

County of San Diego
BORREGO SPRINGS COMMUNITY SPONSOR GROUP
MEETING AGENDA

Thursday February 6, 2014 at 4:30 P.M.
Borrego Springs High School Community Room
2281 Diegueno Road, Borrego Springs, California

Administrative Items

- A. Call to Order
- B. Roll Call of Members
- C. Approval of the Agenda
- D. Members' review of maps and other printed materials for meeting: 15 minutes
- E. Consideration and approval of Minutes from the meetings of January 9, 2014
- F. Correspondence
- G. Committee reports
- H. Public Comment: an opportunity for members of the public to speak to the Sponsor Group on any subject matter within the group's jurisdiction that is not already on today's agenda, with a time limit of three minutes (3:00) per speaker.

Action Items

- A. PDS2012-3311-82-004-01 Borrego Sand and Rock discussion of possible extension of MUP. Calendared for possible action.

Non-Action Items

- A. Continuing discussion of Specific Plans & Special Study Areas in the Borrego Springs Community Plan of August 3, 2011, as updated subsequently.
- B. Community Facilities Districts and development in Borrego Springs.

The next regular meeting will be held March 6, 2014 at 4:30 P.M. at the Borrego Springs High School Community Room, 2281 Diegueno Road, Borrego Springs, CA 92004. **If this Agenda is revised, a revised copy will be posted 72 or more hours prior to the meeting. The final Agenda may include additional Administrative or Non-Action items.** For further information contact the Chair at Rich@BorregoValleyInn.com or (760) 767-3319. Address all U.S. Mail to: Rich Caldwell, Chair, Borrego Springs Community Sponsor Group, P.O. Box 1371, Borrego Springs, CA 92004-1371.

1 County of San Diego

2 **BORREGO SPRINGS COMMUNITY SPONSOR GROUP**

3 **MEETING MINUTES**

4 **Thursday, January 9, 2014 at 4:30 p.m.**

5 **Borrego Springs High School Community Room**

6 **2281 Diegueno Road, Borrego Springs, CA 92004**

7
8 **Administrative Items**

- 9 A. Call to Order – meeting called to order at 4:30 p.m.
- 10 B. Roll Call of Members – present: Caldwell, R; Caldwell, Dr. S; Haldeman, Falk. Absent:
11 Webb and Beltran
- 12 C. Approval of Agenda – Dr. Caldwell moved approval as submitted, Falk seconded,
13 unanimous approval.
- 14 D. Members’ review of maps and other printed materials for meeting – Phil Cleary
15 distributed maps of his property for discussion under Non-Action Items B.
- 16 E. Consideration and approval of Minutes from the meeting of December 5, 2013. Dr.
17 Caldwell moved approval of minutes as submitted, Haldeman seconded. Unanimous
18 approval.
- 19 F. Correspondence. None
- 20 G. Committee Reports. None
- 21 H. Public Comment. None

22
23 **Action Items**

- 24 **A.** Annual organizational meeting items, including: a) regular meeting schedule for
25 February 2014 through January 2015; and b) nomination and election of Chair, Vice
26 Chair, and Secretary to begin serving terms commencing with the end of this January
27 meeting and ending at the end of the January 2015 regular monthly meeting. Motion to
28 approve calendar for 2014 made by Falk, seconded by Dr. Caldwell. Unanimous
29 approval. Nomination of R. Caldwell for Chair moved by Haldeman, seconded by Dr.
30 Caldwell. Falk, Haldeman and Dr. Caldwell approved. R Caldwell abstained.
31 Nomination of Haldeman for Vice Chair moved by Dr. Caldwell, R. Caldwell seconded.

32 Falk, R. Caldwell and Dr. Caldwell approved. Haldeman abstained. Appointment of
33 secretary was postponed.

- 34 **B.** Consideration of candidates to recommend as a replacement for vacant seat #11,
35 expiring January 5, 2017. Bonnie Petrach submitted an application for consideration.
36 She stated that she had worked for San Diego County Housing and Human Development
37 for 27 years and is living full-time in Borrego Springs. She commented that she would
38 like the opportunity to give back to her community by joining the Sponsor Group.
39 Motion to recommend Petrach for seat #11 made by Haldeman, seconded by Dr.
40 Caldwell. Unanimous approval.
- 41 **C.** Discussion and possible action on a request for Sponsor Group support for County
42 Traffic Engineer's recommendation to install yield controls along Tilting T Drive at the
43 Flying H Road, Frying Pan Road and Double O Road intersections with the amendment
44 that the yield signs would be placed on the side streets. Motion by Falk to support the
45 County Traffic Engineer's recommendation to install yield controls along Tilting T Drive
46 at Flying H Road, Frying Pan Road and Double O Road. Seconded by Dr. Caldwell.
47 Unanimous approval.

48
49 **Non-Action Items**

- 50
51 **A.** Continuing discussion of Specific Plans and Special Study Areas in the Borrego
52 Springs Community Plan of August 3, 2011, as updated subsequently. Two study
53 groups were present today at 3:15 – Farmland and Christmas Circle for discussion.
- 54 **B.** Possible pre-application discussion of rezoning of commercial parcels at the
55 northeast corner of Ocotillo Drive and Palm Canyon Drive. Phil Cleary was present
56 to ask the Sponsor Group for its support to rezone two parcels that he owns along
57 Palm Canyon Drive from C42 to C36. R. Caldwell commented that he wants to keep
58 the zoning consistent with the Community Plan. Falk commented that a rezoning
59 brings up consistency issues with other property owners and asked if there was a
60 specific development planned for this parcel. Cleary stated that there was not a
61 specific development planned at this time.

62 Motion to adjourn meeting made at 5:22 p.m. by Falk with second by Dr. Caldwell. Unanimous
63 approval.

64
65 Minutes submitted by Haldeman substituting for Beltran.



