



The County of San Diego

Planning Commission Hearing Report

Date:	April 16, 2021	Project:	Updated California Environmental Quality Act (CEQA) Guidelines for Determining Significance Hydrology and Water Quality (Updated Guidelines); and Proposed Ordinance Changes to Provide Final Engineering Flexibility (Final Engineering Flexibility)
Place:	No in Person Attendance Allowed – Teleconference Only – County Conference Center 5520 Overland Avenue San Diego, CA 92123	Case/File No.:	Updated Guidelines: PDS2019-POD-19-005; Final Engineering Flexibility: PDS2020-MISC-20-029
Time:	9:00 a.m.	Location:	Districts - All
Agenda Item:	#2	General Plan:	Various
Appeal Status:	Not applicable; Approval by the Board of Supervisors	Zoning:	Various
Applicant/Owner:	County of San Diego	Communities:	All unincorporated communities
Environmental:	Updated Guidelines: Categorically and Statutorily Exempt; Final Engineering Flexibility: Addendum to a previously certified EIR	APNs:	Various

A. OVERVIEW

The purpose of this staff report is to provide the Planning Commission with the information necessary to make a recommendation to the Board of Supervisors (Board) to approve, approve with modifications, or deny, the proposed Updated California Environmental Quality Act (CEQA) County of San Diego Guidelines for Determining Significance for Hydrology and Water Quality (Updated Guidelines) and Proposed Ordinance Changes to Provide Final Engineering Flexibility (Final Engineering Flexibility). The Updated Guidelines and Final Engineering Flexibility are part of a comprehensive effort, approved by the Board on February 12, 2020, to identify ways to reduce time and costs of discretionary permit processing,

as well as to improve transparency and public engagement. The discretionary permit process requires various technical studies and analyses, multiple stages of evaluation, and the determination of compliance with policies and regulations, all of which ensure the safe design and construction of structures and infrastructure to protect the public, but which can be a costly and lengthy process. The discretionary permit process applies to projects which are subject to CEQA and require the exercise of judgement on the part of staff and the ultimate decision maker. Examples of discretionary projects are Tentative Maps, Major Use Permits, Minor Use Permits, and Site Plans. Examples of projects that are exempt from CEQA are building permits, which are approved by staff if the project complies with all applicable regulations. These are called ministerial permits.

A typical discretionary project goes through a series of progressively more detailed design and engineering phases. The level of planning, design, and CEQA evaluation needed for a discretionary permit is at a level that describes the intended land uses, including the project scope, the layout and design of buildings, parks, and related infrastructure and public facilities. This level of design is commonly referred to as the “schematic design phase”. Grading plan permits, final engineering and improvement plan permits further refine the design. Building plans develop this information to the level of detail needed to construct the project. County staff will not approve a project without the necessary level of engineering and analysis; however, the level of this engineering and analysis varies based on the stage of the project.

The Board directed Planning & Development Services (PDS) on two efforts. The first effort is to (1) update the current Guidelines for Determining Significance for Hydrology and Water Quality with options for schematic, or early phase of project design, development analyses. Pursuant to CEQA Guidelines, lead agencies are encouraged to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects. The County currently has Guidelines for Determining Significance for separate issue areas under CEQA such as Biological Resources, Cultural Resources, Geology, and others. These Guidelines help provide transparency and expectations during CEQA by establishing standards for preparation of technical studies as well as for the project review. The second effort is to (2) amend regulatory ordinances to improve final engineering flexibility by allowing project changes required to comply with changes in State or Federal regulatory requirements. The project changes would be allowed without requiring a modification to a use permit or revised map if specific findings are made. Both actions will (1) provide staff, project applicants, and the public, Updated Guidelines for the subject areas of hydrology and water quality to clarify, standardize and provide transparency in the environmental review process by providing consistent, objective, and predictable evaluation of project significant environmental effects, and (2) provide project applicants greater flexibility between the early design and final engineering of a project.

Updated CEQA Guidelines for Determining Significance Hydrology and Water Quality – CEQA requires public agencies to review the environmental impacts of proposed projects and consider measures to reduce significant adverse environmental effects when required. The County’s Guidelines for Determining Significance are guidance documents to assist County of San Diego (County) staff, project applicants, consultants, and the public in the review of discretionary projects and environmental documents to determine whether, based on substantial evidence, a project may have a significant effect on the environment pursuant to CEQA. While CEQA requires sufficient information to determine the potential impacts of the project on the environment, the information considered must be sufficient to assess environmental impacts but does not have to be the level of detail required at final design development or construction. The County’s Guidelines for Determining Significance are established to be used in conjunction with commonly accepted professional standards, and practices, and are updated

as necessary in response to changes in CEQA environmental circumstances, or standards for scientific analysis. Pursuant to the CEQA Guidelines, lead agencies are encouraged to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects. Pursuant to the CEQA Guidelines, thresholds are to be adopted by formal action and developed through a public review process. The County currently has multiple Guidelines for Determining Significance for separate issue areas under CEQA such as Biological Resources, Cultural Resources, Geology, and others. The Guidelines help provide transparency and expectations by establishing standards for preparation of technical studies as well as for the project review. As directed by the Board, the Updated Guidelines only covers the subject areas of Hydrology and Water Quality. Hydrology is the science that deals with the study of water, its properties, its distribution, and circulation as well as its effects on the surrounding environment. Water quality is the degree to which water is clean for making plants grow, or fish to live in, etc. The regulation which requires evaluation of project water discharge and water quality is the Municipal Storm Water Permit, or MS4. In California, MS4 is regulated by the San Diego Regional Water Quality Control Board.

Technical studies prepared during discretionary review need to determine whether the proposed project will have a potential significant effect on the environment. Once a project has an approved discretionary action, the project can begin the final engineering phase where detailed analyses are required to ensure conformance with regulatory requirements. The final engineering phase includes review of grading plans and improvement plans, stormwater analysis, and hydrology analysis, such as a drainage study.

The Updated Guidelines establish standards and options for CEQA analysis for hydrology and water quality commensurate with the level of information needed for discretionary permit decision making. To accomplish this, two options have been incorporated into the Updated Guidelines to allow for schematic-level analysis for stormwater analysis and flood analysis that: (1) allow for an alternative submittal for applicants to conduct a *schematic stormwater analysis* to address CEQA requirements during the discretionary permit process and require final engineering level stormwater analysis prior to approval of any grading and improvement plans to ensure projects comply with all state mandates for stormwater runoff treatment and implementation of best management practices (BMPs) as required under MS4; and (2) allow for an alternative submittal for applicants to conduct a *schematic flood analysis* to address CEQA requirements during the discretionary permit process and require final engineering level flood analysis acceptable to the Department of Public Works (DPW) and the Federal Emergency Management Agency (FEMA), including approval of the Conditional Letter of Map Revision (CLOMR) prior to approval of a final map or any grading and/or improvement plan, whichever comes first. A CLOMR is FEMA's formal review and comment on a project proposed within a County or FEMA-mapped floodway and/or floodplain.

Proposed Ordinance Changes to Provide Final Engineering Flexibility – After a discretionary permit (e.g., a subdivision or a use permit) is approved, if changes are made to a project scope, a subsequent discretionary permitting process is required. In the case of subdivision maps, a revised map may be required. In the case of use permits, a minor deviation allowing up to a 10% change to an approved permit may be allowed. If the proposed change exceeds 10%, a modification may be required. Providing final engineering flexibility can allow certain project changes required to comply with changes in State or Federal regulatory requirements, without requiring a modification to a use permit or a revised map if specific findings are made. These project changes would not be counted toward the cumulative change (the 10% allowance) if all of the following are met: 1) project change(s) do not result in a new or substantially increased significant impact in accordance with CEQA; 2) project change(s) do not result in

a situation that would be detrimental to the health, safety, or welfare of the public; and 3) project change(s) do not result in the elimination of project features required to meet the County code requirements. Examples of project features required to meet the County code requirements that cannot be eliminated include: 1) elimination of a trail that provides connection through the project that is needed for regional connectivity; 2) reduction in the overall amount of parkland approved with the original project; 3) elimination of roads that are needed for emergency access, travel time, or to handle the traffic generated by the project; and 4) reduction of area needed for required water supply or onsite wastewater treatment systems (septic) and reserve area. To implement Final Engineering Flexibility, changes will be made to the Zoning Ordinance, Subdivision Ordinance and Grading Ordinance.

This report describes the staff recommendation, the Updated Guidelines and Final Engineering Flexibility analysis and discussion, and public comments. Based on staff's analysis, PDS recommends approval of the Updated Guidelines Resolution and Environmental Document, and the Final Engineering Flexibility Zoning Ordinance Amendment, Subdivision Ordinance Amendment, Grading Ordinance Amendment and Environmental Document.

B. RECOMMENDATIONS

This is a request for the Planning Commission to consider the proposed California Environmental Quality Act (CEQA) Updated Guidelines for Determining Significance for Hydrology and Water Quality (Updated Guidelines) and Proposed Ordinance Changes to Provide Final Engineering Flexibility (Final Engineering Flexibility) and make recommendations to the Board of Supervisors. PDS recommends that the Planning Commission take the following actions:

Updated CEQA Guidelines for Determining Significance Hydrology and Water Quality

1. Find that the Updated Guidelines complies with the California Environmental Quality Act (CEQA) and state and CEQA Guidelines because the Updated Guidelines (1) are not a project as defined in the Public Resources Code section 21065 and CEQA Guidelines section 15378, and is therefore not subject to CEQA pursuant to CEQA Guidelines Section 15060 (c); (2) separately and independently, is categorically exempt pursuant to section 15308 of the CEQA Guidelines because this action will enhance and protect the environment; and (3) because it can be seen with certainty that there is no possibility that it may have a significant effect on the environment (Section 15061(b)(3) of the CEQA Guidelines) (Attachment C).
2. Recommend that the Board of Supervisors adopt the Resolution:

RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS ADOPTING THE COUNTY OF SAN DIEGO GUIDELINES FOR DETERMINING SIGNIFICANCE HYDROLOGY AND WATER QUALITY INCLUDING HYDROLOGY AND WATER QUALITY THRESHOLDS OF SIGNIFICANCE, DATED _____ (Attachment A).

Proposed Ordinance Changes to Provide Final Engineering Flexibility

1. Find that the proposed Final Program EIR for the General Plan, dated August 3, 2011, on file with Planning & Development Services (PDS) as Environmental Review Number 02-ZA-001, was completed in compliance with the CEQA and the State and County CEQA Guidelines and that the Planning Commission has reviewed and considered the information contained therein and the Addendum thereto, dated February 11, 2021, on file with PDS as Record Identification Number

PDS2020-MISC-20-029, before making its recommendation on the Zoning Ordinance Amendment, Subdivision Ordinance Amendment, and Grading Ordinance Amendment.

Find that there are no changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts which were not considered in the previously certified EIR dated August 3, 2011, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the EIR was certified as explained in the Environmental Review Update Checklist dated February 11, 2021.

2. Recommend that the Board of Supervisors adopt the Zoning Ordinance Amendment:

AN ORDINANCE AMENDING SECTION 7609 OF THE COUNTY OF SAN DIEGO ZONING ORDINANCE RELATING TO MINOR DEVIATION OF PLAN (Attachment F)

3. Recommend that the Board of Supervisors adopt the Subdivision Ordinance Amendment:

AN ORDINANCE AMENDING SECTIONS 81.501 AND 81.801 OF THE COUNTY OF SAN DIEGO ORDINANCE RELATING TO MAPS AND PARCEL MAPS TO CONFORM TO REQUIREMENTS (Attachment H)

4. Recommend that the Board of Supervisors adopt the Grading Ordinance Amendment:

AN ORDINANCE AMENDING SECTIONS 87.203 AND 87.203 OF THE COUNTY OF SAN DIEGO GRADING ORDINANCE RELATING TO ISSUANCE OF GRADING PERMITS AND GRADING PLANS OR IMPROVEMENT PLANS FOR PROJECTS WITH PREVIOUSLY APPROVED DISCRETIONARY LAND USE APPROVAL (Attachment J)

C. BACKGROUND

The Updated California Environmental Quality Act (CEQA) Guidelines for Determining Significance Hydrology and Water Quality (Updated Guidelines) and Proposed Ordinance Changes to Provide Final Engineering Flexibility (Final Engineering Flexibility) are part of a comprehensive effort, approved by the Board on February 12, 2020, to identify ways to reduce time and costs of discretionary permit processing, as well as to improve transparency and public engagement. The discretionary permit process applies to projects which are subject to the CEQA and require the exercise of judgement on the part of staff and the ultimate decision maker. Examples of discretionary projects are Tentative Maps, Major Use Permits, Minor Use Permits, and Site Plans. Examples of projects that are exempt from CEQA are building permits and minor grading permits, which are approved by staff if the project complies with all applicable regulations. These are called ministerial permits.

The discretionary permit process during CEQA review requires various technical studies and analyses, multiple stages of evaluation, and the determination of compliance with policies and regulations, all of which ensure the safe design and construction of structures and infrastructure to protect the public. While this process can require time and money to conduct proper analysis required for CEQA, there are opportunities to phase the level of analysis to be commensurate with the phase of a project as it progresses. To make the process more efficient, Planning & Development Services (PDS) reviewed multiple other jurisdictions in California to identify how other jurisdictions streamline discretionary permit processing and increase flexibility between early design and final engineering of a project.

Updated CEQA Guidelines for Determining Significance Hydrology and Water Quality

PDS reviewed 27 jurisdictions in California to identify how other jurisdictions process discretionary permits. Through research, it was found that other jurisdictions generally allow for a schematic design, or early phase of project design during discretionary CEQA review. Other jurisdictions allow this option with the understanding that final engineering studies (i.e. drainage, stormwater, geotechnical) would be reviewed during the final site design phase. The final site design phase occurs during grading reviews. The areas that the County identified for improvement were hydrology and stormwater reviews. After coordination with other departments and stakeholders, two CEQA submittal requirement options were identified for the Board to consider at the February 12, 2020 Board hearing. The Board directed staff to update and incorporate two options into the Guidelines for Determining Significance for Hydrology and for Surface Water Quality and to return to the Board in 18 months (August 2021).

Proposed Ordinance Changes to Provide Final Engineering Flexibility

PDS reviewed over 30 jurisdictions in California to identify how other jurisdictions increase flexibility between early design and final engineering of a project. Of the over 30 jurisdictions reviewed, it was found that 18 jurisdictions have a process in place for a minor deviation or substantial conformance process like the County. The cities of San Diego, Los Angeles, Sacramento, San Marcos, Chula Vista, Oceanside, El Cajon, Irvine, Encinitas, Escondido, Del Mar, Poway and Santee as well as the counties of Los Angeles, Riverside, Sacramento and San Luis Obispo have a similar process to the County by offering minor deviations or substantial conformance reviews. On February 12, 2020, the Board directed PDS to prepare an update to the Zoning and Subdivision Ordinance and to return to the Board in 18 to 36 months in order to exempt projects from subsequent County review for projects solely complying with regulatory requirements of outside agencies, unless there are impacts to parks, trails, or other project features that would substantially affect the project. The changes allowed were also determined to be in addition to the ten percent change allowed under the current minor deviation or substantial conformance process.

D. PROPOSAL

The Board of Supervisors (Board) directed implementation of several categories of options for streamlining provisions as recommended by Planning and Development Services (PDS) on February 12, 2020 and directed staff to return to the Board in 18 to 36 months with proposed actions. Two of those categories, Updating California Environmental Quality Act (CEQA) Guidelines for Determining Significance Hydrology and Water Quality (Updated Guidelines) and Proposed Ordinance Changes to Provide Final Engineering Flexibility, have been prepared pursuant to the Board's approved direction.

Updated CEQA Guidelines for Determining Significance Hydrology and Water Quality

On February 12, 2020, the Board approved implementation of options to streamline the discretionary review process, including Permit & CEQA Evaluation Requirements, with further direction to update and incorporate two options into the Guidelines for Determining Significance for Hydrology and for Surface Water Quality (Updated Guidelines). PDS coordinated with inter-departmental specialists and the Department of Public Works (DPW) to incorporate the two options for hydrology and water quality into the Updated Guidelines for project applicant and consultants to utilize during discretionary review.

These options are listed below in *italics* and are incorporated into the Updated Guidelines, Attachment B. The first option for both hydrology and water quality requires a full detailed analysis compliant with

regulations. For instance, engineering computer modeling detailed analysis, or in more general terms detailed engineering analyses, would be submitted that corresponds to the final engineering phase of the project. The second option allows for a schematic-level analysis during discretionary project review.

Projects Located in Floodplains

For projects that affect FEMA or County floodplains, a project applicant has the option to secure entitlements and defer review by the Department of Public Works – Flood Control (DPW – Flood Control) through two options:

- **Option 1:** Applicant provides engineering computer modeling detailed analyses (explanation provided above) acceptable to DPW-Flood Control concurrent with the PDS CEQA review/determination. A FEMA-approved CLOMR is required before a grading permit is issued. If applicant starts detailed analyses as part of the CEQA review but then later decides they would like to switch to Option 2 prior to the final CEQA document, the applicant may switch to Option 2.
- **Option 2:** Applicant provides CEQA hydrology submittal pursuant to County of San Diego Guidelines for Determining Significance or CEQA Guidelines Appendix G. Staff performs CEQA hydrology review/determination. As a condition of approval for the discretionary application, the applicant will be required to provide detailed analyses acceptable to DPW-Flood Control and a FEMA-approved CLOMR prior to recordation of final map or permitting of any grading and/or improvement plan, whichever comes first.

