you send the letter to Daniella at the County PDS so that it will be an official part of our project file.

As you know, we are actively participating in and hosting a series of community meetings to ensure that all Borregans are aware of and can discuss our project with us. It’s important to us that we include and engage our neighbors and community members who cannot attend evening meetings or who prefer to converse in Spanish. We were glad to present to the Borrego Water District and interested community members in August 2023, and we met with approximately 70 community members at our information session hosted at Borrego Springs Resort in late March 2024. Being able to present at the CSG meeting on April 4th allowed us to present more land-use specific items and discuss the positive impact we’ve had on the community over the last 10+ years. Thank you for acknowledging that the community would be interested in our project and asking us, back in February, to present at an upcoming meeting. As always, including the CSG in our meeting roster is a priority for us, as the CSG is an important conduit to the County. We know we will be before the Sponsor Group again, and we look forward to continuing our dialogue. If you believe it would be helpful to the CSG and community, we would be happy to work with and provide interim updates to a CSG committee.

Please reach out if you would like to discuss this letter, and thanks again for your service to Borrego.

Sincerely,



Cathryn R. Milkey
Senior Vice President, Rams Hill

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