MARK WARDLAW
Director

County of San Diego
PLANNING & DEVELOPMENT SERVICES

DARREN GRETLER
Assistant Director

5510 OVERLAND AVENUE, SUITE 110, SAN DIEGO, CALIFORNIA 92123
INFORMATION (858) 694-2960
TOLL FREE (800) 411-0017
www.sdcounty.ca.gov/pds

January 31, 2014

Mr. Myles Cooper
CEA Cooper Engineering Associates
8369 Vickers Street, Suite C
San Diego, California 92111

PROJECT NAME: Borrego Sand & Rock
RECORD ID: PDS2012-3311-82-004-01; **ENVIRONMENTAL LOG NO.:** 04-02-032
PROJECT ADDRESS: Rockhouse Truck Trail, Borrego Springs; **APN:** 140-050-01
TRUST ACCOUNT NO.: 12-D-04-0025048

Dear Mr. Cooper:

On September 19, 2013, the one year time extension of Major Use Permit (MUP) P77-064 expired. In order to remove the condition of requiring annual comprehensive CEQA reviews of P77-064, you have indicated that you would like to apply for a MUP modification to extend the use period for the anticipated life of the mine. With approval of the MUP modification, annual time extensions of P77-064 would no longer be necessary. This letter provides guidance for project processing of a MUP modification along with the Reclamation Plan amendment of RP82-004 which is already being processed.

COMMUNITY SPONSOR GROUP COORDINATION

Planning & Development Services (PDS) strongly recommends coordination with the Borrego Sponsor Group prior to application submittal, as the Department will consider comments from applicable community groups in its decision making process. See the following links for a list of the Sponsor Group chairperson and contact information:

Planning and Sponsor Group: <http://www.sdcounty.ca.gov/PDS/docs/plngchairs.pdf>

PROJECT DESCRIPTION

Below is the project description that staff has generated from the information provided by you in an e-mail dated December 4, 2013. Please review this project description and verify with staff that the project description is correct:

The project is a Major Use Permit Modification and Reclamation Plan amendment for an existing mining operation which produces sand, rock, and gravel materials for construction projects. The mine also utilizes a concrete batching plant. The existing Major Use Permit requires annual time extensions that require a CEQA determination before each extension is approved. The purpose of the modification of the Major Use Permit is to change the annual time extension requirement to a 15 year time extension. The Reclamation Plan amendment will include revising the existing Reclamation Plan to current standards.

The project would cover the same 48.9-acre boundary with the same 29.8-acre extraction area as the previously approved Major Use Permit P77-64W1 and Reclamation Plan RP82-004. The project has the same specifications of what was originally approved for mining. This includes a maximum depth of the pit to be six feet at final landform with slopes six horizontal to one vertical (6:1) to ten horizontal to one vertical (10:1) in gradient. Approximately 80,000 cubic yards of material have been mined at the site since 1982. Approximately 210,000 cubic yards of the original authorized 290,000 cubic yards would be removed as part of this project. About 15% of the extracted material is spoil (unsuitable for sale) and will be stockpiled for future reclamation. Therefore, approximately 178,500 cubic yards of material remain to be exported off-site. Extraction would occur at a rate of approximately 14,000 to 21,000 cubic yards per year (12,000 to 18,000 cubic yards exported off-site) for a total of 10 to 15 years additional mining.

At final reclamation, all disturbed areas will be vegetated to restore native flora over the gently sloping pit floor with cut slopes ranging from six horizontal to one vertical (6:1) to ten horizontal to one vertical (10:1) in gradient to be blended into the natural topography. The project anticipates an end use after reclamation as agriculture (horticultural use, tree crops, row crops and field crops, and/or packing and processing) or left as undeveloped land to naturally blend with adjacent Anza-Borrogo State Park land. The pit floor could be utilized for future uses subject to current Zoning and General Plan requirements.

The project site is located at 110 Rockhouse Trail, in the Borrogo Springs Community Planning area, within unincorporated San Diego County. The site is subject to General Plan Rural Regional Category, Land Use Designation Rural Lands (RL-80). Zoning for the site is S92 – General Rural. The project site is located in the Borrogo Springs Community Sponsor Group area. Access would be provided by a driveway connecting to Rockhouse Trail. The project would be served by an on-site well and no sewer or septic system is required.

MAJOR PROJECT ISSUE(S)

The following project issue(s) were identified during the project pre-application scoping and are further discussed in the attachments to this letter. These issue(s) may require substantial redesign of the proposed project or, if not resolved, would result in a recommendation for project denial by PDS. These issue(s) discussed below, were identified based upon information presently available to the County and are subject to change upon submittal of further information and studies:

Biological Resources: In April 2009, a portion of the site including the mining pit was federally designated as critical habitat for the Peninsular Bighorn Sheep. This is a change of circumstances under CEQA since the EIR was certified for the mining project in 1979 and requires the potential impacts to the sheep to be analyzed. The Biological

Resources Report that is being requested must include measures to avoid significant impacts to the Bighorn Sheep or other sensitive resources identified. If it is found that it is infeasible to develop avoidance measures, a supplemental or subsequent Environmental Impact Report (EIR) could be required.

Site Access: DPW staff found no access easement to a public road in the grant deed or title report that submitted to the County. Provide recorded documentation showing that the subject property is connected to a publicly maintained road by an easement for road purposes, and that this easement shall be for the benefit and use of the subject property. Recordation data for said easement shall be shown on the Plot Plan. This requirement applies to off-site access to the property.