Stormwater Analysis

During discretionary processing, project applicants have the option to conduct a final engineering level analysis for stormwater in conjunction or after completion of the discretionary permit process:

- **Option 1:** Applicant provides final engineering level analysis for stormwater in compliance with the San Diego Regional Water Quality Control Board (RWQCB) standards during discretionary permit process. The applicant completes the Stormwater Quality Management Plan (SWQMP) Intake Form for all Permit Application and either a Standard SWQMP or a Priority Development Project SWQMP, depending on the proposed project location, size and impervious surfaces. The SWQMP must include detailed project information acceptable to Planning and Development Services. A drainage or hydromodification study may also be required.
- **Option 2:** Applicant provides a preliminary stormwater analysis, demonstrating project feasibility, by using the tools which integrate factors contained in the County of San Diego BMP Design Manual to address CEQA requirements during the discretionary permit process. Currently, these options include the BMP Sizing Calculator for Structural BMPs, and the Significant Site Design BMP (SSD-BMP) Tool for dispersion areas and tree wells. These tools may change or could be replaced, so the applicant will have to consult with the County, and/or the documents in Section 2.3, to verify available tools at the time of submittal. During the final engineering process, the applicant will provide a refined level of stormwater analysis as required prior to approval of any grading/improvement plans as conditions of approval to ensure that projects comply with State mandates for stormwater runoff treatment and implementation of best management practices (BMPs) as required under the Regional MS4

Permit. Please see the County of San Diego BMP Design Manual for further information on this option.

The potential benefit of processing final engineering-level analysis during the discretionary permit review process is that it provides greater certainty that the proposed design will meet all final requirements, including FEMA and the San Diego RWQCB requirements. If the applicant chooses to pursue Option 2 for either flood analysis or stormwater analysis, the applicant takes the risk of required project changes as a result of final engineering level analysis. If the changes are not within substantial conformance under the County Grading Ordinance, the applicant will be required to seek approval of the changes through a subsequent discretionary permit review process subject to CEQA. These options will allow greater flexibility in the permitting process and would protect public safety, quality of life, environment, and strengthen public participation.

In addition to the above options, the Updated Guidelines merged two current guidelines, the County Guidelines for Determining Significance for Hydrology and the County Guidelines for Determining Significance for Surface Water Quality, into one guidance document. Because the subject areas of hydrology and water quality are closely aligned, often overlap, and are both analyzed together under the same category in CEQA, the merging of the two documents would allow for all guideline information to be located in one place. The Updated Guidelines also focuses on updating the format as well as condensing and synthesizing the language to be more understandable and user friendly. New regulations, requirements and County guidance documents since the previous guidelines were in effect, were also incorporated into the Updated Guidelines with updated links.

All changes made to the Updated Guidelines have been peer reviewed by DPW Flood and DPW Watershed as well as a Technical Peer Review Panel established for the Updated Guidelines. PDS invited Certified Engineers and specialists from outside agencies in the subject areas of hydrology and surface water quality to join the Technical Peer Review Panel for the Updated Guidelines. The Technical Peer Review Panelists are listed on page ii in Attachment B.

Proposed Ordinance Changes to Provide Final Engineering Flexibility

On February 12, 2020, the Board directed PDS to prepare an update to the Zoning and Subdivision Ordinance and return to the Board to exempt projects from subsequent County review for projects solely complying with regulatory requirements of outside agencies, unless there are impacts to parks, trails, or other project features that would substantially affect the project. The changes allowed were also determined to be in addition to the ten percent change allowed under the current minor deviation or substantial conformance process.

PDS coordinated with multiple program specialists to incorporate updated language into the Zoning Ordinance, Subdivision Ordinance, and the Grading Ordinance to provide greater flexibility between the early design and final engineering of a project. The sections with the proposed amendment include the following: Zoning Ordinance Section 7609 Minor Deviation of Plan; Subdivision Ordinance Section 81.501 Maps to Conform to Requirements and Section 81.801 Parcel Maps to Conform to Requirements; and Grading Ordinance Section 87.204 Approval of Grading Plans or Improvement Plans – Plan Changes and Section 87.207 Grading Plans or Improvement Plans for Projects with Previous Discretionary Land Use Approval. The language amended in the Zoning Ordinance is listed below in italics and is very similar to the language updated in the Subdivision Ordinance and Grading Ordinance. The amended language for each ordinance can be found in Attachments E through J.

Zoning Ordinance-Section 7609 Minor Deviation of Plan

In calculating the cumulative increase or decrease from the original approved plan, project change(s) required to comply with changes in State or Federal regulatory requirements shall not be counted toward the cumulative change if all of the following are met:

- i. A determination shall be made that the project change(s) do not result in a new or substantially increase significant impact in accordance with the California Environmental Quality Act (CEQA).*
- ii. A determination shall be made that the project change(s) do not result in the creation of a situation that would be detrimental to the health, safety, or welfare of the public.*
- iii. A determination shall be made that the project change(s) do not result in the elimination of project features required to meet other County of San Diego code requirements, including, but not limited to the following:*
 - (1) Elimination of a trail that provides a connection through the project that is needed for regional connectivity.*
 - (2) Reduction in the overall amount of parkland approved with the original project.*
 - (3) Elimination of roads that are needed for emergency access, travel time, or to handle the traffic generated by the project.*
 - (4) Reduction of area needed for required water supply well or onsite wastewater treatment system and reserve area.*

If project changes required by regulatory requirements are proposed that meet the specific findings, these changes would not be counted toward the cumulative change of the County Zoning Ordinance for use permits. In addition, these changes would not be counted toward a substantial conformance review of the Subdivision Ordinance for maps, or the Grading Ordinance for grading or improvement plans. Common examples of changes required by regulatory requirements include new or revised stormwater requirements, which can result in a need to add detention basins or similar features to retain and treat stormwater in conformance with evolving State-mandated standards; sustainability requirements; or additional measures from the Wildlife Agencies (U.S. Fish and Wildlife Service and California Department of Fish and Wildlife) such as adding open space areas. Many of these agency requirements have been met by converting building lots to drainage basins, and do not require major changes.

The ordinances amendments are recommended as written because the changes would be reviewed by PDS to ensure that there are no unintended impacts to parks, trails, or other project features that would substantially affect the project. The language would ensure that the overall design and intent of the approval is protected from substantial change. In addition, the ordinance amendments would not reduce the quality of PDS review or create shortcuts or loopholes in the permitting process that would impact public safety, quality of life, environmental protection, or limit intended public participation. PDS would also continue the process of notifying Community Planning and Sponsor Groups of changes made to projects.

E. ENVIRONMENTAL ANALYSIS

Updated CEQA Guidelines for Determining Significance Hydrology and Water Quality

Planning & Development Services (PDS) conducted an evaluation of the Updated California Environmental Quality Act (CEQA) Guidelines for Determining Significance Hydrology and Water Quality (Updated Guidelines) and found that it is consistent with Public Resources Code section 21065 and the CEQA Guidelines Sections 15378, 15308, and 15061(b)(3).

The adoption of the Updated Guidelines is not a “project” as defined in Public Resources Code section 21065 and CEQA Guidelines Sections 15378 and 15060(c)(3) and is therefore not subject to CEQA. A project as defined by CEQA, is the whole of the action that has the potential to result in either a direct or physical change or reasonably foreseeable indirect physical change to the environment. An action that restates or codifies existing law is not a project under CEQA because it has no potential to cause a physical change in the environment.

CEQA Guidelines section 15378(b)(5) states that a project does not include “organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.” The proposal is to update the County’s Guidelines for Determining Significance for Hydrology and Surface Water Quality for consistency with updated regulations, create a more user-friendly document, and provide options to streamline projects during discretionary review. These options will not reduce the quality of Planning and Development Services review or create shortcuts or loopholes in the permitting process that would impact public safety, quality of life, environmental protection, or limit intended public participation. Final engineering level analysis would be required during the final engineering phase. Therefore, as the proposed Updated Guidelines would update the County’s existing guidelines which implements CEQA, the action is not a project under CEQA.

Separately, and independently, even if the action constitutes a project under CEQA, it would be categorically exempt pursuant to section 15308 of the CEQA Guidelines. This categorical exemption consists of actions taken by agencies as authorized by state or local ordinance to assure the enhancement or protection of the environment where the regulatory process involves procedures for the protection of the environment. By adopting the Updated Guidelines, this action will enhance and protect the environment because it will require discretionary projects to evaluate impacts to hydrology or water quality, consistent with CEQA Guidelines Appendix G. Because the Updated Guidelines require identification of the significant hydrology and water quality impacts of any project subject to CEQA, including projects below the thresholds of significance, if there is substantial evidence that the project may still have significant impacts, the Updated Guidelines provide for projects to mitigate their significant effects, including their cumulative impacts.

Finally, even if the action constitutes a project under CEQA, it can be seen with certainty that there is no possibility that it may have a significant effect on the environment, and therefore is subject CEQA Guidelines section 15061(b)(3). The proposed Updated Guidelines are consistent with CEQA Guidelines Appendix G and provide guidance for CEQA analysis and mitigation for all projects in the County of San Diego. An action that restates or codifies existing law is not a project under CEQA because it has no potential to cause a physical change in the environment. None of the exceptions to the exemptions apply (Section 15300.2 of the CEQA Guidelines) because the Updated Guidelines does not authorize, ban, or exempt any development and therefore will not cause impacts to scenic highways, hazardous waste sites or historical resource.

Proposed Ordinance Changes to Provide Final Engineering Flexibility

PDS staff conducted an evaluation of the Proposed Ordinance Changes to Provide Final Engineering Flexibility (Final Engineering Flexibility) Zoning Ordinance Amendment, Subdivision Ordinance Amendment, and Grading Ordinance Amendment and found that it is consistent with CEQA Guidelines Section 15162 through 15164.

CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed where there is a previously adopted Negative Declaration (ND) or a previously certified Environmental Impact Report (EIR) covering the project for which a subsequent discretionary action is required. An Environmental Review Update Checklist Form has been prepared in accordance with CEQA Guidelines 15164(e) (Attachment K) to explain the rationale for determining whether any additional environmental documentation is needed for the subject discretionary action.

A Program EIR for the County of San Diego's (County) General Plan Update, Environmental Review Number 02-ZA-00, State Clearing House Number 2002111067, was certified by the Board of Supervisors on August 3, 2011 (GPU EIR). The GPU EIR evaluated potentially significant effects for the following environmental areas of potential concern: 1) Aesthetics; 2) Agricultural Resources; 3) Air Quality; 4) Biological Resources; 5) Cultural And Paleontological Resources; 6) Geology And Soils; 7) Hazards and Hazardous Materials; 8) Hydrology and Water Quality; 9) Land Use and Planning; 10) Mineral Resources; 11) Noise; 12) Population and Housing; 13) Public Services; 14) Recreation; 15) Transportation and Traffic; 16) Utilities and Service Systems, and 17) Climate Change.

Of these seventeen environmental subject areas, it was determined that only Geology/Soils and Population/Housing would not involve potentially significant impacts. The remaining environmental issues evaluated included impacts that would be significant and unavoidable, with the exception of the following four subject areas in which all impacts would be mitigated below a level of significance: Cultural and Paleontological Resources, Land Use and Planning, Recreation, and Climate Change. For those areas in which environmental impacts will remain significant and unavoidable, even with the implementation of mitigation measures, overriding considerations exist which make the impacts acceptable. The GPU EIR is on file with PDS.

The Final Engineering Flexibility Zoning Ordinance Amendment, Subdivision Ordinance Amendment, and Grading Ordinance Amendment would not involve substantial changes in the magnitude of impacts identified in the GPU EIR. As explained in the Environmental Review Update Checklist Form, none of the proposed changes require major revisions of the GPU EIR due to new significant effects or the substantial increase in the severity of previously identified effects. There are no substantial changes with respect to the circumstances under which the project is undertaken that require major revisions of the GPU EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, there is not new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the GPU EIR was certified that result in significant effects or more severe effects than the GPU EIR.

In addition, the project that would be subject to this ordinance would still be subject to review under CEQA, including review under CEQA Guidelines Sections 15162-15164 for any project changes.

F. PUBLIC INPUT

The Updated California Environmental Quality Act (CEQA) Guidelines for Determining Significance Hydrology and Water Quality (Updated Guidelines) and the Proposed Ordinance Changes to Provide Final Engineering Flexibility (Final Engineering Flexibility) included an extensive public outreach process that involved ongoing coordination with internal specialists, other County Departments, Community Planning & Sponsor Groups, Design Review Boards, and other external stakeholders, including the Planning & Development Services (PDS) Environmental Stakeholders Working Group which consists of groups like the Wildlife Habitat Coalition, the New Green Deal Association, Nature Conservancy and the Endangered Habitat League; the Land Development Technical Working Group, which consists of land development practitioners; and the Building Industry Association. PDS also noticed the Wildlife Agencies (U.S. Fish and Wildlife Service and CA Department of Fish and Wildlife), U.S. Army Corps of Engineers, and the Regional Water Quality Control Board during public disclosure. No comments were received by the entities that were noticed during public disclosure. Nine public community meetings were held at the Community Planning/Sponsor Group and Design Review Board meetings from November 2020 to February 2021 to provide presentations and gather public input on the County's Streamlining efforts, including the Updated Guidelines and Final Engineering Flexibility. Five additional stakeholder outreach meetings were carried out from August 2020 to February 2021 including the Quarterly Community Planning/Sponsor Group/Design Review Board Chairs meeting, the Land Development Technical Working Group, the Endangered Habitats League, and other various environmental groups.

Updated CEQA Guidelines for Determining Significance Hydrology and Water Quality

The Updated Guidelines included ongoing coordination with a Technical Peer Review Panel (TPRP) and the Department of Public Works (DPW). PDS invited 10 Certified Engineers and specialists from outside agencies in the subject areas of hydrology and surface water quality to join the Technical Peer Review Panel for the Updated Guidelines. The Technical Peer Review Panelists are listed on page ii in Attachment B. County staff worked closely with DPW and the TPRP on the updated Hydrology and Water Quality Guidelines language to ensure all current regulations and guidance materials were incorporated into the Updated Guidelines. All changes made to the Updated Guidelines have been peer reviewed by DPW Flood and DPW Watershed as well as the TPRP established for the Updated Guidelines.

The Updated Guidelines were advertised for a 30-day public disclosure period from January 21, 2021 to February 22, 2021. Over 65 consultant firms, agencies, and jurisdictions as well as over 100 individuals in the fields of hydrology and water quality were noticed as part of this effort. 18 emails were received requesting clarifications or recommending minor language updates and are included in Attachment D. Staff incorporated these edits within Attachment B.

Proposed Ordinance Changes to Provide Final Engineering Flexibility

The code changes proposed as part of the Proposed Ordinance Changes to Provide Final Engineering Flexibility effort were advertised for a 30-day public disclosure period from February 11, 2021 to March 15, 2021. Approximately 80 consultant firms, agencies, and jurisdictions as well as approximately 100 individuals were noticed as part of this effort. Two emails were received requesting clarifications or recommending minor language updates and are included in Attachment H.

