

COUNTY OF SAN DIEGO  
BOULEVARD PLANNING GROUP (BPG)  
\*\*\* MINUTES/SUMMARY FOR VIRTUAL MEETING HELD ON MARCH 4TH, 2021 AT 7PM \*\*\*

**Join Zoom Meeting**

<https://zoom.us/j/8841181764?pwd=MVNOM2FWa3F4STlUWjlwblFuS3JmQT09>

**Meeting ID:** 884 118 1764; **Dial in:** 669-900-6833 **Passcode:** 123

**A. MEMBERS PRESENT:** 2) Earl Goodnight 3) Kevin Keane; 4) Donna Tisdale; 5) Michele Strand 6) Michael Coyne.  
**MEMBERS ABSENT:** 1) VACANT; 7) Nancy Good (excused) (Applications are being accepted to fill vacant Seat #1).

**B. PLEDGE OF ALLEGIANCE:** (WAIVED FOR VIRTUAL MEETING)

**C. MINUTES/ SUMMARY FOR FEBRUARY 4TH MEETING:**

- *M/S: Keane/Coyne: Approve February 4, 2021 draft minutes / summary as corrected: Passed: 5 YES; 0 NO.*

**D. PUBLIC COMMUNICATION:**

- None

**E. VIRTUAL PRESENTATION FROM PLANNING & DEVELOPMENT SERVICES (PDS) CODE COMPLIANCE DIVISION AND THE DEPARTMENT OF ENVIRONMENTAL HEALTH & QUALITY (DEHQ) LAND & WATER QUALITY DIVISION:**

- RE: County's response (2-4-21): Live Oak Springs RV / Mobilehome Park – Request for verification of use / expansion (APN'S 60-090-51-00 & 609-16-50-00:
- County representatives gave a short Power Point presentation:
- **Code Compliance Overview:** Investigate; educate; schedule; facilitate; voluntary compliance; resolution.
  - Gerardo Vargas: noise, civil engineering, planning team. Intake team assigns cases.
  - Work with staff and community for voluntary compliance instead of citations.
  - Issues like grading; vehicles, junk, occupied trailers in Boulevard and elsewhere.
  - Use meetings with property owners to secure compliance, hopefully voluntary, but can escalate enforcement if necessary.
  - 2019-2020: 18 Boulevard cases opened. 15 cases closed.
  - 2019-2010: County-wide: 2,431 active open cases; 60% closed within 12 months; 90% average voluntary compliance rate.
  - Best way to submit complaint is via email: [PDS.Code.Compliance@sdcounty.ca.gov](mailto:PDS.Code.Compliance@sdcounty.ca.gov) ; phone: 858-694-2705; or San Diego County's Tell Us Now app for iPhone and androids.
  - **Follow up responses to questions posed, regarding Live Oak Springs, provided via email on March 11th:**
    - Yes, the County is planning to remove the solid waste within the newly acquired property. The County plans to hire a contractor that will remove and properly dispose of identified solid wastes in an efficient manner. The targeted completion is around May of this year.
    - On November 2020, the County of San Diego Department of Environmental Health & Quality (DEHQ) prohibited the sale of "bulk water" from the water system. The option to sell "bulk water" will be evaluated after the successful completion of water improvement projects and authorization from DEHQ.
- Josh Palmer, Supervisor, of the Department of Environmental Health Quality (DEHQ) gave contact info: 858-505-6640; [joseph.plamer@sdcounty.ca.gov](mailto:joseph.plamer@sdcounty.ca.gov). Dorinda Buddee, Chief: 858-495-5572; [dorinda.buddee@sdcounty.ca.gov](mailto:dorinda.buddee@sdcounty.ca.gov) .
- DEHQ is a new name this year for the department(s) formerly known as Dept of Environmental Health.

