

JAMUL DULZURA COMMUNITY PLANNING GROUP
FINAL MINUTES May 14, 2019
APPROVED June 11, 2019
Oak Grove Middle School Library
7:30 p.m.

1. **Dan Neirinckx, Chair, called the meeting to order at 7:33 p.m.**

2. **ROLL CALL:**

Present: Michael Casinelli, Janet Mulder, Dan Neirinckx, Eve Nasby, Kevin May, Steve Wragg, Preston Brown & Darren Greenhalgh, Summer Piper, Ed Mollon, Streeter Parker, and Hannah Gbeh,

Absent:

Excused: Richard Marzec, Joe Stuyvesant and Steve Wragg

Vacant Seat: 14.

3. **APPROVAL** of the agenda for May 14, 2019 and approval of the Final Minutes for the meeting of April 9, 2019 as mailed, noting that the April 23, 2019 was cancelled due to a lack of action items. **Motion carried unanimously.**

4. **OPEN FORUM:**

a. **Michael Casinelli** reported on a meeting he went to at **Supervisor Jacob's office on SR-94 and 125 interchange**. In 2006 construction cost alone was projected at \$50 million and the projected construction cost is now at \$90 million, but with design, right of way purchases, etc., the total cost is more than \$110 million. The Southbound 125 would go under SR94 at Spring Street and connect with east bound SR 94 at about Kenwood and Westbound SR 94 onto 125 north would be made easier with a proposed full lane to about Lemon Ave off ramp. If they could start today with design and right of way purchases, the shovels could hit the dirt in 2020. **Supervisor Jacob** has asked the Planning Groups to send a representative to the June 7 SANDAG meeting with a pre-meeting in May. **Michael Casinelli** asked the Group for a volunteer, and **Janet Mulder** suggested **Michael** had the information and could best represent the Planning Group. **Dan Neirinckx** will write a letter as Chair supporting the improvement as soon as possible, and **Michael Casinelli** will represent the JDCPG at the meetings.

b. **Dan Neirinckx** presented a letter from the United States Dept of Interior Fish and Wildlife Service who found **No Significant Impact** on the proposed parking facility for the use of the trails at the Steele Bridge **SR 94/Millar Ranch Road Intersection and Parking Improvements Project**. This is another step towards the realization of this project that **Jean Strouf** has worked on for a long time.

c. **Dan Neirinckx read the list of roads** heading for re-surfacing which included the following in **Jamul**:

Name	From	To
Cherimoya St	Lyons Valley Rd	Myrtle St
Lyons Valley Road	Skyline Truck Trail	Orange St
Myrtle St	Orange St	End of Cherimoya
Orange St	Lyons Valley Rd	Myrtle
Reservoir Dr	Lyons Valley Rd	End of Cherimoya
Skyline Truck Trail	Lawson Valley Rd	MP 3.0
Yucca ST	Reservoir Dr	End of Cherimoya

d. **Kevin May** reported on **San Diego County Historical Board meeting** at which he represented the JDCPG and they discussed items not in our area.

e. **Eve Nasby** reported that we had **569 people open our JDCPG Facebook Page** this last month. She asked that any of us that had something to share to put it on the page.

f. **Dan Neirinckx** asked if anyone received the notice of tonight's meeting from the County and no one in the audience had received anything but one resident had called the County to check. The County should have notified the residents we would be discussing the Planning Commission Hearing on Otay Ranch Village 14 and 16 as to our **conditional recommendation** as it was not presented by the County as conditional, but rather as approval.

g. **Steele Canyon High School Graduation will be held on June 6 at 4:30 – Traffic is a nightmare, so avoid Highway 94 or plan on delays.**

5. **GENERAL PLAN AMENDMENT, OTAY RANCH VILLAGE 14 AND PLANNING AREAS 16 & 19, BOARD OF SUPERVISORS MEETING May 22, 2019 – Dan Neirinckx** introduced this as an information item. **He announced that the meeting with Board of Supervisors has been postponed**, and we will make sure the correct time and date will be announced on the Facebook Page. **Dan Neirinckx** suggested that we limit our comments to 5 minutes on this subject. **Preston Brown** opened the discussion presenting his concerns, and gave out a handout which included correspondence from the Endangered Habitats League, maps of the MSCP preserved parcels in Village 14 and the project footprint in Proctor Valley. He pointed out that Rob Cameron, representing the developer, was here in the audience. **Preston** explained that the MSCP and the "rights of entitlement" for the Proctor Valley preserved parcels 1, 2, 3 are very complicated and it has taken a lot of time just for him to understand it, including its meaning, its long-term impact and historical significance. He pointed out that our **Supervisor, Dianne Jacob**, co-authored the landmark MSCP Legislation that control the land use of Village 14. He discovered this when Supervisor Jacob spoke of her part in these historic agreements at the BOS hearing on the RMP update in September of last year. Those agreements have shaped the purpose and meaning of our Jamul Dulzura Sub Area Plan. The hearing for the GPA Otay Ranch in