Report Prepared By:

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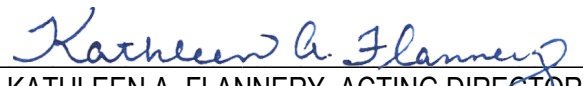
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AUTHORIZED REPRESENTATIVE:


KATHLEEN A. FLANNERY, ACTING DIRECTOR

ATTACHMENTS:

- Attachment A – RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
ADOPTING THE COUNTY OF SAN DIEGO GUIDELINES FOR DETERMINING
SIGNIFICANCE HYDROLOGY AND WATER QUALITY INCLUDING HYDROLOGY AND
WATER QUALITY THRESHOLDS OF SIGNIFICANCE
- Attachment B – Draft Updated Guidelines for Determining Significance for Hydrology and Water Quality
- Attachment C – Environmental Documentation for the Guidelines for Determining Significance for
Hydrology and Water Quality
- Attachment D – Correspondence for the Updated Guidelines for Determining Significance for Hydrology
and Water Quality
- Attachment E – Final Engineering Flexibility Proposed Code Changes for Zoning Ordinance Amendment
(Strike-out/Underline Copy)
- Attachment F – Final Engineering Flexibility Proposed Code Changes for Zoning Ordinance Amendment
(Clean)
- Attachment G – Final Engineering Flexibility Proposed Code Changes for Subdivision Ordinance
Amendment (Strike-out/Underline Copy)
- Attachment H – Final Engineering Flexibility Proposed Code Changes for Subdivision Ordinance
Amendment (Clean)
- Attachment I – Final Engineering Flexibility Proposed Code Changes for Grading Ordinance Amendment
(Strike-out/Underline Copy)
- Attachment J – Final Engineering Flexibility Proposed Code Changes for Grading Ordinance Amendment
(Clean)
- Attachment K – Environmental Documentation for Final Engineering Flexibility
- Attachment L – Correspondence for Final Engineering Flexibility

**Attachment A – RESOLUTION OF THE COUNTY
OF SAN DIEGO BOARD OF SUPERVISORS
ADOPTING THE COUNTY GUIDELINES FOR
DETERMINING SIGNIFICANCE FOR HYDROLOGY
AND WATER QUALITY, DATED APRIL 1, 2021**

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Resolution No.:

Meeting Date: August 18, 2021

RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS ADOPTING THE COUNTY OF SAN DIEGO GUIDELINES FOR DETERMINING SIGNIFICANCE HYDROLOGY AND WATER QUALITY INCLUDING HYDROLOGY AND WATER QUALITY THRESHOLDS OF SIGNIFICANCE, DATED AUGUST 18, 2021

WHEREAS, on _____, ____, 2020, the Planning Commission held a duly advertised public hearing on the County of San Diego Guidelines for Determining Significance Hydrology and Water Quality, and thresholds of significance; and

WHEREAS, on _____, ____, 2021, the Planning Commission has made its recommendations concerning the above item; and

WHEREAS, prior to making its recommendation to approve the project, the Planning Commission reviewed and found that this action complies with the California Environmental Quality Act (CEQA) and State and County Guidelines because this resolution for adoption of the Guidelines for Determining Significance Hydrology and Water Quality is: (1) is not a project as defined in the Public Resources Code section 21065 and CEQA Guidelines section 15378, and is therefore not subject to CEQA pursuant to CEQA Guidelines Section 15060 (c); (2) separately and independently, is categorically exempt pursuant to section 15308 of the CEQA Guidelines because this action will enhance and protect the environment; and (3) subject to the common sense exemption, because it can be seen with certainty that there is no possibility that it may have a significant effect on the environment (Section 15061(b)(3) of the CEQA Guidelines); and

WHEREAS, on _____, ____, 2021, the Board of Supervisors, held a duly advertised public hearing on the Guidelines for Determining Significance Hydrology and Water Quality, which includes the County's hydrology and water quality thresholds of significance; and

WHEREAS, on _____, ____, 2021, the Board of Supervisors upon its independent review and within its independent discretion as made findings pursuant to Recommendations of the Board of Supervisors Planning Report for the project and included the Notice of Exemption dated _____, 2021, as set forth in Exhibit A attached hereto and incorporated by this reference herein, that the project complies with the California Environmental Quality Act pursuant to Public Resource Code sections 21065 and CEQA Guidelines sections 15378, 15060(c), 15308, and 15061(b)(3),

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors takes the following action:

1. Adopt the Guidelines for Determining Significance Hydrology and Water Quality, and significance criteria and identified in the Guidelines for Determining Significance Hydrology and Water Quality dated August 18, 2021 (Attachment B).

BE IT FURTHER RESOLVED that the Board of Supervisors finds that the Guidelines for Determining Significance for Hydrology and Water Quality is consistent with the County of San Diego General Plan in that the goals, objectives, and policies of all the elements of the plan have been or will be met.

BE IT FURTHER RESOLVED that this Resolution shall take effect and be in force on August 19, 2021.

APPROVED AS TO FORM AND LEALITY
COUNTY COUNSEL

By: Brooke Miller, Senior Deputy County Counsel

EXHIBIT A

The proposed update to the Guidelines complies with the CEQA and State and County CEQA Guidelines because it is: (1) not a project as defined in the Public Resources Code section 210065 and CEQA Guidelines section 15378, and is therefore not subject to CEQA pursuant to CEQA Guidelines Section 15060 (c); (2) separately and independently, categorically exempt pursuant to section 15308 of the CEQA Guidelines because this action will enhance and protect the environment; and (3) subject to the common sense exemption, CEQA Guidelines section 15061(b)(3), because it can be seen with certainty that there is no possibility that it may have a significant effect on the environment. No exception to these exemptions pursuant to CEQA Guidelines section 15300.2 apply.

The adoption of the Guidelines is not a “project” as defined in Public Resources Code section 21065 and CEQA Guidelines sections 15378 and 15060(c)(3) and is therefore not subject to CEQA. A project as defined by CEQA, is the whole of the action that has the potential to result in either a direct or physical change or reasonably foreseeable indirect physical change to the environment. Adoption of the Guidelines is consistent with the requirements of the CEQA Guidelines Appendix G and does not authorize or ban any development, open any new areas to development, or exempt any project from CEQA review and therefore has no potential to cause a physical change in the environment. An action that restates or codifies existing law is not a project under CEQA because it has no potential to cause a physical change in the environment.

CEQA Guidelines section 15378(b)(5) states that a project does not include “organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.” The proposal is to update the County’s Guidelines for Determining Significance for Hydrology and Surface Water Quality for consistency with updated regulations, create a more user-friendly document, and provide options to streamline projects during discretionary review. These options will not reduce the quality of Planning and Development Services review or create shortcuts or loopholes in the permitting process that would impact public safety, quality of life, environmental protection, or limit intended public participation. Final engineering level analysis would be required during the final engineering phase. Therefore, as the proposed Guidelines would update the County’s existing Guidelines which implements CEQA, the action is not a project under CEQA.

Separately and independently, even if the action constitutes a project under CEQA, it would be categorically exempt pursuant to section 15308 of the CEQA Guidelines. This categorical exemption consists of actions taken by agencies as authorized by state or local ordinance to assure the enhancement or protection of the environment where the regulatory process involves procedures for the protection of the environment. By adopting the updated Guidelines, this action will enhance and protect the environment because it will require discretionary projects to evaluate impacts to hydrology or water quality, consistent with CEQA Guidelines Appendix G. Because the Guidelines require identification of the significant hydrology and water quality impacts of any project subject to CEQA, including projects below the thresholds of significance, if there is substantial evidence that the project may still have significant impacts, the Guidelines provide for projects to mitigate their significant effects, including their cumulative impacts. By adhering to the County’s Guidelines, future projects would be reducing impacts on the environment.

Finally, even if the action constitutes a project under CEQA, it can be seen with certainty that there is no possibility that it may have a significant effect on the environment, and therefore is subject to the

common sense exemption, CEQA Guidelines section 15061(b)(3). The proposed updated Guidelines are consistent with CEQA Guidelines Appendix G and provide guidance for CEQA analysis and mitigation for all projects in the County of San Diego. An action that restates or codifies existing law is not a project under CEQA because it has no potential to cause a physical change in the environment. None of the exceptions to the exemptions apply (Section 15300.2 of the CEQA Guidelines) because the Guidelines does not authorize, ban or exempt any development and therefore will not cause impacts to scenic highways, hazardous waste sizes or historical resource.

Finally, even if the action constitutes a project under CEQA, because the Guidelines implements existing law, it can be seen with certainty that there is no possibility that it may have a significant effect on the environment, and therefore is subject to the common sense exemption, CEQA Guidelines section 15061(b)(3). Moreover, any future development projects subject to the Guidelines, will also be subject to the existing General Plan and zoning requirements, and therefore, the adoption of the Guidelines would not create any additional impacts. None of the exceptions to the exemptions apply (Section 15300.2 of the CEQA Guidelines) because the Guidelines does not authorize, ban or exempt any development and therefore will not cause impacts to scenic highways, hazardous waste sizes or historical resource., Because the Guidelines requires identification of the significant hydrology and water quality impacts of any project subject to CEQA, including projects below the thresholds of significance, if there is substantial evidence that the project may still have significant impacts, the Guidelines would require projects to mitigate their significant effects, including their cumulative impacts.

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Attachment B
Draft Updated Guidelines for Determining Significance
Hydrology and Water Quality

COUNTY OF SAN DIEGO
GUIDELINES FOR DETERMINING SIGNIFICANCE
HYDROLOGY AND WATER QUALITY



LAND USE AND ENVIRONMENTAL GROUP
Department of Planning and Development Services
Department of Public Works

August 18, 2021

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LIST OF ACRONYMS

BFE	Base Flood Elevation
BMP	Best Management Practices
CEQA	California Environmental Quality Act
CLOMR	Conditional Letter of Map Revision
CWA	County Water Authority
FDPO	County of San Diego Flood Damage Prevention Ordinance
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
GI	Green Infrastructure
HSG	Hydrologic Soil Group
JRMP	Jurisdictional Runoff Management Plan
LOMR	Letter of Map Revision
NFIP	National Flood Insurance Program
NPDES	National Pollutant Discharge Elimination System
NRCS	National Resources Conservation Service
PDP	Priority Development Project
RPO	County of San Diego Resource Protection Ordinance
RWQCB	Regional Water Quality Control Board
SFHA	Special Flood Hazard Area
SSD-BMP	Significant Site Design Best Management Practices
SWPPP	Stormwater Pollution Prevention Plan
SWQMP	Stormwater Quality Management Plan
WPO	County of San Diego Watershed Protection Ordinance

Guidelines for Determining Significance: Hydrology and Water Quality

1.0 Introduction

1.1 PURPOSE

The California Environmental Quality Act (CEQA) requires public agencies to review the environmental impacts of proposed projects and consider measures to reduce significant adverse environmental effects when required. These Guidelines for Determining Significance for Hydrology and Water Quality (Guidelines) have been prepared to assist County of San Diego (County) staff, project applicants, and the public in the review of discretionary projects and environmental documents to determine whether, based on substantial evidence, a project may have a significant effect on the environment pursuant to CEQA. They are intended to be used in conjunction with commonly accepted professional standards, judgments, and practices, and should be updated when necessary in response to changes in CEQA, environmental circumstances, or standards for scientific analysis.

These Guidelines are not binding on any decision-maker and should not be substituted for the use of independent judgment to determine significance or the evaluation of evidence in the record. Pursuant to Section 15064(b)(2) of the CEQA Guidelines, compliance with a threshold does not relieve the lead agency of the obligation to consider substantial evidence that a project's environmental effects may be significant. The County reserves the right to modify these Guidelines in the event of scientific discovery or new or updated factual data that may alter the common application of a guideline.

1.2 GUIDELINES FOR DETERMINING SIGNIFICANCE

The purpose of the Guidelines is to clarify and standardize analysis in the environmental review process by providing a consistent, objective, and predictable evaluation of significant effects. Section 15064.7 of the CEQA Guidelines encourages public agencies to develop analytical tools which provide technical guidance in evaluating a project's environmental impact and determining whether any such effects may be considered significant.

This determination must be based on scientific and factual information and a consideration of the context of the project, and should include an analysis of direct, indirect, and cumulative effects of the project. Normally, (in the absence of substantial evidence to the contrary), non-compliance with a particular standard stated in these Guidelines will mean the project will result in a significant effect, whereas compliance will normally mean the effect will be determined “less than significant.”

This document provides guidance for evaluating adverse environmental effects that a proposed project may create or incur relating to hydrology and water quality.

- **Section 2** outlines the hydrologic context of the County, definitions of hydrologic phenomena related to flooding, and relevant regulations which should be reviewed and incorporated in the environmental analysis of projects. This section also includes a map and other resources that should be consulted to aid in the identification of significant environmental impacts related to hydrology and water quality.
- **Section 3** includes questions listed in Appendix G of the CEQA Guidelines for Hydrology and Water Quality, a standard methodology for determining whether an environmental impact could be potentially significant.
- **Section 4** outlines mitigation measures which may be used to reduce a project’s environmental impacts to a level that is less than significant.

1.3 KEY TERMS AND DEFINITIONS

There are several key terms used throughout these Guidelines that are briefly defined below to provide proper context in how these Guidelines apply to projects. CEQA, in general terms, is concerned with new development projects—specifically, how they could affect the existing hydrologic environment (e.g., altering existing drainage patterns, generating new pollutants) and how these impacts can be avoided or minimized through the use of design features.

Erosion is the weathering away of land surface by natural or man-made activities. It occurs naturally from water or wind forces and can be intensified by increased runoff and land clearing practices related to farming, residential or industrial development, road construction, or timber cutting.

Flooding is a partial or complete inundation of normally dry land areas. Flooding is commonly associated with the flow over the banks of rivers, streams, or stormwater

channels. Flooding can also occur near stormwater conveyance or diversion facilities, or in low-lying areas not designed to carry water at any time.

A **floodplain** or flood-prone area is any land area adjacent to a watercourse susceptible to being inundated by water from any source (see definition of “flooding”). A floodplain consists of a floodway (main flow conveyance) and a flood fringe (flow conveyance or storage outside of the floodway to the outer edges of the inundation area). A floodplain is an integral part of the stream system. It provides conveyance and storage capacity for high flows, helps reduce the erosive power of the stream during a flood, and reduces the discharge of sediment during high flow periods. Developed areas in floodplains are susceptible to flooding that can result in significant property damage and potential for loss of life.

A **Floodway** is the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height but not to exceed one foot. Also referred to as “Regulatory Floodway”.

Hydraulics is the study of water conveyance through pipes, channels, creeks and storm drains. Hydraulic studies are performed to determine water surface elevations and flow velocities during a flood or other design event, as well as the force of the moving water against the channel bed.

Hydrology is defined as the science dealing with the properties, distribution, and circulation of surface water, groundwater and atmospheric water. The quantity and rate of water which flows in a creek or river is dependent on climatic conditions combined with the watershed characteristics. The slope and shape of the watershed, soil properties, land cover, land use, recharge area, and relief features are watershed characteristics which influence the quantity of surface flows.

Hydromodification is changes in a watershed’s runoff characteristics resulting from development, together with associated morphological changes (increased erosion or sedimentation) to stream channels receiving the runoff. Hydromodification leads to habitat degradation due to loss of overhead cover and loss of instream habitat structures.

Impervious surfaces allow little or no water infiltration into the ground. These surfaces are commonly artificial and include compacted soils, pavements, roofs, or other structures. Natural impervious surfaces may include rock, outcrops, wetlands, and soils with very low infiltration rates.

A **National Pollutant Discharge Elimination System (NPDES)** is a provision of the Clean Water Act that prohibits discharge of pollutants into the waters of the United States unless a special permit is issued by the EPA, a state, or another delegated agency. A project would be required to obtain a NPDES permit if the project would discharge from a point source into the waters of the United States. Examples of this would include discharge from industrial sites, construction activities, or wastewater discharges.

A **Priority Development Project (PDP)**, as defined by the San Diego Municipal Stormwater Permit (Regional MS4 Permit) provision E.3.b, is a land development project that falls under the planning and building authority of the Copermittee for which the Copermittee must impose specific requirements in addition to those required of Standard Projects. Some common examples of a PDP are projects that would result in 10,000 square feet or more of impervious services, or projects that would disturb one or more acres of land. Additional thresholds are defined in the County of San Diego BMP Design Manual listed in Section 2.3 of this document.

Runoff is the draining away of water and the substances carried in it from the surface of an area of land, roadway, or from a building or other structure. As land is developed, impervious area is often increased, thereby increasing runoff. The increased volume and peak flow of runoff in a drainage area may have short-lived, but rather dramatic, impacts during storm events. Some effects could include property damage, water quality impacts and disturbance of wildlife habitat.

Soil infiltration refers to the downward entry of water into the soil and varies with soil type. Infiltration allows the soil to temporarily store water, making it available for uptake by plants and soil organisms and/or recharge groundwater basins.

A **watershed** is an area of land that drains all the streams and rainfall to a common outlet. A watershed may be only a few acres or hundreds of square miles as in rivers. All watersheds can be divided into smaller sub-watersheds.

Water quality is affected by several factors, including erosion, contaminants carried by runoff, and by direct discharge of pollutants. As land is developed, impervious surfaces can increase runoff that contains oils, heavy metals, pesticides and fertilizers from vegetated surfaces, bacteria and other contaminants into receiving waters such as creeks, bays, lagoons, or the ocean.

2.0 Environmental Setting

San Diego County's water resources consist of river systems, coastal lagoons, natural and constructed water bodies, and both shallow and deep groundwater bearing strata, from the Anza Borrego Desert to the Pacific Ocean. The Peninsular Mountain Range divides San Diego County between the South Coast Basin, which drains west toward the Pacific Ocean, and the Colorado River Basin, which drains east toward the Salton Sea and Colorado River. The South Coast Basin in San Diego County supports 11 major watersheds (hydrologic units) within the San Diego Hydrologic Region and is governed by the San Diego Regional Water Quality Control Board (San Diego RWQCB; Region 9). The Colorado River Basin supports portions of five watersheds in the Colorado River Hydrologic Region, governed by the Colorado RWQCB (Region 7). Figure A shows the watersheds in San Diego County.

Hydrology and Flooding

The potential for flooding is high in many parts of unincorporated San Diego County. The climate is generally semi-arid (and to a lesser extent arid, such as in Borrego Springs) and the seasonal precipitation is highly variable in frequency, magnitude, and location. Infrequent large bursts of rain can rush down steep canyons and flood areas unexpectedly. Flooding in San Diego and the rest of southern California most frequently occurs during winter storm events between the months of November and April, and occasionally during the summer from convective monsoonal activity and infrequent tropical or remnant of tropical storms. National Weather Service records of flooding and heavy rainfall events demonstrate that just one to two inches of rain within a few days can cause localized flooding, while events that bring three or more inches of precipitation will induce more severe stages of flooding, including flash floods, mudflows and landslides. The occurrence of wildfires also contributes to the potential for increased runoff, flash floods, mudflows and debris flows throughout the County. The loss of vegetation may result in exposure and destabilization of the surface soil and an increase in runoff peak flow, increasing the potential for mudflows, and debris flows. Development in the County is regulated by two sets of floodplain maps: Flood Insurance Rate Maps (FIRMs) by the Federal Emergency Management Agency (FEMA) and County's local floodplain and floodway maps. When

making decisions about a proposed development, both the local and federal maps need to be consulted. To ensure safety, the most restrictive of the two will govern.