- Land & Water Quality Division includes Mobilehome & RV Parks, Septic and Small Drinking Water systems. Oversight of 3 plus rental units that require health permits.
- Mobilehome & Special Occupancy Parks Acts: Establishes the Requirements permits; fees; inspection responsibilities; enforced by State Dept of Housing & Community Development (State HCD), unless local jurisdiction assumes responsibilities.
- San Diego County has enforcement authority through agreement with the State.
- Mobilehome Park Inspectors check each mobilehome for: accumulation of materials that can burn; loose handrails and stairs without handrails; construction of ramps, decks, and awnings without permits; unsecured gas meters; unpermitted electrical wiring; and general park sanitation.
- County has 186 Mobilehome / RV Parks with 12,000 spaces. Lots of seniors and low-income residents.
- Boulevard: Highland; Shady Oaks; KOA (Sacred Rocks)
- Staff: Live Oak Springs ( Michael Johnson, Dag Bunnemeyer, Sheila Ligayon; Gerardo Vargas)
  - Michael Coyne reported that many residents in the community have thanked him for taking the initiative to contact County resources regarding the possible misuse of the Live Oaks Springs Resort park areas.
  - Coyne asked what County can do about dumping of trash in water ways, under previous ownership.
    - Staff: DPW manages Live Oak Springs water system; can share map of where dumping located, if provided.
    - Staff: DEHQ has oversight over water system that the County now owns.
  - Coyne reported speaking with Michael Johnson regarding fact that the open space /park area has not had continuance of use, other than haphazard RV parking and random events. Space cannot be expanded nor have utilities added for more permanent uses. Locals have ignored all other activities by new owner; just focused on park area. New trenching and black pipes raised concerns that new and /or dilapidated trailers will be introduced in open area. Long-term residents concerned with changed character. What is new trenching and piping for? What are standards for placement of older mobile homes: fire safety, propane, water and septic? Water pressure to Live Oak Springs homes is already low. More homes mean even lower water pressure.
    - Staff responses:
      - 45 RV spaces last 20 years, non-conforming; not occupied full time but non-conforming activity maintained. Means if they did not have utilities then, they cannot be added now.
      - Cannot be expanded, increased in size.
      - County is in charge, not the State; they cannot make it a permanent RV Park; permit in process; no new pedestals or utilities allowed.
      - Gerardo Vargas saw the trenching and piping and is working with new owner on his plans.
      - Confirmed that the current configuration of the Mobile Home Park / RV Park (center area formerly open space and only used intermittently for events) cannot be enlarged, only existing appurtenances can be replaced with similar; no increase in number or size capacity.
      - Confirmed that this center area falls under Title 25 for Mobile Home Parks standards. Units must be newer than 1971 or 1972. Parks may under fill with RV's if desired.
      - Can use 26 spaces for RV Park.
      - Zoning Ordinance setbacks only apply to outside.
      - New owner is aware of Title 25 setback requirements.
- When asked by Chair Tisdale if he would like to respond to questions raised, Anthony Windle, new owner of Live Oak Springs Resort, responded that he is working with the County to resolve.

- **NO ACTION PROPOSED / OR TAKEN– COUNTY STAFF TO CONTINUE TO MONITOR THE SITUATION.**

#### **F. ACTION ITEMS:**

##### **1. BOULDER BRUSH FACILITIES SUBSTATION & GEN-TIE LINES FOR 60-CAMPO WIND AND 30-TORREY WIND TURBINES; PDS2018-MUP-19-002:**

- Chair Donna Tisdale recused herself from the vote, disclosing proximity of her family's property that shares a ½ mile common border with Campo Wind components of the Boulder Brush Project. She previously confirmed with County Counsel that she could participate in the discussion as a member of the public. She repeated her concerns for her own property, public health and safety, quality of life, increased fire risk, property values, and more, for her own family and others both on and off the Campo Reservation.
- Brief discussion held to continue previous opposition to Boulder Brush / Campo Wind Project.
- ***M/S:COYNE/GOODNIGHT: AUTHORIZE CHAIR TO SUBMIT OPPOSITION COMMENTS/PRESENTATION TO BOARD OF SUPERVISORS: Passed: 4 YES; 0 NO; 1 ABSTAIN (TISDALE) (Seat 1 vacant; Seat 7-Good absent)***

##### **2. RESPOND TO REQUEST FROM SUPERVISOR ANDERSON FOR POSITION ON COUNTY SUBSTANCE ABUSE HARM REDUCTION STRATEGY/NEEDLE EXCHANGE:**

- Chair Tisdale reported receiving multiple requests from the office of County Supervisor Joel Anderson for the position of the BPG on the County Substance Abuse Harm Reduction Strategy. She informed them that she had to wait for monthly BPG meeting to hold public discussion prior to any action taken.
- She did some online research and found there are currently only 47 Needle Exchanges / Syringe Exchange Program (SEP) locations, in the entire state, and she thought that other more densely populated areas should be eligible for such a program before our rural area would be.
- The current SEP's closest to Boulevard include 1 on Maplevue in Lakeside, 1 on 30<sup>th</sup> St San Diego; 1 in Santa Ana, and 4 in LA. If any more are proposed, they should be located near drug rehab and homeless shelters/ services which Boulevard does not have.
- These programs do not only give out clean needles. They also dispose of dirty needles, offer testing for diseases and reducing the spread of disease, outreach for promoting rehab programs.
- Metal canisters for used needles are reportedly already available at the Sheriff's Department and in casino bathrooms, likely meant for use by diabetics.
- If placement of a SEP were to happen in our area, though unlikely due to our low homeless population, a few limitations should be requested.
- Kathleen Lippitt reported that Orange County is facing lawsuits for failure to enforce homeless camps including screenings and brief intervention, best practices, comprehensive early intervention for at risk individuals. The area got so contaminated they had to burn the soil after camps were finally closed.
- Brief discussion on best path forward.
- ***M/S: KEANE/GOODNIGHT: Recommend that needle exchange facilities should be located 1,000 feet from parks, schools, other child-oriented facilities, and churches. Passed: 5 YES; 0 NO; 0 abstentions (seat 1 vacant; seat 7-Good absent)***