In addition to the issues outlined in this letter, it is strongly recommended that you contact other agencies to determine additional project requirements. The following link provides an Agency Contact List to assist in your due diligence efforts:
<http://www.sdcounty.ca.gov/pds/docs/pds804.pdf>

ESTIMATE OF DISCRETIONARY PROCESSING COSTS AND SCHEDULE

An estimate of discretionary processing time and costs that includes several assumptions has been generated for your project and is included in Attachment B. It is estimated that \$81,252 of County fees and deposits will be required to get the project through to a hearing and/or decision. The estimated hearing/decision date for this project is March 9, 2015 (based on an estimated application date for the project of March 31, 2014). Please note that the estimated cost and hearing/decision date is based on certain assumptions detailed in the Attachment and could be more or less than the estimate provided. If the cost and schedule assumptions prove to be incorrect, the estimate will be revised. The estimate includes only the costs to get your present application(s) to hearing/decision and does not include additional post discretionary processing costs such as final map or building permit fees.

Should your application be approved, there will be additional processing costs in the future (e.g., Final Map processing costs, park fees, drainage fees, building permit fees). To obtain an estimate of future building permit and plan check fees, parks fees, and Traffic Impact Fees, see <http://www.sdcounty.ca.gov/PDS/bldgforms/index.html#fees>.

Please note that building permits are required to construct, enlarge, alter, repair, move, improve, remove, convert, or demolish a building or structure. Permits are also required for plumbing, electrical, and mechanical work. A permit must be obtained prior to construction and prior to occupancy. Failure to obtain a building permit is a violation of the County of San Diego Ordinances.

The Department's goal is to help facilitate the efficient and timely processing of each application. If, however, a project becomes delayed due to excessive project inactivity or account deficit, Board Policy I-137 will apply; please refer to the Board Policy I-137 at <http://www.co.san-diego.ca.us/cob/docs/policy/I-137.pdf> and the FAQ sheet at <http://www.sdcounty.ca.gov/luegdocs/PDS%20FORMS/Cover%20Sheets/Zoning%20Forms/PDS-907,%20processing%20inactive,%20deficit%20projects.pdf> for the Processing of Inactive and Deficit Projects.

DEPARTMENT RECOMMENDATION

Comments and information in this letter, or lack thereof, should not be construed as the Department implying an overall recommendation or decision on your project. Planning & Development Services generally makes a final recommendation or decision to approve or deny a project when all planning analysis and environmental documentation is complete and, if applicable, Planning/Sponsor Group input is received.

PROJECT PROCESSING GUIDANCE

A Project Issues Checklist for all issues, revisions or processing requirements has been prepared for your project and is included in this letter as Attachment A. **This checklist shall be used by the County and the applicant as the checklist of project issues that must be resolved and revisions that must be completed prior to public review under the California Environmental Quality Act (CEQA), or decision if no circulation of environmental documentation is required pursuant to CEQA.** In response to the Project Issues Checklist, the applicant is expected to include a letter with every submittal made to the Department stating how each item number in the Checklist has been addressed.

CONSULTANT LIST & MEMORANDUM OF UNDERSTANDING (MOU)

Certain technical studies must be prepared by a consultant from the County's CEQA Consultant List, which can be found on the County of San Diego's website at: <http://www.sdcounty.ca.gov/luegdocs/PDS%20PROCEDURES/REGULATORY%20PLANNING/REFERENCE%20DOCUMENTS/CEQA%20CONSULTANT%20LIST.pdf>. No list is maintained for hydrology and stormwater management planning. With the exception of minor stormwater management plans, only registered engineers registered in the State of California shall be permitted to submit hydrology/drainage studies and only registered engineers or Certified Professionals in Storm Water Quality certified by CPESC, Inc., or an equivalent entity approved by the Director of Public Works, shall be permitted to submit stormwater management plans.

Applicants are responsible for selecting and direct contracting with specific consultants from the County's list to prepare CEQA documents for private projects. Prior to the first submittal of a CEQA document prepared by a listed consultant for a private project, the applicant, consultant, consultant's firm (if applicable) and County shall execute the attached Memorandum(s) of Understanding (MOU). The responsibilities of all parties involved in the preparation of environmental documents for the County (i.e. applicant, individual CEQA consultants/sub-consultants, consulting/sub-consultant firms, and County) are clearly established in the MOU for each requested applicable study. The clear identification of roles and responsibilities for all parties is intended to contribute to improved environmental document quality. The MOU can be found on the Department's website at: <http://www.sdcounty.ca.gov/luegdocs/Templates/Boilerplate%20Templates/MOU.doc>.

GUIDELINES FOR DETERMINING SIGNIFICANCE & REPORT FORMAT AND CONTENT REQUIREMENTS

Technical studies must be prepared using the Guidelines for Determining Significance and Report Format & Content Requirements. The Guidelines and Report Format & Content Requirements can be found on the Department's website at <http://www.co.san-diego.ca.us/PDS/procguid.html> (listed in alphabetical order).

SUBMITTAL REQUIREMENTS

To assure timely cost-effective processing of your project, all items must be submitted concurrently. The submittal must be made to the PDS Zoning Counter at 5510 Overland Avenue, Suite 110, San Diego, CA 92123. **For fastest service when submitting information requested in this letter, arrive at the PDS Zoning Counter between 8:00 a.m. and 10:00 a.m. Please note that all Public Counters at PDS are closed daily from 11:45 a.m. through 12:30 p.m. Expect longer wait times before and after the lunchtime closure.**

The submittal must include the following items:

1. Submit a copy of this letter.
2. **SUBMIT AN APPLICATION FOR A MUP MODIFICATION (ACCELA ID: PDS2014-MUP-77-064W2).**

NOTE TO PDS COUNTER STAFF: THE MUP MODIFICATION IS TO BE LINKED IN ACCELA TO RECLAMATION PLAN PDS2012-3311-82-004-01 AND TRUST ACCOUNT ID: 12-D-04-0025048

Please contact the zoning counter at 858-694-2262 to verify your submittal requirements and schedule an appointment for the submittal of your application(s). Please make the appointment as soon as possible, as the wait time for appointments fluctuates.

3. **SUBMIT A SEPARATE LETTER ADDRESSING EACH ITEM IN THE ATTACHED PROJECT ISSUE CHECKLIST (Attachment A), BY REFERENCE NUMBER.** This letter is required to detail how every unresolved item has been addressed in the resubmittal package.
4. In addition to the applications noted in #2 above, the following information and/or document(s) with the requested number of copies shall be provided.