The conversion of undeveloped, natural areas to urbanized uses throughout San Diego's watersheds can contribute to downstream flooding by increasing the rate and amount of runoff in a watershed and altering drainage patterns. Any alteration to natural drainage patterns by modifying landforms that control the surface water can increase the potential for flooding. The capacity of a drainage structure can typically be adequately determined by a hydrology and drainage study; however, if drainage facilities are not adequately designed or built or properly maintained, the facilities can overflow or fail, resulting in flooding.

Water Quality

Infiltration of water through soil can reduce the amount of water that reaches stormwater management systems, filter pollutants and contaminants from the water, and recharge the aquifers. The USDA Natural Resources Conservation Service (NRCS), formerly the Soil Conservation Service (SCS), classifies a soil's infiltration characteristics into four Hydrologic Soil Groups (HSG) known as Groups A (sandy soils) through D (clay soils), each corresponding to approximate infiltration rates. San Diego has a relatively high concentration of Group C and D soils, which possess lower infiltration rates that either limit the use of infiltration-based stormwater management systems or require soil amendments to assist infiltration systems. In general, Group D clay soils have lower infiltration rates and therefore larger portion of the rainfall is converted to runoff, whereas in Group A sandy soils, with higher infiltration rates, a larger portion of the rainfall infiltrates the land surface and recharges the underlying groundwater system, resulting in less runoff.

Over recent decades rapid growth and urbanization have placed increased pressure on water resources and resulted in local impacts to water quality, especially in the densely developed western part of the San Diego County. In general, increased urbanization increases the amount of pollutants generated by human activities within a watershed, and increases the amount of impervious surfaces, thus reducing the amount of water that would normally infiltrate into the soil and be infiltrated naturally. The typical result is more pollutants being carried directly into surface water by runoff. Implementation of stormwater treatment systems within the County varies significantly. A high percentage of unincorporated San Diego County is rural land that does not support or require stormwater drainage facilities. In contrast, most urban areas within unincorporated San Diego County

have implemented a range of stormwater drainage facilities, as new discretionary projects are constructed.

Seiches and Tsunamis

Approximately 53 dams have been built in San Diego County for the purpose of water conservation and storage during the County's development and expansion. Typically, all land around the reservoirs' shorelines are in public holdings that restrict private land development and minimize risk of inundation from seiches (note: a seiche is potentially flood-causing standing wave in a lake, reservoir, or other body of water). Additionally, the historic record and the location of unincorporated lands away from the coastline indicate that no projects within the unincorporated County have probable potential to be inundated by a tsunami, and therefore no guideline for tsunami has been included in Section 4.

2.1 COMMON CONSTRAINTS

Development projects may be hindered by constraints warranting further analysis of the project design. Examples of common constraints in the County include onsite topographic features, such as steep slopes, and project locations near waterways. If not designed appropriately, potential project issues may result such as flooding, erosion, and pollutants entering a water course. The potential significance of these and other impacts should be evaluated during CEQA review. Refer to the Initial Study Research Packet to find more information about hydrology and water quality on a specific project. This can be found on our website within the popular services box: <https://www.sandiegocounty.gov/content/sdc/pds/advance/propertyconditionagreement.html>

2.2 REGULATIONS AND STANDARDS

An overview of federal, state, and local regulations is provided below, but this list is not exhaustive. All relevant regulations must be considered during the CEQA review process. Please refer to the General Plan Environmental Impact Report to ensure that all relevant regulations are addressed. In addition, regulations and standards continuously evolve. Federal, State, and local regulations should be checked prior to including in the document.

Federal Regulations and Standards

- Clean Water Act (CWA)
- Federal Emergency Management Agency (FEMA) regulations
- National Flood Insurance Act

State Regulations and Standards

- CEQA
- California Water Code
- Cobey-Alquist Flood Plain Management Act
- Porter-Cologne Water Quality Control Act

Local and Regional Regulations and Standards

- San Diego Basin Plan – Region 9, Water Quality Control Plan
- San Diego Municipal Stormwater Permit (Regional MS4 Permit)
- Colorado River Basin Plan – Region 7, Water Quality Control Plan
- County of San Diego Best Management Practices (BMP) Design Manual
- County of San Diego Watershed Protection Ordinance (WPO)
- County of San Diego Flood Damage Prevention Ordinance
- County of San Diego Grading Ordinance
- County of San Diego Jurisdictional Runoff Management Plan (JRMP)
- County of San Diego Resource Protection Ordinance (RPO)
- Board of Supervisors Policy I-73: Hillside Development Policy

2.3 Guidance Documents

Guidance documents are available to assist in the evaluation of significant effects related to hydrology and water quality. Various guidance documents have been developed specifically by the County to provide direction on the evaluation of potential project impacts and design considerations for projects within unincorporated San Diego County. These resources are provided below. They may also be found on the County's website:

[Best Management Practice Design Manual \(BMP\)](#)

[Clean Water Act 303\(d\) – List of Impaired Water Bodies](#)

[General Development Resources](#)

[Grading, Clearing, and Watercourses Ordinance \(Grading Ordinance\)](#)

[Hydraulic Design Manual](#)

[Hydrology Manual](#)

[Hydromodification Management Documents](#)

[Process Guidance & Regulations/Statutes](#)

[Resource Protection Ordinance \(RPO\)](#)

[Watershed Protection Ordinance](#)

2.4 Analysis and Project Design Features

Once project constraints and features have been identified, additional analysis and project design features may be required. The following analysis or design features may be incorporated into the project to mitigate or avoid environmental impacts related to hydrology or surface water quality. Also included are provisions that a project may be required to follow in order to analyze specific impacts. This discussion is not exhaustive, and other features and measures may be implemented on a project-specific basis.

A **Conditional Letter of Map Revision (CLOMR)** is FEMA's comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA).

An example of a project that may require a CLOMR is a residential development, or tentative map, that is proposed within a County or FEMA-mapped floodway and/or floodplain. The project would first submit the CLOMR to the County. Once the CLOMR is reviewed and accepted by the County, it is separately submitted to FEMA and provided to the County prior to recordation of the final map or permitting of any grading and/or improvement plan, whichever comes first.

A **Letter of Map Revision (LOMR)** is FEMA's modification to an effective FIRM. Letters of Map Revisions are often based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective BFEs, or the SFHA.

For any project that requires a CLOMR, a LOMR would also be required to be submitted to FEMA within six months of project completion after review and approval from the County. The project would separately apply for a LOMR to FEMA and once approved, provide to the County prior to record plan approval of grading and/or improvement plans.

Green Infrastructure (GI), also known as Low Impact Development, is a stormwater management approach that attempts to maintain the natural hydrologic character of the site

or region by using design techniques that infiltrate, filter, store, evaporate, and detain runoff onsite.

Examples of GI are infiltration basins, bioretention, biofiltration, green roofs, tree wells, cisterns, dispersion areas, and permeable pavement. Additional examples are included in the County of San Diego BMP Design Manual listed in Section 2.3 of this document.

3.0 Determination of Significance

When a project is evaluated under CEQA, its design features are also considered as part of the project. Project design features are components of the project which are adopted prior to the public review period, whereas mitigation measures are added after an impact has been identified in order to reduce identified impacts of the project. As such, project design features must be considered as part of the project when determining impact significance. Common project design features relevant to hydrology and water quality impacts are summarized below, but additional measures may be appropriate. Design features are implemented on a project-specific basis and are tailored to a particular environmental context.

Standard design methods for construction and development are required as applicable for projects within SFHAs to reduce or avoid the effects of flooding and are identified in the County of San Diego Flood Damage Prevention Ordinance (FDPO), the RPO, the County Hydraulic Design Manual, and the County Hydrology Manual. Standard design methods address engineering analysis, materials and structural requirements, and other issues. Additionally, BMP requirements to reduce or avoid impacts to water quality are outlined in the WPO, the Grading Ordinance and the County of San Diego BMP Design Manual.

3.1 DISCRETIONARY PERMIT PROCESSING OPTIONS

Project applicants have the option to conduct a final engineering level hydrology analysis for projects located in a FEMA floodplain and/or a final engineering level analysis for stormwater after completion of the discretionary permit process. The discretionary permit processing options are discussed below.

Projects Located in Floodplains

For projects that affect FEMA or County floodplains, a project applicant has the option to secure entitlements and defer review by the Department of Public Works – Flood Control (DPW – Flood Control) through two options:

- **Option 1:** Applicant provides engineering computer modeling detailed analyses acceptable to DPW-Flood Control concurrent with the PDS CEQA review/determination. A FEMA-approved CLOMR is required before a grading permit is issued. If applicant starts detailed analyses as part of the CEQA review but then later decides they would like to switch to Option 2 prior to the final CEQA document, the applicant may revert to Option 2.
- **Option 2:** Applicant provides CEQA hydrology submittal pursuant to County of San Diego Guidelines for Determining Significance or CEQA Guidelines Appendix G. Staff performs CEQA hydrology review/determination. As a condition of approval for the discretionary application, the applicant will be required to provide detailed analyses acceptable to DPW-Flood Control and a FEMA-approved CLOMR prior to recordation of final map or permitting of any grading and/or improvement plan, whichever comes first.

Stormwater Analysis

During discretionary processing, project applicants have the option to conduct a final engineering level analysis for stormwater in conjunction or after completion of the discretionary permit process:

- **Option 1:** Applicant provides final engineering level analysis for stormwater in compliance with the San Diego RWQCB standards during discretionary permit process. The applicant completes the Stormwater Quality Management Plan (SWQMP) Intake Form for all Permit Application and either a Standard SWQMP or a PDP SWQMP, depending on the proposed project location, size and impervious surfaces. The SWQMP must include detailed project information acceptable to Planning and Development Services. A drainage or hydromodification study may also be required.
- **Option 2:** Applicant provides a preliminary stormwater analysis, demonstrating project feasibility, by using the tools which integrate factors contained in the County of San Diego BMP Design Manual to address CEQA requirements during discretionary

permit process. Currently, these options include the BMP Sizing Calculator for Structural BMPs, and the Significant Site Design BMP (SSD-BMP) Tool for dispersion areas and tree wells. These tools may change or could be replaced, so the applicant will have to consult with the County, and/or the documents in Section 2.3, to verify available tools at the time of submittal. During the final engineering process, the applicant will provide a refined level of stormwater analysis as required prior to approval of any grading/improvement plans as conditions of approval to ensure that projects comply with State mandates for stormwater runoff treatment and implementation of best management practices (BMPs) as required under the Regional MS4 Permit. Please see the County of San Diego BMP Design Manual for further information on this option.

The potential benefit of processing final design during the discretionary permit review process is that it provides greater certainty that the proposed design will meet all final requirements, including FEMA and the San Diego RWQCB requirements. If the applicant chooses to pursue Option 2 for either floodplains or stormwater, the applicant takes the risk of required project changes as a result of final engineering level analysis. If the changes are not within substantial conformance under the County Grading Ordinance, the applicant will be required to seek approval of the changes through a subsequent discretionary permit review process subject to CEQA.

3.2 INITIAL STUDY CHECKLIST QUESTIONS

This section addresses the following questions listed in the CEQA Guidelines, Appendix G, X. Hydrology and Water Quality as the basis for determining the significance of potential impacts to Hydrology and Water Quality.

Impacts to groundwater are not included in this document; these are outlined in a separate document entitled County of San Diego's Guidelines for Determining Significance: Groundwater.

Would the project:

- a) Violate any water quality standards or waste discharge requirements, or otherwise substantially degrade surface water quality?

- b) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:
 - i. result in substantial erosion or siltation on- or off-site;
 - ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
 - iii. Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
 - iv. Impede or redirect flood flows
- c) In a flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- d) Conflict with or obstruct implementation of a water quality control plan?

This document also addresses the following question listed in the California Environmental Quality Act (CEQA) Guidelines, Appendix G, VII. Geology and Soils:

Would the project:

- e) Result in substantial soil erosion or the loss of topsoil.

Guidance for evaluating these potentially significant effects are provided below in Section 3.3, Methodology. As described in Section 2.0, no projects within the existing unincorporated County are likely to be inundated by a tsunami or seiche. Therefore, no guideline for tsunamis or seiches has been included.

3.3 METHODOLOGY

The following guidelines and methodology should guide the evaluation of whether a significant impact to hydrology or water quality will occur as a result of project implementation. A project will generally be considered to have a significant effect if it proposes any of the following, absent specific evidence to the contrary.

a) Would the project violate any water quality standards or waste discharge requirements, or otherwise substantially degrade surface water quality?

A project may have a significant impact to water quality if it would conflict with any of the regulations and standards listed in Section 2.2. Locally, the San Diego RWQCB adopted the Regional MS4 Permit NPDES that covered the San Diego County Co-permittees. Through this permit, the County was mandated to develop new and updated Runoff Management Plans and Programs, including Water Quality Improvement Plans and a Jurisdictional Management Program. Within the County, permit requirements are generally implemented under authority of the WPO. In addition, the County of San Diego BMP Design Manual provides guidance for land development and public improvement projects to comply with the Regional MS4 Permit.

Project-specific plans are required to be prepared in accordance with the Regional MS4 Permit, WPO and the County of San Diego BMP Design Manual. A Stormwater Pollution Prevention Plan (SWPPP) must be prepared and implemented for construction sites with disturbed areas greater than 1 acre. In addition, all projects must complete a Stormwater Intake Form to determine if the SWQMP required to be prepared for the project is a Standard SWQMP or a PDP SWQMP.

If a project would not conform to the SWPPP or the Standard SWQMP/PDP SWQMP, the project may result in a significant impact to water quality requirements or waste discharge requirements, and mitigation would be required.

b) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:

i. result in substantial erosion or siltation on- or off-site;

This guideline requires the conformance of the project to design standards in the County's Hydraulic Design Manual and the County of San Diego BMP Design Manual. Additionally, projects within the County are subject to the provisions of the RPO and project-specific plans are required to be prepared in accordance with the WPO and the County of San Diego BMP Design Manual.

The County of San Diego BMP Design Manual establishes standards for new development to minimize runoff and maximize infiltration. However, San Diego County has a relatively high

concentration of Group C and D soils, which possess lower infiltration rates that either limit the use of infiltration-based stormwater management systems or require soil amendments to assist infiltration systems. In areas where infiltration is not appropriate, other types of BMPs can be utilized. An example would be a biofiltration system using biofiltration soil media (a mix of planting soil, sand and compost) which are vegetated surface water systems that filter storm water and support plant growth while providing pollutant treatment. These facilities also utilize shallow depressions to provide storage and evapotranspiration. Additional information is provided in the BMP Design Manual and the Regional MS4 Permit.

The County of San Diego BMP Design Manual contains mandatory measures as well as voluntary measures that development projects may take to address pollutant control and hydromodification management, and therefore reduce the level of significance of effects related to on- or off-site erosion and siltation.

The County also maintains the Grading Ordinance. Projects within the County are subject to the provisions of the Grading Ordinance to protect development sites against erosion and instability. Projects found to be inconsistent with the provisions of the Grading Ordinance would be generally considered to have a significant effect, absent specific evidence to the contrary.

ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

Development proposed within the County should be designed to minimize the use of impervious surfaces and incorporate GI practices, in combination with site design, source control, and stormwater best management practices consistent with the County of San Diego BMP Design Manual.

A project may have a significant impact related to increase in surface runoff and on- and off-site flooding if it would conflict with any of the regulations and standards listed in Section 2.2. Project-specific plans should be designed to comply with the provisions of the FDPO, as well as the WPO and the Grading Ordinance to reduce on- and off-site flooding and flood losses as well as limiting impact to established watercourses. Additionally, projects should be sited to comply with the RPO to limit development in floodplains and floodways, as well as within and adjacent to watercourses.

iii. Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;

A project which results in exceeding the capacity of the existing or planned stormwater drainage system would generally result in a potentially significant impact.

The County's Hydraulic Design Manual establishes design standards and procedures for stormwater drainage and flood management facilities. A hydrology study (pursuant to the County's Hydrology Manual) will typically be required to determine the pre- and post-construction peak runoff flow rates and velocities exiting the project site, as well as the capacity of existing drainage facilities and any potential downstream impacts. Stormwater drainage facilities are designed to reduce the potential for flooding by collecting stormwater runoff and directing flows to the natural drainage course and/or away from urban development. If drainage facilities are not adequately designed, built, or properly maintained, the capacity of the existing facilities can be exceeded resulting in flooding and increased sources of polluted runoff. Any proposed projects which exceeds the capacity of the existing or planned stormwater drainage system and/or cause downstream flooding to occur, would generally result in a potentially significant impact.