##### **3. RESOND TO REQUEST FROM SUPERVISOR ANDERSON FOR POSITION ON NEW CANNIBAS ORDINANCE & IMPLEMENTATION EFFORTS:**

- Chair Tisdale reported that Supervisor Anderson told his Planning and Sponsor Group Chairs, during a virtual meeting, that he is seeking input related to specific land use issues including setbacks between distributors, schools, churches, etc.
  - He has always opposed marijuana bills in the past but now needs to work with a Board that is majority Democrat.
  - Need to engage in a thoughtful manner. What language do we want included. He needs community specific ideas that fit local situations.
  - He asked for 1,000 ft from schools, parks, etc. Also asked for and received approval for \$500,000 for enforcement to shutdown illegal pot shops. 5 legal but 25 illegal shops in District 2. So far, law enforcement has found illegal guns and cash.
  - Anderson also made sure the Farm Bureau had a seat at the table.
  - We can ask for a County-wide EIR.
  - Concerns raised during Supervisor Anderson's meeting included: "micro shops" that allow consumption / ingestion on-site that can potentially result in intoxicated behaviors including DUI; social justice issues related to large CBD growers crowding out smaller local growers in backcountry communities.
  - Large grow in Potrero that was toured by Campo Lake Morena PG. They want to see tiered ordinance like those winery and equine facilities. Don't want large growers to crowd out small growers.
  - Would any one even go to a storefront in the backcountry? Don't most users just grow their own pot?
- Virginia Casey, Communications Director for the 5 legal cannabis stores in the County, (1 in El Cajon, 3 in Ramona, 1 in Escondido) gave some information and clarified that legal locations would not have consumption on site, no edibles or drinkables currently, but hope to add them, especially due to Covid19 respiratory problems. She also offered to give a tour to a legal micro biz near El Cajon that has cultivation, manufacturing, and retail, so we could learn more about it before voting. Will send her email to Chair.
- Jim Whalen reported to be impressed with Supervisor Joel Anderson's achievement of getting approval for \$500,000 to fight illegal cannabis stores, convincing the Board that Social Equity goes both ways, including rural areas, and securing \$9 million for conserving land in Lakeside.
- Kelly McCormick spoke and requested 1,000 ft. distance and explained how property line to property line distance works vs. path of travel distance.
- Kevin Keane explained how property line to property line could reduce possible locations in town, thus forcing more of them into the more spread-out backcountry. Being more proportionate to population would seem to be more fair, so we might actually prefer path of travel for our own community.
- Becky Rapp commented that marijuana smoke from neighboring condos is very distressing. She also gave explanation about path of travel. Law enforcement should employ 'decoy operations' like they do for liquor sales to minors.
- Michael Coyne agreed that marijuana smoke wafting into your living space from a neighbor is intruding on his right for clear air. He opined that edibles and drinkables would be more acceptable to him than smoking marijuana, due to the propensity for the smoke to bother others.
- Judy Strong (?) commented that a blanket Programmatic EIR takes away from analyses for individual projects. She gave a Public Health shout-out to Michael Coyne and questioned why the County would ban tobacco vaping but allow CBD vaping. Flavors were banned for tobacco, what about cannabis flavor ban? There is a

youth vaping epidemic. Just Google Flavors. Board of Supervisors brought draft ordinance without adequate notice. Not a done deal. We should ask why the Board can bring this to the unincorporated area.