INFORMATION/DOCUMENT	# of Copies	CD or Flash Drive with Word and PDF Doc	LEAD REVIEW DEPT./SECTION <i>(For Admin Purposes Only)</i>
Project Issue Checklist Response Letter	3	X	Jim Bennett (2), PDS-LD (1), Business Rule: Project Issue Checklist Response Letter

INFORMATION/DOCUMENT	# of Copies	CD or Flash Drive with Word and PDF Doc	LEAD REVIEW DEPT./SECTION <i>(For Admin Purposes Only)</i>
Plot Plan <ul style="list-style-type: none"> • Plans must be folded to 8-1/2 x 11 maximum with the lower right hand corner exposed • If multiple pages, sheets must be stapled together. 	5	PDF only	PPCC for Distribution, Jim Bennett (4), DPW (1) Business Rule: Plot Plan
Revised Reclamation Plan Text	5	Word Doc and PDF Doc	Jim Bennett (4), PDS-LD (1) Business Rule: Reclamation Plan Text
Biological Resource Report	4	Word Doc and PDF Doc	Jim Bennett (1), Biologist (3) Business Rule: Biological Resource Report
Site Access Information	3	PDF only	Jim Bennett (1), PDS-LD (2)
Traffic Information Letter	3	PDF only	Jim Bennett (1), PDS-LD (2)
CEQA Drainage Study	3	Word Doc and PDF Doc	Jim Bennett (1), PDS-LD (2) Business Rule: Drainage Report
Memorandum of Understanding, Biological Resources	2	PDF only	Jim Bennett (1), Biologist (1) Business Rule: MOU
Updated Fire Availability Form	1	PDF only	Fire Availability Form (1)
The staff turnaround goal for review of the requested information/document is 30 days.			

4. Deposits:

TRUST ACCOUNT ID#: 12-D-04-0025048	
DEPOSITS	
PDS	\$10,000
TOTAL:	\$10,000

* Refer to the attached "Estimate of Discretionary Processing Time and Cost" for a complete estimate of project costs through hearing /decision.

APPLICATION SUBMITTAL DEADLINE

If you wish to continue mining the site by pursuing a MUP modification, PDS requires a MUP modification application with all of the revisions/information requested in this letter be submitted in conformance with the above submittal requirements by **March 31, 2014**. If you are not actively processing the MUP and RP modification by that time, the County must enforce your expired MUP and require that reclamation of the site commence and be completed in accordance with RP82-004.

If you have any questions or need additional information, please contact me at (858) 694-3820 or at jim.bennett@sdcountry.ca.gov.

Sincerely,



Jim Bennett, Project Manager
Project Planning Division

Attachments:

cc: Chester Roberts, Borrego Sand & Rock, 27455 Peach Street, Perris, CA 92570

email cc: Ed Sinsay, Planning Manager, PDS Land Development
Donna Beddow, Planning Manager, PDS Project Processing
Borrego Community Sponsor Group

SCOPING LETTER MATRIX

Attachment	Item
A	Project Issue Checklist
B	Estimate of Discretionary Processing Time and Cost
C	Memorandum(s) of Understanding
D	Scope of Biological Resources Report/Letter Report
E	Wildlife Agencies Letter
F	PDS-Land Development Draft Conditions

**ATTACHMENT A
PROJECT ISSUE CHECKLIST**

PROJECT NAME: BORREGO SAND & ROCK		Project Number(s):		PDS2012-3311-82-004-01
Summary of Document Requests and Reviews				
<i>Purpose: To track requests for technical studies, maps/plot plans, and other requested information</i>				
Plan/Study Request	Status of Review	Date Requested	Date of Study	Date Accepted
Plot Plan		1/24/2014		1/24/2014
Reclamation Plan Text		1/24/2014		
Biological Resource Report		1/24/2014		
Site Access Information		1/24/2014		
Traffic Information Letter		1/24/2014		
CEQA Drainage Study		1/24/2014		
Memorandum of Understanding, Biological Resources		1/24/2014		
Updated Fire Availability Form		1/24/2014		

ATTACHMENT A PROJECT ISSUE CHECKLIST

Item No.	Subject Area	Issue, Revision or Information Required	Issue Resolution Summary (Include Conditions)	Date Identified	Date Resolved
PDS Project Planning Comments					
	Project Description			1/24/2014	
1 - 1		Please review the project description that has been generated for you based on the package of information sent to the County dated November 4, 2013. If you have any comments or changes, please re-submit with the MUP Modification Application.		1/24/2014	
2- 1	Plot Plan	A 4 page Plot Plan dated November 2, 2012 is the last Plot Plan PDS has on file that was submitted for this project. Please use this Plot Plan as the basis for the submittal of this MUP Modification. The Title at the top of each page shall be revised to include an additional line that reads: "Major Use Permit Modification MUP77-064WZ"		1/24/2014	
2- 2	Plot Plan	Page 1 of 4 of Plot Plan: Please remove the detention pond from the figure as it is shown in the wrong location and is not necessary to be shown on Sheet 1 since it is shown on Sheet 2.		1/24/2014	
2- 3	Plot Plan	Page 2 of 4 Plot Plan: There is an outline of what was fully mined as of 2012. Update this line to include the area fully mined to the present.		1/24/2014	
2- 4	Plot Plan	Page 3 of 4 of Plot Plan: In a letter dated September 3, 2013, the USFWS and CDFW suggestions for the Reclamation Plan including revegetation. Please be sure that the Reclamation Plan addresses their comments.		1/24/2014	
3- 1	Reclamation Plan Text	Please submit the Reclamation Plan text and update to discuss that the project in accordance with the new project description generated.		1/24/2014	
4- 1	Biology	Based on a review of the current Borrego Sand and Rock project proposal as well as a review of the previously adopted EIR, it has been determined that a Focused Biological Resources Report is necessary to evaluate potential changes in circumstances and/or new information available since the adoption of the EIR.		1/24/2014	
5- 1	Noise	A noise study will not be required as part of the project. Findings will be made based on previously submitted noise study which was accepted by PDS.		1/24/2014	
6- 1	Air Quality and GHG	An air quality study and GHG analysis will not be required as part of this project. Calculations and findings will be made in-house for the project.		1/24/2014	
7- 1	Fire Availability Letter	A new fire availability form is required to be submitted.		1/24/2014	