A project which results in substantial additional sources of polluted runoff would generally result in a potentially significant impact. As mentioned above in this Section, question a), the San Diego RWQCB adopted a Regional MS4 Permit NPDES that covered the San Diego County Co-permittees. Through this permit, the County was mandated to develop new and updated Runoff Management Plans and Programs, including Water Quality Improvement Plans and a Jurisdictional Management Program. All projects in the County must complete a Stormwater Intake Form to determine if the SWQMP required to be prepared for the projects is a Standard SWQMP or a PDP SWQMP.

iv. Impede or redirect flood flows

The County has adopted the FDPO under the authority of the State of California Code designed to prevent development in flood-prone or sensitive areas by imposing construction standards on what is allowed to be built in the floodplain.

FEMA's National Flood Insurance Program (NFIP) identifies areas within the 1 percent annual chance exceedance (100-year) floodplain, which are shown on FEMA's FIRMs for the County. Additionally, the County has developed its own flood maps that account for

additional areas of known risk. The Code of Federal Regulations require that the most restrictive map for a flood area governs.

Project-specific plans are required to be prepared consistent with the County Grading Ordinance, which requires the lowest floor of structures to be elevated to or above the level of the 100-year flood, the FDPO, which requires development to be elevated at least one foot above the base flood elevation, and the RPO, which prohibits development of permanent structures for human habitation in a floodway. Specifically, a project cannot increase the water surface elevation in a watercourse within a watershed equal or greater than 1 square mile, by 1 foot or more in height and in the case of the San Luis Rey River, San Dieguito River, San Diego River, Sweetwater River and Otay River, 2/10 of a foot or more in height. Projects which propose development within a floodplain may be found to be significant if they obstruct flow within the floodplain, or cannot meet the aforementioned criteria of the RPO, and mitigation may be required.

c) In a flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

A project may have a significant impact to hydrology and water quality if it would conflict with any of the regulations and standards listed in Section 2.2. As mentioned above in Section 3.2, land within the county is unlikely to experience inundation due to a tsunami or seiche, and therefore such impacts are not further discussed within this document.

Guidance related to flood hazards is further discussed above in Section 3.2, question c)(iv). Development projects have potential to release pollutants due to project inundation from flooding. A SWPPP must be prepared and implemented for construction sites greater than 1 acre. In addition, all project must complete a Stormwater Intake Form to determine if the SWQMP required to be prepared for the project is a Standard SWQMP or a PDP SWQMP.

If a project would not conform to the SWPPP or the Standard SWQMP/PDP SWQMP, the project may result in a significant impact to water quality requirements and mitigation would be required.

d) Conflict with or obstruct implementation of a water quality control plan?

A project may have a significant impact on water quality if it would conflict with any of the regulations and standards listed in Section 2.2. Pursuant to the Porter-Cologne Water Quality Control Act and the federal Clean Water Act, nine Regional Water Quality Control Boards are

responsible for the coordination and control of water quality, including the adoption of Water Quality Control Plans, for all areas within the region. The San Diego RWQCB is the board responsible for guiding and coordinating the management of water quality in the San Diego region. The Colorado River Basin – Region 7, and the San Diego Basin – Region 9 Water Quality Control Plans are the two regional plans applicable in the County which set the standards for compliance. The purpose of these plans is to designate beneficial uses of the Region's surface and ground waters, designate water quality objectives, and establish an implementation plan.

It is through the use of the SWPPP, Standard SWQMP/PDP SWQMP, as well as compliance with the WPO and County of San Diego BMP Design Manual, that the objectives of the Water Quality Control Plans are met. If a project would not conform to the SWPPP or the Standard SWQMP/PDP SWQMP, the project may result in a significant impact to the implementation of a Water Quality Control Plan, and mitigation would be required.

This document also addresses the following question listed in the CEQA Guidelines, Appendix G, VII. Geology and Soils:

e) Would the project result in substantial soil erosion or the loss of topsoil?

This guideline requires the conformance of the project to design standards in the County's Hydraulic Design Manual and the County of San Diego BMP Design Manual. Additionally, projects within the County are subject to the provisions of the RPO and project-specific plans are required to be prepared in accordance with the WPO.

The County of San Diego has developed the BMP Design Manual which establishes standards for new development to minimize runoff and maximize infiltration. The County of San Diego BMP Design Manual contains mandatory measures as well as voluntary measures that development projects may take to address runoff volume, pollutant control and hydromodification management, and therefore reduce the level of significance of effects related to on- or off-site erosion and loss of topsoil.

The County also maintains the Grading Ordinance. Projects within the County are subject to the provisions of the Grading Ordinance to protect development sites against erosion and instability. Projects found to be inconsistent with the provisions of the Grading Ordinance would be generally considered to have a significant effect, absent specific evidence to the contrary.

4.0 Mitigation and Design Features

If mitigation or project design factors are identified that could reduce a significant effect, those shall be incorporated into the project. While project design elements and/or mitigation shall be incorporated into a project, it may not always be possible to reduce the impact to below a level of significance. In general, if mitigation or project redesign does not reduce a significant impact to hydrology to below a level of significance, the impact will be considered significant and unavoidable.

Mitigation measures used in the planning and land use process to avoid or reduce impacts associated with flooding and surface water quality are typically identified in engineering studies and are specifically designed for the project being implemented.

Available measures include, but are not limited to, the following:

The level of significance of not complying with water quality standards and regulations, or discharge requirements or degradation of surface water quality may be reduced through the implementation of the following:

- Stormwater treatment systems (must be managed by a stormwater BMP maintenance company or community stormwater system regulated by the County or State)

The level of significance of impacts caused by the alteration of existing drainage patterns of an area may be reduced through the implementation of the following:

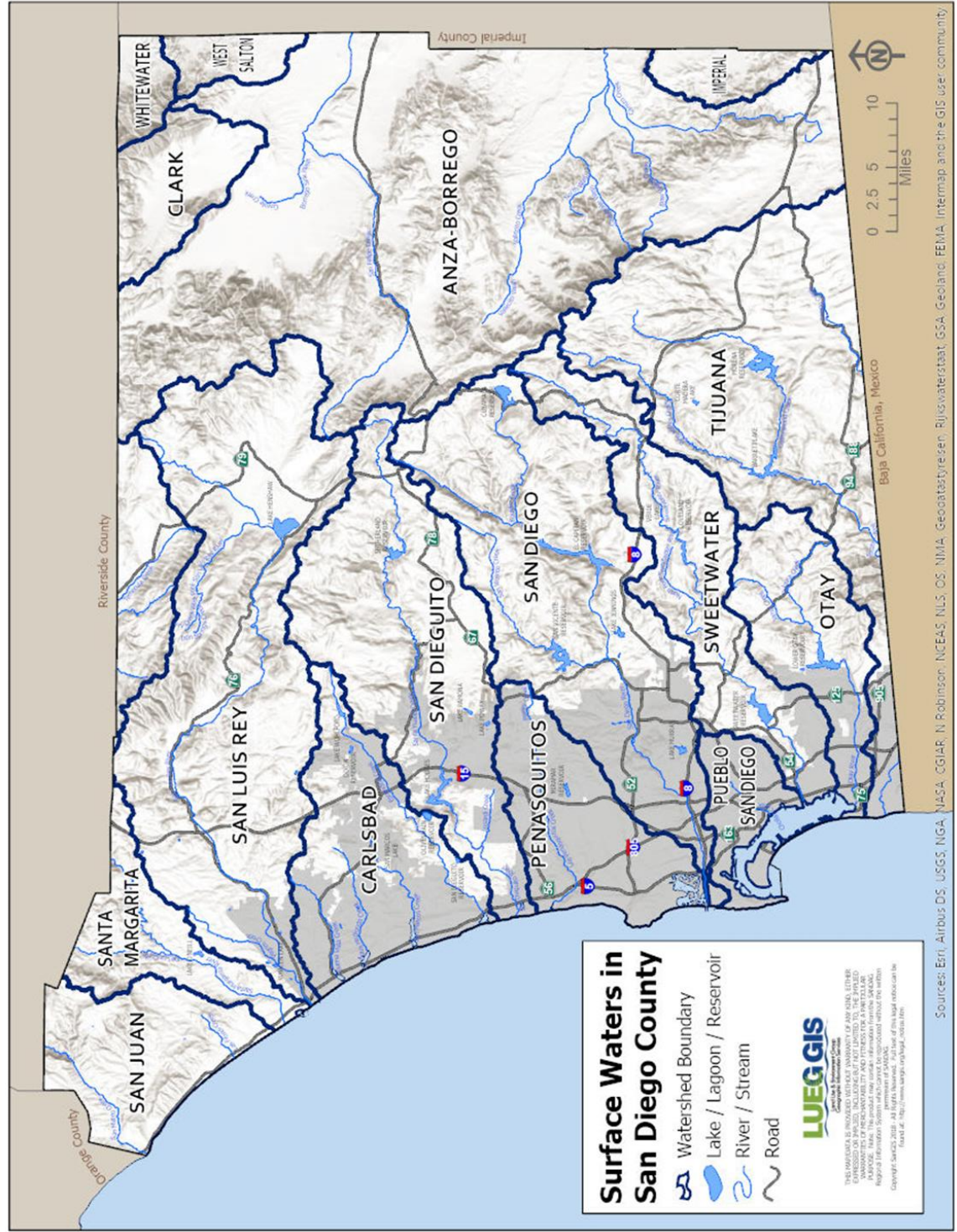
- Minimizing and restricting land development in floodplains, especially within the floodway
- Intentionally flooding low-lying areas to reduce the velocity and quantity of flow
- Reducing or preventing the generation of sediment and pollutants from new development
- Finish grading of a site at a site-specific slope (after construction and improvements are completed) to properly drain discharge away from foundations and slabs
- Limiting the height and slope of cuts and fills
- Properly compacting fills and keying them into bedrock

- Properly controlling flow of water onto slopes
- Constructing walls to divert mudflows
- Engineered channels, channel improvements, and other flood control facilities
- Providing additional flow control measures beyond the required low-flow threshold
- Stream restoration

Risk of releasing pollutants in a flood hazard, tsunami, or seiche zone level of significance may be reduced through the implementation of the following:

- Preserving natural riparian areas in floodplains and creating green belt buffers to absorb overflow, reduce runoff and filter pollutants.

5.0 Figure A



6.0 Additional Information

Hydrology reports must follow the guidelines in the County Hydrology Manual available at:
<https://www.sandiegocounty.gov/content/sdc/dpw/flood/hydrologymanual.html>

Standard SWQMP and PDP SWQMP reports must follow the templates in Appendix A of the County BMP Design Manual, available in the Development Resources page at:
<https://www.sandiegocounty.gov/stormwater>

Attachment C
Updated Guidelines Notice of Exemption

2 - 49 NOTICE OF EXEMPTION

TO: Recorder/County Clerk
Attn: James Scott
1600 Pacific Highway, M.S. A33
San Diego, CA 92101

FROM: County of San Diego
Planning & Development Services, M.S. O650
Attn: Project Planning Division Section Secretary

SUBJECT: **FILING OF NOTICE OF EXEMPTION IN COMPLIANCE WITH PUBLIC RESOURCES CODE SECTION 21108 OR 21152**

Project Name: County of San Diego Guidelines for Determining Significance
Hydrology and Water Quality (Guidelines); PDS2020-MISC-20-046

Project Location: The Guidelines would be applicable throughout the unincorporated County of San Diego

Project Applicant: County of San Diego, Planning and Development Services
Address: 5510 Overland Avenue, Suite 310, San Diego, CA 92123

Project Description: The Guidelines do not propose any development. The purpose of the Guidelines is to clarify and standardize analysis in the environmental review process by providing consistent, objective, and predictable evaluation of significant effects for the subject areas of hydrology and water quality. The Guidelines also include two updated CEQA streamlining options during discretionary review allowing for a schematic design for both stormwater and flood review. These options provide the opportunity for project applicants and consultants to reduce the processing time and cost associated with discretionary review. These options will not reduce the quality of Planning and Development Services review or create shortcuts or loopholes in the permitting process that would impact public safety, quality of life, environmental protection, or limit intended public participation. Final engineering level analysis would be required during the final engineering phase.

Agency Approving Project: County of San Diego

County Contact Person: Jenna Roady, Telephone Number: (858) 495-5437

Date Form Completed: April 1, 2021

This is to advise that the County of San Diego Board of Supervisors has approved the above-described project on August 18, 2021 (item #2) and found the project to be exempt from the CEQA under the following criteria:

1. Exempt status and applicable section of the CEQA ("C") and/or State CEQA Guidelines ("G"): (check only one)
 - ☐ Declared Emergency [C 21080(b)(3); G 15269(a)]
 - ☐ Emergency Project [C 21080(b)(4); G 15269(b)(c)]
 - ☐ Statutory Exemption. C Section:
 - ☒ Categorical Exemption. G Section: 15308
 - ☒ G 15061(b)(3) - It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and the activity is not subject to the CEQA.
 - ☐ G 15182 – Residential Projects Pursuant to a Specific Plan
 - ☐ G 15183 – Projects Consistent with a Community Plan, General Plan, or Zoning
 - ☒ Activity is exempt from the CEQA because it is not a project as defined in Section 15378.
2. Mitigation measures ☐ were ☒ were not made a condition of the approval of the project.
3. A Mitigation reporting or monitoring plan ☐ was ☒ was not adopted for this project.

Statement of reasons why project is exempt: The proposed action complies with CEQA because it is: (1) not a project as defined in Public Resources Code, Section 21065, and CEQA Guidelines Section 15378, and is therefore not subject to CEQA pursuant to CEQA Guidelines Section 15060(c); and (2) categorically exempt as it is an action to enhance and protect the environment (Section 15308 of the CEQA Guidelines); and (3) subject to the common sense exemption, because the update to the Guidelines implement existing law and therefore it can be seen with certainty that there is no possibility that it may have a significant effect on the environment (Section 15061(b)(3) of the CEQA Guidelines). In addition, see Exhibit A of Attachment A of the Resolution of the County of San Diego Board of Supervisors Adopting the Guidelines, Dated August 18, 2021, attached to this form.

The following is to be filled in only upon formal project approval by the appropriate County of San Diego decision-making body.

Signature: _____ Telephone: (858) 495-5437

Name (Print): Jenna Roady Title: Land Use and Environmental Planner, Planning and Development Services

This Notice of Exemption has been signed and filed by the County of San Diego.

This notice must be filed with the Recorder/County Clerk as soon as possible ~~after~~ project approval by the decision-making body. The Recorder/County Clerk must post this notice within 24 hours of receipt and for a period of not less than 30 days. At the termination of the posting period, the Recorder/County Clerk must return this notice to the Department address listed above along with evidence of the posting period. The originating Department must then retain the returned notice for a period of not less than twelve months. Reference: CEQA Guidelines Section 15062.

EXHIBIT A

The proposed update to the Guidelines complies with the CEQA and State and County CEQA Guidelines because it is: (1) not a project as defined in the Public Resources Code section 210065 and CEQA Guidelines section 15378, and is therefore not subject to CEQA pursuant to CEQA Guidelines Section 15060 (c); (2) separately and independently, is categorically exempt pursuant to section 15308 of the CEQA Guidelines because this action will enhance and protect the environment; and (3) subject to the common sense exemption, CEQA Guidelines section 15061(b)(3), because it can be seen with certainty that there is no possibility that it may have a significant effect on the environment. No exception to these exemptions pursuant to CEQA Guidelines section 15300.2 apply.

The adoption of the Guidelines is not a "project" as defined in Public Resources Code section 21065 and CEQA Guidelines sections 15378 and 15060(c)(3) and is therefore not subject to CEQA. A project as defined by CEQA, is the whole of the action that has the potential to result in either a direct or physical change or reasonably foreseeable indirect physical change to the environment. Adoption of the Guidelines is consistent with the requirements of the CEQA Guidelines Appendix G and does not authorize or ban any development, open any new areas to development, or exempt any project from CEQA review and therefore has no potential to cause a physical change in the environment. An action that restates or codifies existing law is not a project under CEQA because it has no potential to cause a physical change in the environment.

CEQA Guidelines section 15378(b)(5) states that a project does not include "organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment." The proposal is to update the County's Guidelines for Determining Significance for Hydrology and Surface Water Quality for consistency with updated regulations, create a more user-friendly document, and provide options to streamline projects during discretionary review. These options will not reduce the quality of Planning and Development Services review or create shortcuts or loopholes in the permitting process that would impact public safety, quality of life, environmental protection, or limit intended public participation. Final engineering level analysis would be required during the final engineering phase. Therefore, as the proposed Guidelines would update the County's existing Guidelines which implements CEQA, the action is not a project under CEQA.

Separately and independently, even if the action constitutes a project under CEQA, it would be categorically exempt pursuant to section 15308 of the CEQA Guidelines. This categorical exemption consists of actions taken by agencies as authorized by state or local ordinance to assure the enhancement or protection of the environment where the regulatory process involves procedures for the protection of the environment. By adopting the updated Guidelines, this action will enhance and protect the environment because it will require discretionary projects to evaluate impacts to hydrology or water quality, consistent with CEQA Guidelines Appendix G. Because the Guidelines require identification of the significant hydrology and water quality impacts of any project subject to CEQA, including projects below the thresholds of significance, if there is substantial evidence that the project may still have significant impacts, the Guidelines provide for projects to mitigate their significant effects, including their cumulative impacts. By adhering to the County's Guidelines, future projects would be reducing impacts on the environment.