December 2018 was cancelled. There is a reason for that. The developer Jackson Pendo had to go back to the negotiating table because of an onslaught of protest. And we have just had a second delay. They are coming up against stiff opposition. We need to understand why. The CFW has held firm against the release of the MSCP preserved parcels in Proctor Valley. The USFW has been completely silenced since their firm initial unconditional objection to relinquishing "take authorization". He believes as many other do that a federal agency has been "gagged" through the influence of back door channels and were unable to appear before the BOS. He pointed out that we have new JDCPG members that need and are entitled to hear what this ongoing dispute is about and understand its history. Our Planning Group was "rushed" into a vote and decided to not make a statement or take a position on the MSCP Lands. We were given less than two (2) weeks notice to make our decision on this project by the County. **That turned out to be a completely unnecessarily imposed deadline.** Final Hearings were delayed within one week. Also there was a private meeting of members of this Group with the developer prior to the final vote where they were lobbied for their vote. He was not suggesting that this was illegal, but it should have been disclosed by the members who attended the meeting. Other members should not have found out about this after the vote. The efforts of this developer to pry three Proctor Valley parcels out of preserve land status should have been disclosed as a contentious issue and not explained away as if it were a "forgone conclusion". This discussion happened under duress at the last minute without all the facts. By law, altering the MSCP requires a "public amendment process" that must happen before approval of any project. So far, this step has been skipped. It is important to remember that we have a new Board of Supervisors that **Preston** thinks may be more willing to uphold previous conservation agreements with private landowners rather than so casually handing entitlements over to developers promoting more urban sprawl that continues to encroach into the wild-land urban interface. There is a long-standing war in Jamul for control of these wild and conserved lands for development. We could lose our rural nature and character if we allow the MSCP program to get chipped away by the pressure for greater density housing. Our mission and land use designations were set up to insure that Jamul stays rural.

Preston proposed we reopen a sub-committee to review the MSCP documents, re-examine the meaning and intent of these documents so that everyone on this Board can be up to speed and knowledgeable of what our role and power is in this dispute. He told us he would make this motion after the discussion of Fire Safety. We have special guest to answer questions for us tonight. **Preston** proposes a committee be established to look at the safety of SR 94 with this tremendous increase in density especially in regards to fire safety. The FPP needs much more scrutiny and integrated into updated plans of new, existing, and future projects in our Jamul area. He pointed out that **Dave Nissen, CalFire Chief**, is available for questions and opinions. He stated that he asked other experts, like Rick Halsey, Cris Lautenberger and Neil Litticoat (both traffic engineers) to attend but could not on short notice. He would like them to attend future meetings. It is important to note that the **MSCP conflict** did not come up until a few days before the last sub-committee meeting that took place two hours before the vote by the JDCPG.

Comments from the JDCPG included, Hannah Gbeh who said she felt that our approval was conditional and that the presentation on the Planning Commission was that our presentation was given as non-conditional. **Darren Greenhalgh** asked why Cal Fire approved the plan. **Dave Nissen** reminded us that Cal Fire and San Diego County Fire Authority are different and that CalFire goes through and makes sure all of the best