**ATTACHMENT A
PROJECT ISSUE CHECKLIST**

Item No.	Subject Area	Issue, Revision or Information Required	Issue Resolution Summary (Include Conditions)	Date Identified	Date Resolved
PDS - Land Development Comments					
1- 1	Site Access	DPW staff found no access easement to a public road in the grant deed or title report that submitted to the County. Provide recorded documentation showing that the subject property is connected to a publicly maintained road by an easement for road purposes, and that this easement shall be for the benefit and use of the subject property. Recordation data for said easement shall be shown on the Plot Plan. This requirement applies to off-site access to the property.		1/24/2014	
2- 1	Traffic	In order to determine traffic impact fee (TIF) for the proposed project and whether or not a traffic study is required, the following information is required to be submitted:		1/24/2014	
2- 2	Traffic	Identify the number of trucks accessing the site and apply a Passenger Car Equivalent (PCE).		1/24/2014	
2- 3	Traffic	Identify the number of employees or other drivers to the site.		1/24/2014	
2- 4	Traffic	Provide an estimate of total number of trips (with PCE factor) for the project.		1/24/2014	
3- 1	CEQA Drainage Study	Revise the CEQA Drainage study based on the 100-year storm event and include the following but not limited to:		1/24/2014	
3- 2	CEQA Drainage Study	For CEQA Drainage study format, please visit a San Diego County Hydrology Manual, Section 1.6. http://www.sdccounty.ca.gov/dpw/floodcontrol/hydrologymanual.html		1/24/2014	
3- 3	CEQA Drainage Study	Show 100-year flood lines of inundation on map for channels with drainage basins greater than 100 acres.		1/24/2014	
3- 4	CEQA Drainage Study	Provide a summary table of: pre- and post- development H, L, C, Tc, I, A, and Q for each area (or point) where drainage discharges from the subdivision. Peak runoff rates (cfs), velocities (fps) and identification of all erosive velocities (at all points of discharge) calculations for pre-development and post-development. The comparisons should be made about the same discharge points for each drainage basin affecting the site and adjacent properties.		1/24/2014	
3- 5	CEQA Drainage Study	Show capacity for a proposed underground storm drain (SD).		1/24/2014	
3- 6	CEQA Drainage Study	Research has uncovered that the majority of the site area lies on an alluvial fan. Please provide a discussion that includes any implications in the report.		1/24/2014	

**ATTACHMENT A
PROJECT ISSUE CHECKLIST**

Item No.	Subject Area	Issue, Revision or Information Required	Issue Resolution Summary (Include Conditions)	Date Identified	Date Resolved
6 - 5	CEQA Drainage Study	Discuss whether or not the proposed project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? Provide reasons and mitigations proposed.		1/24/2014	
6 - 6	CEQA Drainage Study	Discuss whether or not the proposed project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? Provide reasons and mitigations proposed.		1/24/2014	
6 - 7	CEQA Drainage Study	Discuss whether or not the proposed project would create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems? Provide reasons and mitigations proposed.		1/24/2014	
6 - 8	CEQA Drainage Study	Discuss whether or not the proposed project would place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including County Floodplain Maps? Provide reasons and mitigations proposed.		1/24/2014	
6 - 10	CEQA Drainage Study	Provide Hydrologic Soil Group Map		1/24/2014	
6 - 11	CEQA Drainage Study	Provide Rainfall Isoplethials for 100 Year Rainfall Event - 6 Hours and 24 Hours Maps.		1/24/2014	
6 - 12	CEQA Drainage Study	Provide Intensity-Duration Design Chart-Figure 3-1		1/24/2014	
6 - 13	CEQA Drainage Study	Provide runoff coefficients for urban areas-Table 3-1.		1/24/2014	

ATTACHMENT B
ESTIMATE OF DISCRETIONARY PROCESSING TIME AND COSTS

The attached estimate of discretionary processing time and costs is an estimate of the deposits required to process the application through hearing/decision. Several assumptions were required to supply the cost estimate and schedule at this time in the process. If the assumptions listed on the bottom of the attached estimate prove to be incorrect, your cost estimate will be adjusted. Deposits will be requested in installments as funds are needed to continue processing. Be aware that Section 362 of Article XX of the San Diego County Administrative Code, Schedule B, 5 states that:

The Director of Planning & Development Services may discontinue permit processing and/or recommend denial of the said project based on non-payment of the estimated deposit.

The initial review of your project indicates that there will be an effect on native biological resources. Therefore, State law requires the payment of a fee to the California Department of Fish and Wildlife for their review of the project environmental document (Fish and Wildlife Code §711.4). If this fee is needed, it will be requested and collected at a later time during the process. Payment of the fee is required regardless of whether or not we consider the effect on native biological resources to be significant or clearly mitigated. The Project Manager will remind you to pay this fee immediately prior to public review of the project environmental document.