Finally, even if the action constitutes a project under CEQA, it can be seen with certainty that there is no possibility that it may have a significant effect on the environment, and therefore is subject to the common sense exemption, CEQA Guidelines section 15061(b)(3). The proposed updated Guidelines are consistent with CEQA Guidelines Appendix G and provide guidance for CEQA analysis and mitigation for all projects in the County of San Diego. An action that restates or codifies existing law is not a project under CEQA because it has no potential to cause a physical change in the environment. None of the exceptions to the exemptions apply (Section 15300.2 of the CEQA Guidelines) because the Guidelines does not authorize, ban or exempt any development and therefore will not cause impacts to scenic highways, hazardous waste sites or historical resource.

Attachment D
Updated Guidelines Correspondence

Roady, Jennifer

From: Roady, Jennifer
Sent: Wednesday, January 20, 2021 9:28 AM
To: Frank HILLIKER
Subject: RE: Guidelines for Determining Significance for Hydrology & Water Quality

Good morning Mr. Hilliker,

Yes, this will be a document to assist in the discretionary project review process. It will replace the existing Guidelines for Hydrology and Surface Water Quality. The major differences is updating the Guidelines for consistency with recent regulations, updating links, providing for a more user friendly document, and allowing for streamlining provisions for surface water quality and hydrology.

Please let me know if you have any more questions, I would be happy to answer them!

Thank you,
#

Jenna Roady

Land Use and Environmental Planner

☎858-495-5437 | [Planning and Development Services](#)

5510 Overland Ave., Suite 310

San Diego, CA 92123

For local information and daily updates on COVID-19, please visit www.coronavirus-sd.com. To receive updates via text, send **COSD COVID19** to **468-311**.

Coronavirus Disease 2019
COVID-19

From: Frank HILLIKER <frankldrb@gmail.com>
Sent: Wednesday, January 20, 2021 5:56 AM
To: Turner, Jessica <Jessica.Turner@sdcounty.ca.gov>
Subject: Re: Guidelines for Determining Significance for Hydrology & Water Quality

Question,
Is this going to be something that the county looks at in their review process if accepted?

Frank Hilliker
Chairman
Lakeside Design Review Board

On Jan 19, 2021, at 2:21 PM, Turner, Jessica <Jessica.Turner@sdcounty.ca.gov> wrote:

Good Afternoon,

Please see the email below from Jenna Roady.

Regards,

Jessica Turner
Planning & Development Services
858-495-5336

Hi everyone,

As a follow up on recent events and meetings for the streamlining effort, we want to provide the draft Guidelines for Determining Significance for Hydrology and Water Quality (Guidelines) to you for your review. These Guidelines allow for streamlining options during discretionary review to conduct a preliminary hydrology and/or water quality analysis. Final engineering analyses will still be required to be submitted; however, would be required during the final engineering project phase. These options will not reduce the quality of PDS review or create shortcuts or loopholes in the permitting process that would impact public safety, quality of life, environmental protection, or limit intended public participation.

Please see attached Guidelines. We appreciate any feedback that you may have. We are distributing the Guidelines for public disclosure this Thursday, January 21. Please let us know if you have any questions or if you request any additional information; we would be happy to provide.

Thank you for coordinating with the County on this process.

Thank you,

#

Jenna Roady

Land Use and Environmental Planner

<image001.png>

858-495-5437 | [Planning and Development Services](#)

5510 Overland Ave., Suite 310

San Diego, CA 92123

For local information and daily updates on COVID-19, please visit www.coronavirus-sd.com. To receive updates via text, send **COSD COVID19** to **468-311**.

Roady, Jennifer

From: Roady, Jennifer
Sent: Wednesday, January 20, 2021 10:03 AM
To: David Pfeifer; 'TShaw@atlantissd.com'; chris.clark@uli.org; bbarnum@agcsd.org; brice@bosslergroup.com; Doug Logan; gary@wynnengineering.com; mmcmanus@agcsd.org; rikkimac3156@sbcglobal.net; sbenvenuto@sdchamber.org; rlieberman@sdchamber.org; matt@biasandiego.org; Hannah Gbeh (hannah@sdfarmbureau.org); Lee.Shick@nv5.com; Annie Aguilar; sukup@roadrunner.com; tmhollingworth@sbcglobal.net; steve@woodcrestrev.com; John Pyjar
Cc: De La Rosa, Michael; Smith, Ashley; Slovic, Mark
Subject: RE: Guidelines for Determining Significance - Hydrology and Water Quality

Great, thanks. We did have quite a long list of definitions but did our best to cut back the ones that we felt were not necessary.

Thank you,
 #

Jenna Roady

Land Use and Environmental Planner

858-495-5437 | [Planning and Development Services](#)

5510 Overland Ave., Suite 310

San Diego, CA 92123

For local information and daily updates on COVID-19, please visit www.coronavirus-sd.com. To receive updates via text, send **COSD COVID19** to **468-311**.



From: David Pfeifer <david.pfeifer@domusstudio.com>
Sent: Wednesday, January 20, 2021 9:59 AM
To: 'TShaw@atlantissd.com' <tshaw@atlantissd.com>; Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>; chris.clark@uli.org; bbarnum@agcsd.org; brice@bosslergroup.com; Doug Logan <Doug@rcesd.com>; gary@wynnengineering.com; mmcmanus@agcsd.org; rikkimac3156@sbcglobal.net; sbenvenuto@sdchamber.org; rlieberman@sdchamber.org; matt@biasandiego.org; Hannah Gbeh (hannah@sdfarmbureau.org) <hannah@sdfarmbureau.org>; Lee.Shick@nv5.com; Annie Aguilar <aaguilar@sdeinc.com>; sukup@roadrunner.com; tmhollingworth@sbcglobal.net; steve@woodcrestrev.com; John Pyjar <john.pyjar@domusstudio.com>
Cc: De La Rosa, Michael <Michael.DeLaRosa@sdcounty.ca.gov>; Smith, Ashley <Ashley.Smith2@sdcounty.ca.gov>; Slovic, Mark <Mark.Slovick@sdcounty.ca.gov>
Subject: RE: Guidelines for Determining Significance - Hydrology and Water Quality

Ted's comment make sense
 I believe in fewer, more consistent definitions

domusstudio architecture | David Pfeifer, AIA, Principal, LEED AP
 2800 Third Avenue San Diego, California 92103
david.pfeifer@domusstudio.com domusstudio.com
 619.692.9393 x13 office
 619.807.9356 mobile

From: TShaw@atlantissd.com <tshaw@atlantissd.com>
Sent: Wednesday, January 20, 2021 9:48 AM
To: Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>; chris.clark@uli.org; bbarnum@agcsd.org; brice@bosslergroup.com; Doug Logan <Doug@rcesd.com>; gary@wynnengineering.com; mmcmanus@agcsd.org; rikkimac3156@sbcglobal.net; sbenvenuto@sdchamber.org; rlieberman@sdchamber.org; matt@biasandiego.org; Hannah Gbeh (hannah@sdfarmbureau.org) <hannah@sdfarmbureau.org>; Lee.Shick@nv5.com; Annie Aguilar <aaguilar@sdeinc.com>; sukup@roadrunner.com; David Pfeifer <david.pfeifer@domusstudio.com>; tmhollingworth@sbcglobal.net; steve@woodcrestrev.com; John Pyjar <john.pyjar@domusstudio.com>
Cc: De La Rosa, Michael <Michael.DeLaRosa@sdcounty.ca.gov>; Smith, Ashley <Ashley.Smith2@sdcounty.ca.gov>; Slovic, Mark <Mark.Slovick@sdcounty.ca.gov>
Subject: RE: Guidelines for Determining Significance - Hydrology and Water Quality

Jenna

Thank you for sharing the document.

I suggest using the FEMA definitions of Floodplain and Floodway – I find that most people don't understand the difference and having a common definition for both would be helpful.

I also suggest including a definition of hydraulics, as it is mentioned in the document.

Again, thank you for circulating the document.

Theodore R. L. Shaw

Principal

Atlantis Group Land Use Consultants

2488 Historic Decatur Road, Suite #220

San Diego, CA 92106

Office 619 523 1930

Cellular 619 405 1707

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subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender by replying to the this E-mail then delete this E-mail immediately.

From: Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>

Sent: Wednesday, January 20, 2021 9:12 AM

To: chris.clark@uli.org; bbarnum@agcsd.org; brice@bosslergroup.com; Doug Logan <Doug@rcesd.com>; gary@wynnengineering.com; mmcmanus@agcsd.org; rikkimac3156@sbcglobal.net; sbenvenuto@sdchamber.org; rliberman@sdchamber.org; TShaw@atlantissd.com; matt@biasandiego.org; Hannah Gbeh (hannah@sdfarmbureau.org) <hannah@sdfarmbureau.org>; Lee.Shick@nv5.com; Annie Aguilar <aaguilar@sdeinc.com>; sukup@roadrunner.com; david.pfeifer@domusstudio.com; tmhollingworth@sbcglobal.net; steve@woodcrestrev.com; John Pyjar <john.pyjar@domusstudio.com>

Cc: De La Rosa, Michael <Michael.DeLaRosa@sdcounty.ca.gov>; Smith, Ashley <Ashley.Smith2@sdcounty.ca.gov>; Slovic, Mark <Mark.Slovick@sdcounty.ca.gov>

Subject: Guidelines for Determining Significance - Hydrology and Water Quality

Good morning!

As a follow up on recent events and meetings for the streamlining effort, we want to provide the draft Guidelines for Determining Significance for Hydrology and Water Quality (Guidelines) to you for your review. These Guidelines allow for streamlining options during discretionary review to conduct a preliminary hydrology and/or water quality analysis. Final engineering analyses will still be required to be submitted; however, would be required during the final engineering project phase. These options will not reduce the quality of PDS review or create shortcuts or loopholes in the permitting process that would impact public safety, quality of life, environmental protection, or limit intended public participation.

Please see attached Guidelines. We appreciate any feedback that you may have. We are distributing the Guidelines for public disclosure this Thursday, January 21. Please let us know if you have any questions or if you request any additional information; we would be happy to provide.

Thank you for coordinating with the County on this process.

Thank you,
#

Jenna Roady

Land Use and Environmental Planner

☎858-495-5437 | [Planning and Development Services](#)

5510 Overland Ave., Suite 310
San Diego, CA 92123

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updates via text, send **COSD COVID19** to **468-311**.



Roady, Jennifer

From: Mike McSweeney <MMcSweeney@biasandiego.org>
Sent: Wednesday, January 20, 2021 10:42 AM
To: Roady, Jennifer; De La Rosa, Michael; Slovick, Mark
Cc: Matt Adams; Borre Winckel
Subject: County of SD--Guidelines for Determining Significance - Hydrology and Water Quality
Attachments: Draft Guidelines.pdf

Jenna:

I have blind copied our Stormwater Task Force members (over 65 folks) on this e-mail. Additionally, We have our monthly meeting in the morning so we will discuss then. If we need and more information or clarification, I'll reach out to you.

Thank you,

Michael

Michael McSweeney

Sr. Public Policy Advisor
Building Industry Association
9201 Spectrum Center Blvd. #110
San Diego, CA 92123
858-450-1221 x 104
858-514-7004 Direct
858-552-1445 Fax
619-884-5354 Cell
mmcsweeney@biasandiego.org
www.biasandiego.org

From: Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>
Sent: Wednesday, January 20, 2021 9:24 AM
To: Mike McSweeney <MMcSweeney@biasandiego.org>
Cc: De La Rosa, Michael <Michael.DeLaRosa@sdcounty.ca.gov>; Slovick, Mark <Mark.Slovick@sdcounty.ca.gov>
Subject: Guidelines for Determining Significance - Hydrology and Water Quality

Good morning Mike!

We spoke on the phone Friday, January 8th, regarding the County's Guidelines for Determining Significance for Hydrology and Water Quality (Guidelines). The Guidelines were delayed by a week, but are now attached for your review. You mentioned you can circulate these amongst the Building Industry Association members. If you would prefer that I do, please just provide the emails to me so I can send.

These Guidelines allow for streamlining options during discretionary review to conduct a preliminary hydrology and/or water quality analysis. Final engineering analyses will still be required to be submitted; however, would be required during the final engineering project phase. These options will not reduce the quality of PDS review or create shortcuts or loopholes in the permitting process that would impact public safety, quality of life, environmental protection, or limit intended public participation.

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COVID-19

Roady, Jennifer

From: Roady, Jennifer
Sent: Wednesday, January 20, 2021 12:26 PM
To: 'Robert Reiner'
Subject: RE: Guidelines for Determining Significance - Hydrology and Water Quality
Attachments: Draft Guidelines.pdf

Hi Robert,

Yes, I actually do have you on my list for noticing! I have been coordinating with DPW Sheri McPherson, Rene Vidales, Sara Agahi, and Greg Carlton on this process and was provided your contact by DPW. The noticing and public review period officially begins tomorrow.

I will make sure to keep you informed along this process! Please see attached County's Guidelines for Determining Significance for Hydrology and Water Quality (Guidelines). We appreciate any feedback that you may have. I included some additional information below, but please let me know if you have any questions.

These Guidelines allow for streamlining options during discretionary review to conduct a preliminary hydrology and/or water quality analysis. Final engineering analyses will still be required to be submitted; however, would be required during the final engineering project phase. These options will not reduce the quality of PDS review or create shortcuts or loopholes in the permitting process that would impact public safety, quality of life, environmental protection, or limit intended public participation.

Thank you,

#

Jenna Roady

Land Use and Environmental Planner

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San Diego, CA 92123

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From: Robert Reiner <reinertechnicalservices@gmail.com>
Sent: Wednesday, January 20, 2021 11:59 AM
To: Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>
Subject: Guidelines for Determining Significance - Hydrology and Water Quality

Good morning,

I am reaching out to you to ask to be put on any lists or workshops for Storm Water or Hydrology, even if it is a simple mailing list.

Currently I am a COSD Hydrology Manual TAC member and contributor (even in the last edition from that TAC as well), but would love to lend my experience on things coming down the pipeline. My experience is active and goes back to 2003 with the Hydrology TAC.

Thank you for any consideration.

Thank you in advance,

Robert Reiner

Reiner Technical Services

Mailing Address: 30650 Rancho California Road 406-169, Temecula, California 92591

Package Address: Please contact before sending

Phone/Cell/Text: 760-653-2533

Email: reinertechnicalservices@gmail.com

Website: www.reinertechnicalservices.com

Roady, Jennifer

From: Roady, Jennifer
Sent: Wednesday, January 20, 2021 3:24 PM
To: Seits, Mark; Talebi, Leila; Laura Henry; Jake Gusman; Eylon Shamir; Stephan Beck; Brian Hill; Mosolgo, Eric; Boushra Salem; Chris Bauer
Cc: McPherson, Sheri; Vidales, Rene A.; Agahi, Sara; Carlton, Gregory A; Slovick, Mark; Smith, Ashley; Brown, Bronwyn
Subject: RE: Hydrology and Water Quality Guidelines - Public Review

Perfect. Thank you Mark for providing this.

Thank you,

#

Jenna Roady

Land Use and Environmental Planner

☎858-495-5437 | [Planning and Development Services](#)

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San Diego, CA 92123

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From: Seits, Mark <Mark.Seits@hdrinc.com>
Sent: Wednesday, January 20, 2021 3:23 PM
To: Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>; Talebi, Leila <Leila.Talebi@mbakerintl.com>; Laura Henry <lhenry@rickengineering.com>; Jake Gusman <jgusman@riverfocus.com>; Eylon Shamir <eshamir@hrcwater.org>; Stephan Beck <sbeck@ninyoandmoore.com>; Brian Hill <bhill@sdeinc.com>; Mosolgo, Eric <EMosolgo@sandiego.gov>; Boushra Salem <bsalem@chulavistaca.gov>; Chris Bauer <cbauer@chulavistaca.gov>
Cc: McPherson, Sheri <Sheri.McPherson@sdcounty.ca.gov>; Vidales, Rene A. <ReneA.Vidales@sdcounty.ca.gov>; Agahi, Sara <Sara.Agahi@sdcounty.ca.gov>; Carlton, Gregory A <Gregory.Carlton@sdcounty.ca.gov>; Slovick, Mark <Mark.Slovick@sdcounty.ca.gov>; Smith, Ashley <Ashley.Smith2@sdcounty.ca.gov>; Brown, Bronwyn <Bronwyn.Brown@sdcounty.ca.gov>
Subject: RE: Hydrology and Water Quality Guidelines - Public Review

Regarding the second bullet below, the County's Flood Damage Prevention Ordinance provides the following definitions:

(u) "Floodplain or flood-prone area" means any land area adjacent to a watercourse susceptible to being inundated by water from any source (see definition of "flooding").

(x) "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height but not to exceed one foot. Also referred to as "Regulatory floodway".

These definitions are consistent with FEMA definitions per 44 CFR 59.1.