standards are employed and after their evaluation felt the project was consistent with all of the standards they looked at. They looked at the letter and they are comfortable that this is a safe project and will give the community a fire-safe community. Evacuation of Village 14 would evacuate into the City of Chula Vista and he cannot forecast a fire that would force evacuation on SR 94. He did expect that the residents of Planning Area 16 & 19 would evacuate to the north to SR94 in Jamul. In the Harris Fire in 1997, people had zero structural damage in Chula Vista due to use of the latest building standards around the periphery. Depending on when a fire occurs it might make sense to have Otay Ranch residents utilizing SR94 but decision points would be made at that time as to evacuation points which would be sent to the public. **Ed Mollen** asked if a traffic study had been done to give an estimate of number of vehicles in the area. **Dave Nissen** pointed out that he is not a traffic engineer, but gave a brief background as to how they will meet and look at how the fire is moving, and they have evacuation plans that will be quite explicit as to location using media to get out the info. **Hannah** asked if the power is out how do they get the info to the public, and **Dave Nissen** pointed out that door to door is next. **Summer Piper** asked if they go section by section to evacuate? **Dave Nissen** said yes, but people don't often follow it. He explained that they used to evacuate by zip code but that did not work and created massive traffic jams. Now they use a "grid area" method. They use this for both the city and rural areas. **Summer Piper** asked what Proctor Valley Road improvements are proposed and **Dan Neirinckx** said they would improve within their project, but not outside, which was part of the conditions that JDCPG recommended needed to be required for approval of the Otay Village project. **Michael Casinelli** pointed out that in the Planning Commission hearing the Fire Department said they could "handle" a fire there. One Commissioner stated that the fire agency's response to all projects is, "we can handle it if there is a fire." Michael pointed out that in 2007 wildfires, the fire agency could not handle the three county fires and had to have help from fire departments from other counties and from other states. He pointed out that the report created by Jackson Pendo was that the road would handle an evacuation and concluded that the evacuation would occur within an acceptable time, but did not take into consideration the current residents of Jamul who will be using that road and that the "adequate time" to evacuate depends on how far away the wildfire starts. The evacuation plan is not a component that is used by CalFire but is one that is used by the "end user" as there is no way that all of the possible scenarios could be set up. **Dave Nissen** pointed out that evacuation is the sole responsibility of the Sheriff's Department. They are looking at the safety of the public and will close roads if they feel it is necessary. **Michael** asked if they took into consideration only the people who would live in the property and not the current residents of Jamul. **Dave** said, "yes" we only evaluated the evacuation of the residents that live in the proposed project.. **Michael** asked **Hannah** about the letter sent by **Rob** to her prior to the vote asking for areas of mitigation that the Group would like to see. However, the night of the vote, **Hannah** asked **Rob** if he has implemented any of the suggested mitigation measures she gave to him, and **Rob** said none of them. **Kevin May** asked about the problem of the Fire Department getting into our area when the residents are trying to get out. His concern is that the development did not seem to take this into consideration as they did not have a requirement to widen the road. His concern is that people in Village 16 or 19 would have problems getting out. **Dave Nissen** pointed out that there are two ways out for them. **Kevin** pointed out that safety should be the first consideration and he feels this is an accident waiting to happen. He suggested that CalFire and the Sheriff work together. **Marcy May**, pointed out that at the last fire there were fire departments from five different states called into help.

Dr. Peter Anderson, co founder Jamul Action Committee and President of The Sierra Club was present and spoke next. He pointed out that the Sierra Club won their second suit as they were not reducing enough carbon to be effective, and they have been working on new Climate Action Plan which could be “blown up” if this project was approved now. The creation of new “sprawl developments” should require mitigation **in our area** not in Peru as planned. The County of San Diego is appealing the case and simultaneously trying to hammer out details with the Sierra Club. They are prepared to mitigate re Village 14. They feel the traffic analysis is bogus because they assume all 80% of traffic will go South which is not logical as SR94 is far closer going to the north. The report points out that since some intersections are rated “F” it would not make any difference, which is begging the question. There are 14 communities considered in the problem areas and Jamul Dulzura is in the top 1% of risk for evacuation. The problem is that evacuation on our narrow two-lane roads would be very difficult. The MSCP was initiated in 1996 and gave developers rules to follow. **Peter Anderson** would ask this Planning Group to do their diligence, making sure developers follow these rules, and keep Jamul safe. **Kevin May** asked about trading the land designated for Villages 16 and 19 back to the County for mitigation land. **Bill Herde**, resident, suggested that traffic, roads and fire evacuation problems were strong and asked if the CalFire was advocating “shelter in place”. **Dave Nissen** said that the mitigation was “temporary refuge areas” which has a higher fire rating than homes...like schools. If there is not time to do an evacuation, they would be moved to the edge of the property. **Bill Herde** questioned the “evacuation plan” if it is too crowded, and he pointed out that Paradise also had a plan. He points out that we do not have enough routes out of this area, and the roads would be choked before they try to leave. In the past we looked at evacuation routes and may need to reconsider the Echo Valley Road to Millar Ranch Road to SR94. The Planning Group unfortunately were “under the gun” to make a decision and need to relook at that possibility for an escape route.