ESTIMATE OF DISCRETIONARY PROCESSING TIME AND COSTS

Project Name: Borrego Sand & Rock Pit
 Project Number: PDS2012-3311-82-004-01, PDS2014-MUP-77-064WZ
 Staff Completing Schedule: Jim Bennett
 Decision-Making Body: Planning Commission
 Date Schedule Produced/Revised: 1/31/2014

TASK/ACTIVITY	Estimated Duration (Days)	Estimated Completion Date	Actual Completion Date
APPLICATION SUBMITTAL			3/31/2014
PDS reviews project application "completeness", completes planning and environmental scoping	30	4/30/2014	
PDS meets with applicant to discuss scoping letter, cost estimate and schedule	10	5/12/2014	
Applicant Submits 1st iteration submittal per scoping letter requirements*	60	7/11/2014	
PDS Reviews 1st iteration Submittal	30	8/11/2014	
PDS meets with applicant to discuss 1st iteration submittal*	10	8/21/2014	
Applicant Submits 2nd iteration submittal addressing PDS comments*	45	10/6/2014	
PDS Reviews 2nd iteration submittal*	21	10/27/2014	
PDS meets with applicant to resolve final project issues*	30	11/26/2014	
PDS prepares project documentation, send Application Amendment Form (if applicable)	21	12/17/2014	
Applicant submits requested information (Application Amendment form, copies of plans, technical studies, etc.)	14	12/31/2014	
PDS makes staff recommendation on the project & finalizes project documentation	30	1/30/2015	
Planning Commission Hearing	37	3/9/2015	

COST ESTIMATE SUMMARY	
Total Discretionary Cost Estimate	\$81,252
Deposits Paid to Date	\$0
Account Balance	\$0
Estimated County Costs Remaining	\$81,252
Fish & Wildlife Fees/ County Clerk Fee	\$2,206
% Expended of Total Cost Estimate	0.00%

PROJECT SCHEDULE ASSUMPTIONS
 Project description remains consistent throughout process
 Applicant will submit information in accordance with schedule
 All issues will be resolved concurrently.
 Bolded tasks are under the control of applicant/consultant.
 * Task can be eliminated if earlier draft documents are adequate.
 The project qualifies for a CEQA exemption or 15162
 Hearing date subject to decision making body availability & schedule
 Assumes deposit account balance remains positive. County work may not proceed without adequate funds.
 Dates which fall on a holiday have an actual completion date the first business day after such holiday.

COST ESTIMATE ASSUMPTIONS
 Estimate is based on relative cost of projects of similar complexity
 Estimate does not include applicant's consultant/engineering costs
 Does not include County costs for post discretionary review (e.g. final map)
 Costs assume project schedule assumptions are maintained
 Costs will be paid at installments throughout the process
 If project is over budget, cost estimate will be revised
 The project qualifies for a CEQA exemption or previous env. document
 Cost estimate does not include additional deposits for Trails Review or DEH that may be required

ATTACHMENT C
MEMORANDUM(S) OF UNDERSTANDING

CONSULTANT LIST & MEMORANDUM OF UNDERSTANDING (MOU)

The County of San Diego's CEQA guidelines require that environmental technical studies be prepared by a consultant from the County's CEQA Consultant List, which can be found on the County of San Diego's website at: <http://www.co.san-diego.ca.us/PDS/procguid.html> (item number 4 under "General Guidance"). No list is maintained for hydrology and stormwater management planning. With the exception of minor stormwater management plans, only registered engineers registered in the State of California shall be permitted to submit hydrology/drainage studies and only registered engineers or Certified Professionals in Storm Water Quality certified by CPESC, Inc., or an equivalent entity approved by the Director of Public Works, shall be permitted to submit stormwater management plans.

Applicants are responsible for selecting and direct contracting with specific consultants from the County's list to prepare CEQA documents for private projects. Prior to the first submittal of a CEQA document prepared by a listed consultant for a private project, the applicant, consultant, consultant's firm (if applicable) and County shall execute the attached Memorandum(s) of Understanding (MOU). The responsibilities of all parties involved in the preparation of environmental documents for the County (i.e. applicant, individual CEQA consultants/sub-consultants, consulting/sub-consultant firms, and County) are clearly established in the MOU for each requested applicable study. The clear identification of roles and responsibilities for all parties is intended to contribute to improved environmental document quality. The MOU can be found at: <http://www.sdcountry.ca.gov/luegdocs/Templates/Boilerplate%20Templates/MOU.doc>.

Copies must be made and signed by the applicant, consultant and firm (if applicable) for **biological resources**.

ATTACHMENT D SCOPE FOR BIOLOGICAL RESOURCES

Based on a review of the current Borrego Sand and Rock project proposal as well as a review of the previously adopted EIR, it has been determined that a Focused Biological Resources Report is necessary to evaluate potential changes in circumstances and/or new information available since the adoption of the EIR. The Focused Biological Resources Report must be consistent with the County's Format and Content Requirements for Biological Resources and include the following:

- The report must include updated biological mapping of the project site.
- The report must include a biological survey and evaluation of the potential for the following sensitive species to occur on the site:
 - Flat-tailed Horned Lizard
 - Burrowing Owl
 - Pierson's Milkvetch
- The report must include a survey and recommendations by a biologist with Peninsular Bighorn Sheep expertise and assume occupancy (and the potential for lambing activity) in the vicinity based on information provided by the Wildlife Agencies. The report must incorporate design features to ensure that the project will not adversely impact the species. Attached is a copy of a letter dated September 3, 2013 and provided by the Wildlife Agencies (CDFW and USFWS) which includes recommended measures to protect the Peninsular Bighorn Sheep.
 - The report should include a detailed fencing plan (consistent with the Wildlife Agency Letter which is included as Attachment E).

ATTACHMENT E
WILDLIFE AGENCIES LETTER



U.S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
2177 Salk Avenue, Suite 250
Carlsbad, California 92008
760-431-9440
FAX 760-431-9624



California Department of Fish and Wildlife
South Coast Region
3883 Ruffin Road
San Diego, California 92123
858-467-4201
FAX 858-467-4299

In Reply Refer To:
FWS/CDFW-13B0404-013TA0407

SEP 03 2013

Ms. Maggie Loy
County of San Diego
Planning and Development Services
9150 Chesapeake Drive, Suite 200
San Diego, California 92123

Subject: Borrego Sand & Rock Clark Pit Reclamation Plan, San Diego County, California
[3311-82-004-01 (RP); 3910-04-02-032 (ER)].