Mark H. Seits, PE, CFM
Vice President

HDR
591 Camino de la Reina, Suite 300
San Diego, CA 92108
D 858.712.8312 M 858.204.6140
mark.seits@hdrinc.com

hdrinc.com/follow-us

From: Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>
Sent: Wednesday, January 20, 2021 1:12 PM
To: Talebi, Leila <Leila.Talebi@mbakerintl.com>; Laura Henry <lhenry@rickengineering.com>; Seits, Mark <Mark.Seits@hdrinc.com>; Jake Gusman <jgusman@riverfocus.com>; Eylon Shamir <eshamir@hrcwater.org>; Stephan Beck <sbeck@ninyoandmoore.com>; Brian Hill <bhill@sdeinc.com>; Mosolgo, Eric <EMosolgo@sandiego.gov>; Boushra Salem <bsalem@chulavistaca.gov>; Chris Bauer <cbauer@chulavistaca.gov>
Cc: McPherson, Sheri <sheri.mcpherson@sdcounty.ca.gov>; Vidales, Rene A. <ReneA.Vidales@sdcounty.ca.gov>; Agahi, Sara <Sara.Agahi@sdcounty.ca.gov>; Carlton, Gregory A <Gregory.Carlton@sdcounty.ca.gov>; Slovick, Mark <Mark.Slovick@sdcounty.ca.gov>; Smith, Ashley <Ashley.Smith2@sdcounty.ca.gov>; Brown, Bronwyn <Bronwyn.Brown@sdcounty.ca.gov>
Subject: Hydrology and Water Quality Guidelines - Public Review

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi everyone,

Thank you so much for your comments and participation on our Guidelines as part of our Technical Peer Review Panel! Please see attached document ready for circulation. Public disclosure begins tomorrow and will end February 22. If you would like to provide additional comments, please feel free and send to me. We did our best to incorporate all comments within the document, but did have a few conflicting comments.

In addition, some follow-up comments we have received that we have not incorporated into the document yet:

- Include further discussion of the different soil types in the document to add some perspective on the issue of Type D (clay) soil prevalence in the County. Other BMP alternatives can be utilized to achieve compliance.
- Include FEMA definitions of floodplain and floodway, since many people don't understand the difference and having a common definition for both would be helpful.
 - o *Interested to hear opinions specifically on using FEMA definition vs. County definitions*
- Include a definition of hydraulics since it is mentioned in the document.

Let us know your thoughts on the points above. Once again, we really appreciate your feedback. Have a great day!

Thank you,

#

Jenna Roady

Land Use and Environmental Planner

☎858-495-5437 | [Planning and Development Services](#)

5510 Overland Ave., Suite 310

San Diego, CA 92123

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From: Roady, Jennifer

Sent: Thursday, December 17, 2020 1:45 PM

To: Kazmer, Gregory <Gregory.Kazmer@sdcounty.ca.gov>; Watt, Regan <Regan.Watt@sdcounty.ca.gov>; Lawrence, Bridget <Bridget.Lawrence@sdcounty.ca.gov>; Sinsay, Edwin M <Edwin.Sinsay@sdcounty.ca.gov>; McLean, Sean <Sean.McLean@sdcounty.ca.gov>; Agahi, Sara <Sara.Agahi@sdcounty.ca.gov>; Carlton, Gregory A <Gregory.Carlton@sdcounty.ca.gov>; McPherson, Sheri <Sheri.McPherson@sdcounty.ca.gov>; Vidales, Rene A. <ReneA.Vidales@sdcounty.ca.gov>; Talebi, Leila <Leila.Talebi@mbakerintl.com>; Reece, Debby S. <Debby.Reece@wsp.com>; Seits, Mark <Mark.Seits@hdrinc.com>; Jake Gusman <jgusman@riverfocus.com>; Eylon Shamir <eshamir@hrcwater.org>; Stephan Beck <sbeck@ninyoandmoore.com>; Bryan Hill <bth@scengr.com>; Mosolgo, Eric <EMosolgo@sandiego.gov>; Boushra Salem <bsalem@chulavistaca.gov>; Chris Bauer <cbauer@chulavistaca.gov>

Subject: Hydrology and Water Quality Updated Draft Document

Hi everyone,

Thank you again for attending today's meeting. Please see the attached redlined document with all comments from reviews received thus far.

Thank you,

#

Jenna Ready

Land Use and Environmental Planner

☎858-495-5437 | [Planning and Development Services](#)

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Roady, Jennifer

From: Roady, Jennifer
Sent: Thursday, January 21, 2021 8:21 AM
To: Dan Neirinckx (Jamul-Dulzura) (jdcpgsd2@gmail.com)
Subject: RE: Guidelines for Determining Significance for Hydrology & Water Quality

Good morning!

The Guidelines have been rewritten, reorganized, and condensed from their old versions. A strikeout version was unfortunately not possible for this project.

However, the major changes included:

- Merging two guidelines (Guideline for Hydrology and Guidelines for Surface Water Quality) into 1 guideline
- Provided schematic stormwater and flood options within the Guidelines:
 - o Stormwater – Preliminary stormwater analysis by using tools that integrate sizing factors from the BMP Design Manual.
 - o Flood – Analysis pursuant to the Guidelines for Determining Significance. No CLOMR or LOMR required during discretionary.
 - o Condition of approval for a refined stormwater analysis and CLOMR/LOMR.
- Removed repetitive or overly detailed language
 - o (i.e. lengthy background section that exists in other documents, such as the BMP Design Manual or the Hydrology Manual)
- Condensed and synthesized language to be understandable and user friendly
- Updated language to incorporate new regulations (i.e. Regional MS4)
- Updated links to updated guidance documents on County website
- Removed analysis section of seiches and tsunamis due to rare occurrence within the unincorporated County.
 - o Seiches (potential flood-causing wave) occur near standing water bodies, such as lakes or dams). Majority of land ownership surrounding dams are public holdings that restrict private land development.
 - o Tsunamis occur in the coastal zone.

Please let me know if you have any other questions. I apologize I was not available by phone yesterday. I am working from home, and respond much quicker to emails.

Thank you,

#

Jenna Roady

Land Use and Environmental Planner

☎858-495-5437 | [Planning and Development Services](#)

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From: Dan Neirinckx <jdcpgsd2@gmail.com>
Sent: Thursday, January 21, 2021 7:44 AM
To: Turner, Jessica <Jessica.Turner@sdcounty.ca.gov>
Cc: Preston Brown <brown.preston@gmail.com>
Subject: Re: Guidelines for Determining Significance for Hydrology & Water Quality

Jessica,

I strongly suggest that Jenna Roady provide an UNDERLINE/STRIKEOUT draft of the "Guidelines" so the proposed changes are more evident. I have been unable to make contact by phone.

Thanks!

Dan Neirinckx
Chair JDCPG
619 995 1434

On Tue, Jan 19, 2021 at 2:21 PM Turner, Jessica <Jessica.Turner@sdcounty.ca.gov> wrote:

Good Afternoon,

Please see the email below from Jenna Roady.

Regards,

Jessica Turner
Planning & Development Services
858-495-5336

Hi everyone,

As a follow up on recent events and meetings for the streamlining effort, we want to provide the draft Guidelines for Determining Significance for Hydrology and Water Quality (Guidelines) to you for your review. These Guidelines allow for streamlining options during discretionary review to conduct a preliminary hydrology and/or water quality analysis. Final engineering analyses will still be required to be submitted; however, would be required during the final engineering project phase. These options will not reduce the quality of PDS review or create shortcuts or loopholes in the permitting process that would impact public safety, quality of life, environmental protection, or limit intended public participation.

Please see attached Guidelines. We appreciate any feedback that you may have. We are distributing the Guidelines for public disclosure this Thursday, January 21. Please let us know if you have any questions or if you request any additional information; we would be happy to provide.

Thank you for coordinating with the County on this process.

Thank you,

#

Jenna Roady

Land Use and Environmental Planner

<image001.png>

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San Diego, CA 92123



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Roady, Jennifer

From: Roady, Jennifer
Sent: Friday, January 22, 2021 1:47 PM
To: Jake Gusman; Talebi, Leila; Laura Henry; Seits, Mark; Eylon Shamir; Stephan Beck; Brian Hill; Mosolgo, Eric; Boushra Salem; Chris Bauer
Cc: McPherson, Sheri; Vidales, Rene A.; Agahi, Sara; Carlton, Gregory A; Slovick, Mark; Smith, Ashley; Brown, Bronwyn
Subject: RE: Hydrology and Water Quality Guidelines - Public Review

Hi Jake,

Thank you! I'll let everyone else chime in on this. Appreciate you providing this.

Thank you,

#

Jenna Roady

Land Use and Environmental Planner

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From: Jake Gusman <jgusman@riverfocus.com>

Sent: Friday, January 22, 2021 1:28 PM

To: Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>; Talebi, Leila <Leila.Talebi@mbakerintl.com>; Laura Henry <lhenry@rickengineering.com>; Seits, Mark <Mark.Seits@hdrinc.com>; Eylon Shamir <eshamir@hrcwater.org>; Stephan Beck <sbeck@ninyoandmoore.com>; Brian Hill <bhill@sdeinc.com>; Mosolgo, Eric <EMosolgo@sandiego.gov>; Boushra Salem <bsalem@chulavistaca.gov>; Chris Bauer <cbauer@chulavistaca.gov>

Cc: McPherson, Sheri <Sheri.McPherson@sdcounty.ca.gov>; Vidales, Rene A. <ReneA.Vidales@sdcounty.ca.gov>; Agahi, Sara <Sara.Agahi@sdcounty.ca.gov>; Carlton, Gregory A <Gregory.Carlton@sdcounty.ca.gov>; Slovick, Mark <Mark.Slovick@sdcounty.ca.gov>; Smith, Ashley <Ashley.Smith2@sdcounty.ca.gov>; Brown, Bronwyn <Bronwyn.Brown@sdcounty.ca.gov>

Subject: RE: Hydrology and Water Quality Guidelines - Public Review

Hi Jenna,

Regarding the definition of hydraulics, here's a proposed definition I put together:

Hydraulics is the study of how water moves in channels, rivers, creeks, and storm drains. Hydraulic studies are performed to determine how high and how fast water can get during a flood or other design event, as well as the force of the moving water against the channel bed.

It doesn't cover everything in hydraulics, but hopefully it's a good starting point for anyone else to improve upon.

Thanks,
Jake



A. Jake Gusman, P.E., D.WRE
President / Water Resources Engineer
(619) 457-3119
jgusman@riverfocus.com
www.riverfocus.com

From: Roady, Jennifer <Lenna.Roady@sdcounty.ca.gov>
Sent: Wednesday, January 20, 2021 1:12 PM
To: Talebi, Leila <Leila.Talebi@mbakerintl.com>; Laura Henry <lhenry@rickengineering.com>; Seits, Mark <Mark.Seits@hdrinc.com>; Jake Gusman <jgusman@riverfocus.com>; Eylon Shamir <eshamir@hrcwater.org>; Stephan Beck <sbeck@ninyoandmoore.com>; Brian Hill <bhill@sdeinc.com>; Mosolgo, Eric <EMosolgo@sandiego.gov>; Boushra Salem <bsalem@chulavistaca.gov>; Chris Bauer <cbauer@chulavistaca.gov>
Cc: McPherson, Sheri <Sheri.McPherson@sdcounty.ca.gov>; Vidales, Rene A. <ReneA.Vidales@sdcounty.ca.gov>; Agahi, Sara <Sara.Agahi@sdcounty.ca.gov>; Carlton, Gregory A <Gregory.Carlton@sdcounty.ca.gov>; Slovick, Mark <Mark.Slovick@sdcounty.ca.gov>; Smith, Ashley <Ashley.Smith2@sdcounty.ca.gov>; Brown, Bronwyn <Bronwyn.Brown@sdcounty.ca.gov>
Subject: Hydrology and Water Quality Guidelines - Public Review

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 - o *Interested to hear opinions specifically on using FEMA definition vs. County definitions*
- Include a definition of hydraulics since it is mentioned in the document.

Let us know your thoughts on the points above. Once again, we really appreciate your feedback. Have a great day!

Thank you,

#

Jenna Roady

Land Use and Environmental Planner

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From: Roady, Jennifer

Sent: Thursday, December 17, 2020 1:45 PM

To: Kazmer, Gregory <Gregory.Kazmer@sdcounty.ca.gov>; Watt, Regan <Regan.Watt@sdcounty.ca.gov>; Lawrence, Bridget <Bridget.Lawrence@sdcounty.ca.gov>; Sinsay, Edwin M <Edwin.Sinsay@sdcounty.ca.gov>; McLean, Sean <Sean.McLean@sdcounty.ca.gov>; Agahi, Sara <Sara.Agahi@sdcounty.ca.gov>; Carlton, Gregory A <Gregory.Carlton@sdcounty.ca.gov>; McPherson, Sheri <Sheri.McPherson@sdcounty.ca.gov>; Vidales, Rene A. <ReneA.Vidales@sdcounty.ca.gov>; Talebi, Leila <Leila.Talebi@mbakerintl.com>; Reece, Debby S. <Debby.Reece@wsp.com>; Seits, Mark <Mark.Seits@hdrinc.com>; Jake Gusman <jgusman@riverfocus.com>; Eylon Shamir <eshamir@hrcwater.org>; Stephan Beck <sbeck@ninyoandmoore.com>; Bryan Hill <bth@scengr.com>; Mosolgo, Eric <EMosolgo@sandiego.gov>; Boushra Salem <bsalem@chulavistaca.gov>; Chris Bauer <cbauer@chulavistaca.gov>

Subject: Hydrology and Water Quality Updated Draft Document

Hi everyone,

Thank you again for attending today's meeting. Please see the attached redlined document with all comments from reviews received thus far.

Thank you,

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Jenna Roady

Land Use and Environmental Planner

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San Diego, CA 92123

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Roady, Jennifer

From: Roady, Jennifer
Sent: Monday, January 25, 2021 9:06 AM
To: Eylon Shamir; 'Talebi, Leila'; 'Laura Henry'; 'Seits, Mark'; 'Jake Gusman'; 'Stephan Beck'; 'Brian Hill'; 'Mosolgo, Eric'; 'Boushra Salem'; 'Chris Bauer'
Cc: McPherson, Sheri; Vidales, Rene A.; Agahi, Sara; Carlton, Gregory A; Slovick, Mark; Smith, Ashley; Brown, Bronwyn
Subject: RE: Hydrology and Water Quality Guidelines - Public Review

Hi Eylon,

Thanks for these edits and I apologize for using the wrong association.

Thank you,

#

Jenna Roady

Land Use and Environmental Planner

☎858-495-5437 | [Planning and Development Services](#)

5510 Overland Ave., Suite 310

San Diego, CA 92123

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From: Eylon Shamir <eshamir@hrcwater.org>
Sent: Saturday, January 23, 2021 4:49 PM
To: Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>; 'Talebi, Leila' <Leila.Talebi@mbakerintl.com>; 'Laura Henry' <lhenry@rickengineering.com>; 'Seits, Mark' <Mark.Seits@hdrinc.com>; 'Jake Gusman' <jgusman@riverfocus.com>; 'Stephan Beck' <sbeck@ninyoandmoore.com>; 'Brian Hill' <bhill@sdeinc.com>; 'Mosolgo, Eric' <EMosolgo@sandiego.gov>; 'Boushra Salem' <bsalem@chulavistaca.gov>; 'Chris Bauer' <cbauer@chulavistaca.gov>
Cc: McPherson, Sheri <Sheri.McPherson@sdcounty.ca.gov>; Vidales, Rene A. <ReneA.Vidales@sdcounty.ca.gov>; Agahi, Sara <Sara.Agahi@sdcounty.ca.gov>; Carlton, Gregory A <Gregory.Carlton@sdcounty.ca.gov>; Slovick, Mark <Mark.Slovick@sdcounty.ca.gov>; Smith, Ashley <Ashley.Smith2@sdcounty.ca.gov>; Brown, Bronwyn <Bronwyn.Brown@sdcounty.ca.gov>
Subject: RE: Hydrology and Water Quality Guidelines - Public Review

Hi Jennifer,

A few minor comments:

- Please change my association to 'Hydrologic Research Center'
- Floodplain: maybe instead of 'flat area' we should say 'low-lying ground'
- Instead of 'A floodplain in developed areas can also result in ...' maybe change to : Developed areas in floodplains are susceptible to flooding that can result in ... '
- Hydrology: 2nd sentence: instead of 'The quantity of water which flows in a creek or river is a function of historic or predicted climatic conditions combined with the watershed characteristics.' Change to:

‘The quantity and rate of water which flows in a creek or river is dependent of climatic conditions combined with the watershed characteristics.’

- Soil infiltration: delete ‘otherwise known as percolation and/or recharge groundwater basins’. It is not correct.

I think that it is a good idea to add FEMA’s definition of floodway.