- Kathleen Lippitt, public health practitioner and advocate from Poway, said her goal is to inform the public about decisions they are asked to vote on.
  - Micro-biz not allowed for alcohol industry.
  - Draft policy failed to address each planning area's issues.
  - Fallbrook resident lives next to hemp grower with odor that permeates her house/ life. Wonders why they have armed guards and is suspicious if they have figured out how to grow/extract THC8 (Delta 8 – THC) that creates a high.
  - There are no water restrictions on grows
  - Edibles can be 80% THC
  - Distance of at least 1,000 ft from all sensitive uses with conditions not to displace existing businesses.
- Becky Rapp: Parent who knows consequences of marijuana
  - Agrees with second hand smoke nuisance intrusion from neighbors who are heavy pot smokers.
  - County-wide issue with little to no enforcement.
  - Enforcement and regulation is important.
  - Minor Decoy operations are admittedly not happening, but are needed.
  - Deliveries are going to residences with minors.
  - Recommends distance of 1,000 ft from property line to property line.
- Kelly McCormick: Has seen same scenario play out in other places
  - 1,000 ft setback is critical but they can still apply for waivers.
  - Cultivation and manufacturing have impacts, too. Night lighting and targets for crime.
  - Some have armed security. Do some have criminal records?
- Michelle Strand: facilities do have lights and guards
  - 6 months ago there were crackdowns on facilities on Greenfield. Most are now closed.
  - Rules are needed.
- Kevin Keane: Even legal ops are banned from using banks. Cash business makes them targets. Opposes 1,000 ft property line to property line setback. It is used to deny facilities in the cities that push facilities into backcountry.
- Michael Coyne: Need to bifurcate storefronts and cultivation. Need to encourage EIR not PEIR.
- Virginia Casey: Supervisor Anderson has site to report illegal ops. Supports time to review and PEIR.
- Consensus to request County staff presentation on this issue.
- ***M/S: KEANE/COYNE: MOTION TO CONTINUE VOTE (ON CANNIBIS ORDINANCE AND IMPLEMENTATION EFFORTS TO ALLOW FOR FURTHER INVESTIGATION AND DISCOVERY) TO NEXT MEETING WITH REQUEST FOR STAFF PRESENTATION. Passed: 5 YES; 0 NO; 0 ABSECTIONS (Seat 1 vacant; Seat 7-Good absent)***

#### **F. GROUP BUSINESS, ANNOUNCEMENTS:**

1. Applications for vacant Seat #1 are being accepted.
2. Reminder to complete required training for group members due by April 1<sup>st</sup>.
3. Planning & Development Services Director Mark Wardlaw has moved to new job in Walnut Creek.
4. Report on virtual meeting with new District 2 Supervisor, Joel Anderson, with planning group chairs.
  - Supervisor Anderson commented on drastic change in Board with 3 Democrat majority. Democrat majority can vote things in without any Republican votes so he has to find way to work with majority to get done what he can.

- He needs groups to provide staff with potential solutions and suggested language that he can use.
- Tell him what language /options that we want included to help control related local land uses.

**5. REVITALIZATION REPORT:**

- Ken Daubach filled in since Mark lost Zoom link and could not get back in.
- Still accepting donations for continued operation of Backcountry Resource Center.

**6. FIRE SAFE COUNCIL REPORT by Ken Daubach:**

- No new projects. Still working with 11 other FSCs.
- Ken and Tammy Daubach announced their family's April 6<sup>th</sup> move to Kentucky, to the dismay of their fellow community members and neighbors.
- Chair Tisdale expressed her gratitude for the Daubach's tireless and extensive community service through the years. They have been the heart and soul of those efforts. She wished them a more relaxed life style in their beautiful new home in Kentucky.
- Their departure will be felt deeply by the community, as their contributions, hard work, and countless hours of volunteering for the community of Boulevard could only be matched by Donna Tisdale's. The Daubach family will be sorely missed.

**G. PROJECT UPDATES:**

**1. FEB 10<sup>TH</sup> BOARD VOTE ON RENEWABLE ENERGY OVERLAY OPTIONS FOR BOULEVARD/BACKCOUNTRY:**

- Chair Tisdale reported on the February 10<sup>th</sup> virtual hearing that she participating in.
- Permit process improvements & design review checklist and exemptions adopted. Directed staff to develop approaches that will incentivize and streamline distributed development of renewable energy generation. Staff to report back in 6 months with options including renewable energy zoning, code update & community benefits.
- Supervisor Anderson said new Board majority voted for 100% renewable by 2035.
- He recommended including communities other than Boulevard and Jacumba and research into alternatives options such as tidal energy.
- Jim Whalen commented that Enviromental Justice and Social Equity are now separate entity. He is optimistic that fairness for the coast will be the same as for the backcountry.