Dear Ms. Loy:

The Department of Fish and Wildlife (Department) and the U.S. Fish and Wildlife Service (Service), collectively referred to as the Wildlife Agencies, have reviewed the Borrego Sand & Rock Clark Pit Reclamation Plan. The comments provided in this letter are based on information provided by County staff for project batching meetings held on July 18 and August 1, 2013, our knowledge of sensitive species and declining vegetation communities in the County of San Diego (County), and our participation in regional conservation planning efforts. We are providing this letter in response to the County's request at the August 1, 2013 batching meeting for direction on issues related to Peninsular bighorn sheep (*Ovis canadensis nelsoni*, PBS) and the subject mining operation and reclamation.

The primary concern and mandate of the Service is the protection of fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and threatened and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Federal Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 et seq.), including habitat conservation plans (HCP) developed under section 10(a)(1)(B) of the Act.

The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA; §§15386 and 15381, respectively) and is responsible for ensuring appropriate conservation of the state's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (Fish and Game Code §2050 et seq.) and other sections of the Fish and Game Code. The Department also administers the Natural Community Conservation Planning (NCCP) program (DFG Code Section 2800, et. seq.).

The County of San Diego and the Wildlife Agencies entered into a planning agreement in 2008 for the development of Multiple Species Conservation Program (MSCP) plans to address regional conservation needs and future development in north and east County. The planning agreement includes an interim review process to ensure that projects do not compromise conservation objectives prior to the completion of the North and East County MSCP plans. The project site is located within the planning area for the East County MSCP.

Peninsular Bighorn Sheep

Based on available information, the property where the mining operation is located along with the surrounding area is known to support PBS which is a State fully protected and threatened species and is federally listed as endangered. In addition, a portion of the property is within federally designated PBS critical habitat and the State essential habitat line for PBS extends out 800 meters from the toe of the lower slopes on the property including the mining area. The PBS in the area of the mining operation are part of the Coyote Canyon subpopulation. Although the general area of the mining operation is likely used year round by ewes and rams, Clark Peak including the rugged habitat immediately above the mining operation is known to be consistently used for lambing (i.e., birthing and nursing) for an approximately five month period between January and May. The majority of ewes move into this area around October/November, lamb from January-March, and then move back up Coyote Canyon by May. Radio collared ewes/lambs have previously been documented on the flats near the mining area; however, no collared sheep had been documented in the last several years until two PBS ewe carcasses were recently found on and near the project site. The first reported carcass (#182) was found near the settling pond, and the second (#255) near the access road to the west along the main entrance (flats area). The cause of these mortalities is undetermined. Protection of the lambing site and surrounding areas is essential to maintaining the reproductive output of the Coyote Canyon subpopulation of PBS.

Mortality data show that developed areas present a variety of hazards to PBS, including exposure to noxious weeds, vehicle collisions, and predation (Service 2000). The Wildlife Agencies are concerned that the active portions of the mining site including the settling ponds, sand and gravel mining area, and any disturbed area may act as attractive hazards to PBS. Settling ponds may pose a drowning and entrapment hazard to adult and young PBS even if they are sloped with a shallow grade due to unnatural contour and soil structure that PBS are unaccustomed to traversing. Slopes, road cuts, and other ground disturbances can facilitate the establishment of non-native plant species such as Sahara mustard (*Brassica tournefortii*) that are potentially toxic to browsing PBS and compete with native species. Increased activity along the access roads could potentially increase the risk of PBS to vehicle strikes.

Recommendations

The main goal from a species safeguarding standpoint is to have PBS excluded from the active portions of the site as long as operations continue, protect the nearby lambing area, and rehabilitate the site post mining activities. To minimize contact of PBS with the mining site and

maintain existing habitat values, we recommend the following measures (or equivalent) be incorporated as enforceable conditions into any County authorization for the project:

- *Fencing*: Use of fencing has been an effective deterrent for PBS. For example, an 8-foot-high chain link fence has been constructed along the urban/wildland interface in the cities of Rancho Mirage and Cathedral City to safeguard PBS. Where these fences cross drainage areas, swing-gates/panels have been installed that open during flow events to minimize damage to fencing and subsequent maintenance needs. We recommend fencing the entire active area of the sand/gravel mine (including the ponds) to prevent PBS from entering the area. Fencing should be 8-foot-high chain link painted tan although it is possible that in some areas the fence height could be reduced to 7-feet. For areas that cross washes, we recommend use of swing gates. Potential presence of other animal species should also be evaluated to determine if fencing should be designed and constructed to allow smaller animals unimpeded movement through the site and/or to deter unnatural predator perching. The exclusion fencing for PBS should be placed within the disturbed footprint of the site so disturbance to natural vegetation does not occur and the fenced area is as small as possible. The Wildlife Agencies request the opportunity to review the proposed fence plan to ensure it is sufficient to exclude PBS.

While we recognize it would not be feasible to fence the roadways, we recommend that signage be installed cautioning drivers of the presence of PBS and that speed limits are adjusted accordingly.