Elizabeth Urquhart, resident, is part of the “Stop Cottonwood and the Ivanhoe Ranch proposed development” and suggests that both the proposed sand mine and the Ivanhoe Ranch developments would cause tremendous problem as cumulative impacts. **Matt Sabin**, resident of Whispering Meadows, pointed out that SR94 traffic is a problem due to the high school alone and has made the driving time much longer. It would be worse with the addition of extra vehicles from Villages 16 and 19. **Andrea Harris, Valley Knolls resident**, pointed out that her road ties into Whispering Meadows, and will be impacted as the conditions today are not good and with Village 16 and they have been told that they would have to increase their road from 30 to 60 feet and include sidewalks. She pointed out that she was not opposed to the project, but concerned with how they are going about it. The traffic would be highly impactful and she would be concerned with the impact to the school district as well. Fire evacuation is a big concern and their evacuation plan covers only the Otay Ranch community and not the surrounding area. **Chief Nissen** suggested that communities get together with Cal Fire and San Diego County Fire to create evacuation plans and even get funding help to create and run such Fire Safe Councils. **Preston Brown** stated the residents in the backcountry, outside of the town of Jamul, are in a situation like Paradise where they could be trapped. If the Japatul Rd is closed off to escape to the North (as it has been in the last 2 fires), residents have only 2 choices at 4 Corners: go south on Honey Springs or north on Skyline Truck Trail. Both of these lead to SR94 which is the “life line” of this community. They are then

dependent on SR94 for their final evacuation. Knowing which choices to make is critical and getting advanced communication is of the utmost importance. Is there someone along these key spots to direct traffic? **Dave** said they would be in positions to control and direct traffic where it is needed. He added that the residents, “the end user”, had to take control and responsibility for their own “micro climates” as they have the best understanding of their unique areas and were responsible for their “own informed decisions”. **Preston Brown** asked about the evacuation plans and turning SR94 into a one-way road? **Preston** asked how the fire department communicated with the Sheriff Department. What system they used. **Dave** replied they used UHF radios. And added that in emergencies they were “joined at the hip” with the Sheriff Dept. **Chief Nissen** said that is a possible plan. **Preston** asked if the communication ever failed and of course **Dave** said it has. **Preston** asked if the casino is proposed as a temporary refuge site and **Dave** said it was constructed to be suitable as a designated temporary refuge site and **Preston** asked if they coordinated in advance with the casino? **Dave** said it was constructed to be suitable and said they have talked to the casino about this and would request this in an emergency **Preston** asked if the local schools, Oak Grove and Jamul Elementary were designated as “TEMPORARY REFUGE AREAS”. **Dave** replied that they were available for that use if needed. **Ed Mollen** asked if anyone is looking at the cumulative impacts to see how they add up. **Darrin Neufeld, County Chief, Project Planning Division of PDS**, said that EIRs do look at cumulative impacts. **Hannah Gbeh** thanked **Chief Nissen** for helping with our community.

Preston Brown moved that we re-open the JDCPG sub-committee to review the MSCP documents and look at the conflict of using the preserve parcels that are in Village 14, and review the environmental restrictions for Planning Areas 16 & 19 of the Otay Ranch Development. Motion carried: 9, yes; 2, no; 0 Abstentions.

Dan Neirinckx reminded us that this motion would not be a reconsideration of our vote because it was not agendaized, but rather a gathering of information.

Michael Casinelli pointed out that it needs to have new information that would impact the decision to reconsider. **Dan Neirinckx** said it would need to hinge on “due diligence”.

Preston Brown moved that we form a sub-committee to review the fire protection plan in the CEQA of the Otay Ranch Development and its impact on the Jamul community to evacuate safely. Motion carried unanimously.

Janet Mulder said that what she is getting from everyone at this discussion is that the “cumulative effects of the traffic from all new developments need to be included in evaluating a plan for evacuation in a wild fire.”

Dan Neirinckx, Chair appointed **Preston Brown** to chair this committee which we combined into one sub-committee that will cover both the Otay Ranch Development, MSCP conflicts and the Fire Protection as it impacts our community. **Dan** appointed **Preston** to chair this joint committee and will be joined by **Summer Piper**,

Darrin Greenhalgh, Janet Mulder, Michael Casinelli, Kevin May, and Dan Neirinckx.

- 6. GENERAL PLAN CLEAN UP PROCESS – Dan Neirinckx said the County is looking at information from the different Planning Groups for areas that need “cleaning up” due to conflicts.**
- 7. JDCPG OFFICER’S ANNOUNCEMENTS AND REPORTS.**
 - a. PDS 2019-AD19-005 – Bratton Valley Road – Proposed agricultural clearing of the land . Dan assigned this project to Eve Nasby and Preston Brown.**
- 12. JAMUL CASINO UPDATE – Nothing to report at this time.**

ADJOURNMENT:

Chair, Dan Neirinckx adjourned the meeting at 9:40 p.m.

Respectfully submitted:

Janet Mulder, Secretary

NOTICE OF NEXT REGULAR MEETING:

7:30 P.M. TUESDAY, MAY 28, 2019

OAK GROVE MIDDLE SCHOOL LIBRARY

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<http://www.sdcounty.ca.gov/pds/CommunityGroups.html>

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