**2. 90 MW JACUMBA VALLEY RANCH ENERGY PARK (JVR SOLAR) PUBLIC COMMENT ON DRAFT EIR ENDED ON DECEMBER 7<sup>TH</sup>: PDS2018-GPA-18-010, PDS2018-REZ-18-007, PDS2018-MUP-18-022; PDS2018-ER-18-22-001:**

- No news

**3. TERRA-GEN'S 252 MW-60 TURBINE CAMPO WIND PROJECT:**

- Approved for Campo Reservation by Dept of Interior in April 2020. Federal lawsuit filed 7-8-20. FAA's previous approval was remanded (12-20). FAA reconsideration is still pending. SO CAL TRACON objected to Campo Wind turbines over significant aviation impacts. Federal court date of February 11 was vacated when judge denied defendants' Partial Motion to Dismiss as moot, after receipt of amended complaint. Board of Supervisors' Boulder Brush Substation vote continued to March 17<sup>th</sup>. See Campo Wind info at [www.campowind.com](http://www.campowind.com)

**4. TERRA-GEN'S 126 MW TORREY WIND PROJECT WITH 30-4.2 MW TURBINES: PDS2018-MUP-18-014:**

- No progress reported since approximately 2018:  
<https://www.sandiegocounty.gov/content/sdc/pds/ceqa/TorreyWindNOP.html>

**5. TULE WIND PHASE II-69MW:**

- No news. Currently permitted to erect up to 24 new Phase II turbines on State land and the Ewiiapayaap Reservation, with a capacity of 69 megawatts, as expansion to existing 131.1 MW Tule Wind I with 57 -2.3 MW turbines. No project progress reported since approximately 2016:  
<https://www.eastcountymagazine.org/state-approves-tule-wind-phase-ii-opponents-voice-concern-eagles-wildlife-residents>
  - It was noted that Community Choice Request for Proposals was recently launched. The only local project was JVR Solar. Local projects are generally not as competitive as out-of-state wind and solar, due in part to Project Labor Agreements and other cost adders for California projects. Pressure is mounting for City, County, and related CCA's to increase renewable energy. We need to stay engaged.
6. **74 MW RUGGED SOLAR: PDS2017-MUP-12-007W1 MAJOR USE PERMIT MODIFICATION-NEW PROJECT DESCRIPTION:**
- Project originally approved in 2014 but never built. Clean Focus is moving forward slowly. Going back to County with a reported 20% reduction in project footprint. Additional public review pending.
  - Jim Whalen reported that the County accepted Project Description with 20 % reduced footprint, decrease in panel height from 29 ft to 9 ft, use of flat black panels, and reduced biological impacts.
7. **60 MW 420 ACRE BOULEVARD SOLAR MUP12-010TE PDS2012-3300-12-00 @ 796 Tierra Del Sol Road:**
- No project progress reported. Approved in 2014 and terminated by Soitec Solar in March 2015. Invenergy withdrew from project in 2018. Soitec's Grid Queue position withdrawn. Project is still being promoted by absentee land owner Joe Brown who resides in Tennessee.
8. **100MW – INVENERGY'S BOULEVARD ENERGY STORAGE FACILITY; PDS 2017-ZAP-17-006:**
- No news or progress since approximately 2017. Project was placed in idle status (Aug 2019) but could be revived at later date.
9. **ENERGIA SIERRA JUAREZ (ESJ) WIND II-EXPANSION:**
- 108MW (26-Vestas V150-4.2MW) Phase II expansion of existing 155 MW ESJ Wind I project (47-3.3 MW turbines) on 13,000 acres south of the border just east of Jacumba and Ejido Jacume. Energy will exported cross border to SDG&E's ECO Substation per Power Purchase Agreement with SDG&E:  
<https://www.bnamerica.com/en/news/ienova-reportedly-seeks-full-ownership-of-baja-california-wind-farm> ; <https://www.renewableenergymagazine.com/wind/vestas-wins-108-mw-epc-order-in-20200220/>
10. **STARLIGHT SOLAR PLANNED FOR EMPIRE RANCH IN JEWEL VALLEY:**
- Jim Whalen reported that Starlight Solar has received Draft Interconnection Agreement with no grid improvements needed for their 20 MW project. Project now includes batteries, a new requirement.

**G. ADJOURNED AT 9:08 PM: NEXT MEETING SCHEDULED FOR THURSDAY, APRIL 1ST, 2021.**

Minutes approved by Group on 6-3-21

Donna Tisdale, Chair:  Date: 6-4-21

**For More information** contact Donna Tisdale, Chair at 619-766-4170 or [tisdale.donna@gmail.com](mailto:tisdale.donna@gmail.com) ;

Current and past meeting agendas and approved minutes are posted on the County website @

<http://www.sandiegocounty.gov/content/sdc/pds/gpupdate/comm/blvd.html>