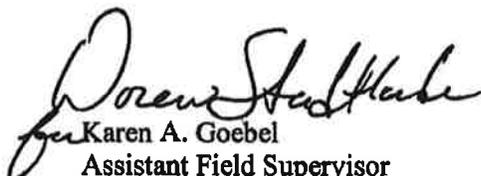
- *Reclamation Plan*: For the site closure, recontouring, invasives species control, and erosion control are the primary concerns relative to PBS. We recommend that the site be contoured back to its original natural grade and that local topsoil from the site or other appropriate salvage locations (e.g., Borrego Springs) be used in all related recompaction and other needed earthwork activities. Locally obtained native species should be used to reestablish vegetative cover. A comprehensive weed control program is particularly important for the early stages of reclamation to ensure that non-native and potentially toxic plant populations do not establish. A qualified desert ecologist with knowledge and experience working in the area should be used to manage and monitor all revegetation activities. Specific performance standards for adequate vegetative cover, species diversity, erosion control, and invasive species control should all be addressed in the site closure plan. The Wildlife Agencies request the opportunity to review the site closure plan.
- *Conservation Easement*: We recommend that the County consider having a biological conservation easement placed over the active lambing and nursery area on Clark Peak upslope of the mining operation to offset the impacts to sensitive vegetation (approximately 12 acres) that would result from the project. Permanent protection of the lambing area located on the mining property would not only offset the impacts to sensitive vegetation communities, but would protect an extremely important habitat feature for the PBS and further regional conservation efforts.

Ms. Maggie Loy (FWS-SD-13B0404-2013TA0407)

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Thank you for the opportunity to comment on the subject project. If you have any questions, please contact Eric Porter of the Service at eric_porter@fws.gov or 760-431-9440 and/or Randy Rodriguez of the Department at Randy.Rodriguez@wildlife.ca.gov or 858-637-7100.

Sincerely,



Karen A. Goebel
Assistant Field Supervisor
U.S. Fish and Wildlife Service



Gail K. Sevens
Environmental Program Manager
California Department of Fish and Wildlife

Literature Cited:

U.S. Fish and Wildlife Service. 2000. Recovery plan for bighorn sheep in the Peninsular Ranges, California. U.S. Fish and Wildlife Service, Portland, OR. xv + 251 pp.

cc:

Terri Stewart, Department of Fish and Wildlife, South Coast Region, San Diego

ATTACHMENT F
PDS LAND DEVELOPMENT DRAFT CONDITIONS

THE FOLLOWING PRELIMINARY COMMENTS ARE BASED ON AN OFFICE REVIEW BY LD-PDS FOR MUP RECEIVED ON November 09, 2012, AND MAY BE REVISED UPON FURTHER REVIEW AND INPUT FROM OTHER AGENCIES.

SPECIFIC CONDITIONS: Compliance with the following Specific Conditions (Mitigation Measures when applicable) shall be established before the property can be used in reliance upon this Reclamation Plan. Where specifically indicated, actions are required prior to approval of any grading, improvement, building plan and issuance of grading, construction, building, or other permits as specified:

60 DAYS and ANY PERMIT: *(Within 60 days of the approval of this Reclamation Plan and prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit)*

ROADS#1—TRANSPORTATION IMPACT FEE

INTENT: In order to mitigate potential cumulative traffic impacts to less than significant, and to comply with the [Transportation Impact Fee \(TIF\) Ordinance Number 77.201-77.223](#), the TIF shall be paid. **DESCRIPTION OF REQUIREMENT:** The TIF shall be paid pursuant to the [County TIF Ordinance number 77.201-77.223](#) for Select Industrial Uses in the Desert Community Planning area. The fee is required for the entire project, or it can be paid at building permit issuance for each phase of the project. The fee is calculated pursuant to the ordinance. **DOCUMENTATION:** The applicant shall pay the TIF at the [PDS, ZONING] and provide a copy of the receipt to the [PDS, BD] at time of permit issuance. The cost of the fee shall be calculated at time of payment. **TIMING:** Prior to approval of any building plan and the issuance of any building permit, or use of the premises in reliance of this permit, the TIF shall be paid. **MONITORING:** The [PDS, ZONING] shall calculate the fee pursuant to the ordinance and provide a receipt of payment for the applicant. [PDS, BD] shall verify that the TIF has been paid before the first building permit can be issued. The TIF shall be verified for each subsequent building permit issuance.

ROADS#2—ANNEX TO LIGHTING DISTRICT

INTENT: In order to promote orderly development and to comply with the Street Lighting Requirements of the [County of San Diego Board Policy I-18](#) and [The County of San Diego Public Road Standards](#), the property shall transfer into the lighting district. **DESCRIPTION OF REQUIREMENT:** Allow the transfer of the property subject of this permit into Zone A of the San Diego County Street Lighting District without notice or hearing, and pay the cost to process such transfer. **DOCUMENTATION:** The applicant shall pay the Zone A Lighting District Annexation Fee at the [PDS, LDR]. The applicant shall provide the receipt to [PDS, PCC]. **TIMING:** Prior to occupancy of the first structure built in association

with this permit, final grading release, or use in the premises in reliance of this permit, the fee shall be paid. **MONITORING:** The [PDS, LDR] shall calculate the fee pursuant to this condition and provide a receipt of payment for the applicant.

ONGOING: *(The following conditions shall apply during the term of this permit).*

ROADS#3-SIGHT DISTANCE

INTENT: In order to provide an unobstructed view for safety while exiting the property and accessing a public road from the site, and to comply with the Design Standards of Section 6.1.(E) of the [County of San Diego Public Road Standards](#), an unobstructed sight distance shall be maintained for the life of this permit. **DESCRIPTION OF REQUIREMENT:** There shall be a minimum unobstructed sight distance in both directions along Borrego Salton Seaway (S22) from the private road easement serving the project, Rockhouse Truck Trail, for the life of this permit. **DOCUMENTATION:** A minimum unobstructed sight shall be maintained. The sight distance of adjacent driveways and street openings shall not be adversely affected by this project at any time. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.

ORDINANCE COMPLIANCE NOTIFICATIONS: The project is subject to, but not limited to the following County of San Diego, State of California, and US Federal Government, Ordinances, Permits, and Requirements:

DRAINAGE/FLOODING IMPROVEMENTS: All structures shall be designed to comply with the intent of the Borrego Valley Flood Management Report prepared by Boyle Engineering, October 1989 for Coyote Canyon and to the satisfaction of Director of Public Works.

If you have any questions regarding these conditions, please contact Susan Hoang at (858) 505-6327.