Let me know if you have questions,

Best,

Eylon

Eylon Shamir Ph.D.
Hydrologic Research Center
11440 West Bernardo Court, Suite 375
San Diego, CA 92127
+1-858-798-9440
<https://hrcwater.org>

From: Roady, Jennifer [<mailto:Jenna.Roady@sdcounty.ca.gov>]

Sent: Wednesday, January 20, 2021 1:12 PM

To: Talebi, Leila <Leila.Talebi@mbakerintl.com>; Laura Henry <lhenry@rickengineering.com>; Seits, Mark <Mark.Seits@hdrinc.com>; Jake Gusman <jgusman@riverfocus.com>; Eylon Shamir <eshamir@hrcwater.org>; Stephan Beck <sbeck@ninyoandmoore.com>; Brian Hill <bhill@sdeinc.com>; Mosolgo, Eric <EMosolgo@sandiego.gov>; Boushra Salem <bsalem@chulavistaca.gov>; Chris Bauer <cbauer@chulavistaca.gov>

Cc: McPherson, Sheri <Sheri.McPherson@sdcounty.ca.gov>; Vidales, Rene A. <ReneA.Vidales@sdcounty.ca.gov>; Agahi, Sara <Sara.Agahi@sdcounty.ca.gov>; Carlton, Gregory A <Gregory.Carlton@sdcounty.ca.gov>; Slovic, Mark <Mark.Slovick@sdcounty.ca.gov>; Smith, Ashley <Ashley.Smith2@sdcounty.ca.gov>; Brown, Bronwyn <Bronwyn.Brown@sdcounty.ca.gov>

Subject: Hydrology and Water Quality Guidelines - Public Review

Hi everyone,

Thank you so much for your comments and participation on our Guidelines as part of our Technical Peer Review Panel! Please see attached document ready for circulation. Public disclosure begins tomorrow and will end February 22. If you would like to provide additional comments, please feel free and send to me. We did our best to incorporate all comments within the document, but did have a few conflicting comments.

In addition, some follow-up comments we have received that we have not incorporated into the document yet:

- Include further discussion of the different soil types in the document to add some perspective on the issue of Type D (clay) soil prevalence in the County. Other BMP alternatives can be utilized to achieve compliance.
- Include FEMA definitions of floodplain and floodway, since many people don't understand the difference and having a common definition for both would be helpful.
 - o *Interested to hear opinions specifically on using FEMA definition vs. County definitions*
- Include a definition of hydraulics since it is mentioned in the document.

Let us know your thoughts on the points above. Once again, we really appreciate your feedback. Have a great day!

Thank you,

#

Jenna Roady

Land Use and Environmental Planner

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San Diego, CA 92123

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From: Roady, Jennifer

Sent: Thursday, December 17, 2020 1:45 PM

To: Kazmer, Gregory <Gregory.Kazmer@sdcounty.ca.gov>; Watt, Regan <Regan.Watt@sdcounty.ca.gov>; Lawrence, Bridget <Bridget.Lawrence@sdcounty.ca.gov>; Sinsay, Edwin M <Edwin.Sinsay@sdcounty.ca.gov>; McLean, Sean <Sean.McLean@sdcounty.ca.gov>; Agahi, Sara <Sara.Agahi@sdcounty.ca.gov>; Carlton, Gregory A <Gregory.Carlton@sdcounty.ca.gov>; McPherson, Sheri <Sheri.McPherson@sdcounty.ca.gov>; Vidales, Rene A. <ReneA.Vidales@sdcounty.ca.gov>; Talebi, Leila <Leila.Talebi@mbakerintl.com>; Reece, Debby S. <Debby.Reece@wsp.com>; Seits, Mark <Mark.Seits@hdrinc.com>; Jake Gusman <jgusman@riverfocus.com>; Eylon Shamir <eshamir@hrcwater.org>; Stephan Beck <sbeck@ninyoandmoore.com>; Bryan Hill <bth@scengr.com>; Mosolgo, Eric <EMosolgo@sandiego.gov>; Boushra Salem <bsalem@chulavistaca.gov>; Chris Bauer

<cbauer@chulavistaca.gov>

Subject: Hydrology and Water Quality Updated Draft Document

Hi everyone,

Thank you again for attending today's meeting. Please see the attached redlined document with all comments from reviews received thus far.

Thank you,

#

Jenna Ready

Land Use and Environmental Planner

☎858-495-5437 | [Planning and Development Services](#)

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Roady, Jennifer

From: Roady, Jennifer
Sent: Tuesday, January 26, 2021 3:25 PM
To: 'Dan Neirinckx'
Cc: Turner, Jessica
Subject: RE: Hydrology and Water Quality Guidelines

Hi Dan,

Yes, please see the following link:

<https://www.sandiegocounty.gov/pds/ceqa/SignificanceGuidelinesHydrology2021.html>

The Guidelines are "Draft Guidelines" on the page under "Draft Guidelines and Reference Documents". Please let me know if you have any additional questions!

Thank you,
#

Jenna Roady

Land Use and Environmental Planner

☎858-495-5437 | [Planning and Development Services](#)

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San Diego, CA 92123

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From: Dan Neirinckx <jdcpgsd2@gmail.com>
Sent: Tuesday, January 26, 2021 2:59 PM
To: Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>
Cc: Turner, Jessica <Jessica.Turner@sdcounty.ca.gov>
Subject: Hydrology and Water Quality Guidelines

Jenna, Please confirm that the revised Guidelines have been posted and provide the URL to access same.

Thank You,

Dan Neirinckx, Chair
Jamul Dulzura CPG
619 995 1434

Roady, Jennifer

From: Roady, Jennifer
Sent: Wednesday, January 27, 2021 5:26 PM
To: John Phillips
Subject: RE: draft CEQA guidelines - Hydrology and Water Quality

Hi John,

Thank you for your review! I'll reach out if we have any questions.

Thank you,

#

Jenna Roady

Land Use and Environmental Planner

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From: John Phillips <jphillips@cityofelcajon.us>
Sent: Wednesday, January 27, 2021 5:10 PM
To: Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>
Subject: draft CEQA guidelines - Hydrology and Water Quality

Hi Jenna,

I have reviewed the draft guidelines and have some very minor comments. Please see the attached. One comment (two different pages) has to do with the acronym SWPPP, which would be 'Storm Water Pollution Prevention Plan' if the reference is to the State Construction General Permit. The other comment is regarding some orphaned words.

I do not have any comments on the actual content and guidance language itself.

Please contact me if you have any questions regarding my suggested edits,

John Phillips

John R. Phillips, P.E.
City of El Cajon, Storm Water Program
200 Civic Center Way
El Cajon, CA 92020
Desk: 619-441-1783
Fax: 619-579-5254
E-mail: jphillips@cityofelcajon.us

Roady, Jennifer

From: Roady, Jennifer
Sent: Monday, February 08, 2021 1:46 PM
To: 'campoplanninggroup@nym.hush.com'
Subject: RE: Guidelines for Determining Significance for Hydrology & Water Quality

Hi Billie Jo Jannen,

Thanks for reaching out on the Guidelines Update. I am happy to provide a link to the project page:
<https://www.sandiegocounty.gov/pds/ceqa/SignificanceGuidelinesHydrology2021.html>

The project is an update to the County's Guidelines for Determining Significance for Hydrology and Water Quality. The information is the previous Guidelines for reference, along with the proposed updated Guidelines. The updates included merging two existing guidelines into one (surface water quality and hydrology) which are both available at the above link, allows for an option of a schematic analysis for stormwater/hydrology reviews during discretionary project review, condensed the document language to be more user friendly, and updated language based on updated regulations with links. Detailed final engineering designs and information would be required to be reviewed prior to any project grading approval.

Just so it is clear, no development is proposed for any specific project, but outlines standard review for projects in the future.

If you have any additional questions, please let me know!

Thank you,

#

Jenna Roady

Land Use and Environmental Planner

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San Diego, CA 92123

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From: campoplanninggroup@nym.hush.com <campoplanninggroup@nym.hush.com>

Sent: Monday, February 08, 2021 1:26 PM

To: Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>

Subject: Fwd: Guidelines for Determining Significance for Hydrology & Water Quality

Hello Jennifer: I can find nothing about this project on any county pages, and I would very much like more complete information on it. Can you provide additional documents or a link to the project page?

Thank you

Billie Jo Jannen, Chairman
Campo Lake Morena CPG

----- Forwarded message from "Jessica Turner" <Jessica.Turner@sdcounty.ca.gov> -----

Date: 1/19/2021 at 2:21 PM

Subject: Guidelines for Determining Significance for Hydrology & Water Quality

To: "Billie Jo Jannen (Campo)" <campoplanninggroup@nym.hush.com>, "Bob Uribe (Potrero)" <rduribe@gmail.com>, "Brian S. Sesko" <lakesidecpg@gmail.com>, "Cherry Diefenbach (Jacumba)" <csdiefenbach@sbcglobal.net>, "Curt Dean (Alpine DRB)" <cdean@benderdean.com>, "Dan Neirinckx (Jamul-Dulzura)" <jdcpgsd2@gmail.com>, "Delores Harmes (Valley Center)" <dee.valleycenter@gmail.com>, Donna Tisdale <tisdale.donna@gmail.com>, "Douglas S. Dill" <theddills@att.net>, "Eileen Delaney (Fallbrook)" <eileendelaneymail@gmail.com>, Frank Hilliker <frankldrb@gmail.com>, "Harriet G. Taylor" <harriettaylor@cox.net>, "Jack Wood (Fallbrook)" <kkeyman007@gmail.com>, "Jan Hedlun (Potrero)" <janwrites2013@yahoo.com>, "Jim Chagala (Hidden Meadows)" <jchagala@hotmail.com>, "Jim Custeau (Spring Valley)" <jimcusteausvcpg@cox.net>, "Juli Zerbe (Julian)" <julifromjulian@gmail.com>, "Karen Binns (Twin Oaks)" <royalviewranch@aol.com>, Kathy Goddard <cuyamaca@nethere.com>, Keith Robertson <Keith@johnsonandjennings.com>, Kerry Forrest <descansocpg@gmail.com>, Kerry Garza <i15drbchair@gmail.com>, "Kiki Munshi (Julian)" <kiki@skagenranch.com>, "Kristi Mansolf (Ramona)" <kmansolf@gmail.com>, Patrick Brown <patrickeng@sbcglobal.net>, "Paul T. Georgantas" <Georgantas@aol.com>, Rebecca Falk <rebalk7@gmail.com>, "Rob Lewellen (Ramona DRB)" <robeelew@gmail.com>, Robert Carlyle <rcarlyle@outlook.com>, "Robin Joy Maxson (Ramona)" <robinjoymaxson@gmail.com>, "Sanda Farrell (Twin Oaks)" <slfarrell@cox.net>, Stephen Stonehouse <stephen.stonehouse@cox.net>, "Steve Norris (Bonsall)" <stevenorris.bsg@gmail.com>, Travis Lyon <travislyonacpg@gmail.com>, Vern Denham <PineValleyPlanningGroup@gmail.com>, Waldon Riggs <wrplanning@gmail.com>, "Wendy Tinsley-Becker (Valle de Oro)" <Wendy@urbanapreservation.com>
Cc: "Roady, Jennifer" <Jenna.Roady@sdcounty.ca.gov>

Good Afternoon,

Please see the email below from Jenna Roady.

Regards,

Jessica Turner

Planning & Development Services

858-495-5336

Hi everyone,

As a follow up on recent events and meetings for the streamlining effort, we want to provide the draft Guidelines for Determining Significance for Hydrology and Water Quality (Guidelines) to you for your review. These Guidelines allow for streamlining options during discretionary review to conduct a preliminary hydrology and/or water quality analysis. Final engineering analyses will still be required to be submitted; however, would be required during the final engineering project phase. These options will not reduce the quality of PDS review or create shortcuts or loopholes in the permitting process that would impact public safety, quality of life, environmental protection, or limit intended public participation.

Please see attached Guidelines. We appreciate any feedback that you may have. We are distributing the Guidelines for public disclosure this Thursday, January 21. Please let us know if you have any questions or if you request any additional information; we would be happy to provide.

Thank you for coordinating with the County on this process.

Thank you,

Jenna Roady

Land Use and Environmental Planner

<image001.png>

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San Diego, CA 92123

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Roady, Jennifer

From: Roady, Jennifer
Sent: Thursday, February 11, 2021 10:28 AM
To: 'Dan Neirinckx'
Subject: RE: Hydrology and Water Quality Guidelines

Hi Dan,

I would be happy to attend the virtual meeting on February 23 at 7:30. Should I have a brief presentation prepared for the meeting, or would you prefer I just join to answer any questions you may have?

In addition, I am heading this effort but have been working in conjunction with the Department of Public Works. If the CPG has any detailed engineering questions on Hydrology or Water Quality, I would like for a representation from Public Works to attend as well. Please let me know what kind of questions you anticipate to ensure we can answer all of your questions.

Thanks so much,
 #

Jenna Roady

Land Use and Environmental Planner

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San Diego, CA 92123

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From: Dan Neirinckx <jdcpgsd2@gmail.com>
Sent: Wednesday, February 10, 2021 9:07 AM
To: Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>
Subject: Re: Hydrology and Water Quality Guidelines

Jenna, Last night at the Virtual meeting of the Jamul Dulzura CPG the Hydrology and Water Quality Guidelines subject was reviewed and questions remain. I request you "attend" the next virtual meeting on February 23, at 7:30 pm. I can place this item as the first action item to expedite your participation. I would like to have the CPG make it's comments not later than the 23rd's meeting knowing the public review period ends on the 22nd.

Thank You,

Dan Neirinckx
 Chair JDCPG
 619 995 1434

On Tue, Jan 26, 2021 at 3:24 PM Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov> wrote:

Hi Dan,

Yes, please see the following link:

<https://www.sandiegocounty.gov/pds/ceqa/SignificanceGuidelinesHydrology2021.html>

The Guidelines are “Draft Guidelines” on the page under “Draft Guidelines and Reference Documents”. Please let me know if you have any additional questions!

Thank you,

#

Jenna Ready

Land Use and Environmental Planner

☎858-495-5437 | [Planning and Development Services](#)

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San Diego, CA 92123

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From: Dan Neirinckx <jdcpgsd2@gmail.com>
Sent: Tuesday, January 26, 2021 2:59 PM
To: Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>
Cc: Turner, Jessica <Jessica.Turner@sdcounty.ca.gov>
Subject: Hydrology and Water Quality Guidelines

Jenna, Please confirm that the revised Guidelines have been posted and provide the URL to access same.

Thank You,

Dan Neirinckx, Chair

Jamul Dulzura CPG

619 995 1434

Roady, Jennifer

From: Dan Neirinckx <jdcpgsd2@gmail.com>
Sent: Friday, February 12, 2021 1:09 PM
To: Roady, Jennifer
Subject: Re: Hydrology and Water Quality

Jenna, All sounds good.

Dan Neirinckx
Chair JDCPG
619 995 1434

On Fri, Feb 12, 2021 at 12:45 PM Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov> wrote:

Hi Dan,

Okay, I'll put together a short introduction. Does 5 minutes or less work with your schedule?

Okay, I'll invite one of our engineers then whom reviews projects for hydrology and water quality to be sure this is explained well.

Thank you,

#

Jenna Roady

Land Use and Environmental Planner

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San Diego, CA 92123

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From: Dan Neirinckx <jdcpgsd2@gmail.com>
Sent: Friday, February 12, 2021 12:30 PM
To: Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>
Subject: Hydrology and Water Quality

Jenna,

Thanks for all the effort . It is my opinion that for most if not all CPG members, the technical aspects are beyond our appreciation. So with that said, a SHORT introduction of the guideline changes might help before the Q & A.. The one question that has been of primary concern is the effect the changes may have on ground water and is the County Hydrologist in the review loop for projects that will be using the guidelines.

Thanks,

Dan Neirinckx

Chair JDCPG

619 995 1434

ps, I started a new chain of emails as the links were getting out of hand.

Roady, Jennifer

From: Wragg, Steve <SWRAGG@mbakerintl.com>
Sent: Thursday, February 18, 2021 11:43 AM
To: Roady, Jennifer; Dan Neirinckx; Preston Brown; Janet Mulder; Patrick Parker; SUMMER PIPER; Kevin May; EVENASBY@MSN.COM; Ed Mollon; Michael Casinelli
Cc: first last; Rachel Vedder; Will Suto
Subject: RE: EXTERNAL: RE: Hydrology & Water Quality

Awesome. Thanks

From: Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>
Sent: Thursday, February 18, 2021 9:53 AM
To: Wragg, Steve <SWRAGG@mbakerintl.com>; Dan Neirinckx <jdcpgsd2@gmail.com>; Preston Brown <brown.preston@gmail.com>; Janet Mulder <Jmulder02@gmail.com>; Patrick Parker <kiwiridge4@gmail.com>; SUMMER PIPER <phishtail@yahoo.com>; Kevin May <kjmaymsi@cox.net>; EVENASBY@MSN.COM; Ed Mollon <Mollon@sbcglobal.net>; Michael Casinelli <mcasinelli@cox.net>
Cc: first last <amberrecklau@gmail.com>; Rachel Vedder <drachelvedder@gmail.com>; Will Suto <will.suto@gmail.com>
Subject: RE: EXTERNAL: RE: Hydrology & Water Quality

Yes, thanks Steve, I do know. I will answer the questions to the best of my ability and any technical questions related to stormwater or hydrology I can defer to Sean McLean. He confirmed he can attend to help answer any of these questions you and the group may have.

Thank you,

#

Jenna Roady

Land Use and Environmental Planner

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San Diego, CA 92123

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From: Wragg, Steve <SWRAGG@mbakerintl.com>
Sent: Thursday, February 18, 2021 9:07 AM
To: Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>; Dan Neirinckx <jdcpgsd2@gmail.com>; Preston Brown <brown.preston@gmail.com>; Janet Mulder <Jmulder02@gmail.com>; Patrick Parker <kiwiridge4@gmail.com>; SUMMER PIPER <phishtail@yahoo.com>; Kevin May <kjmaymsi@cox.net>; EVENASBY@MSN.COM; Ed Mollon <Mollon@sbcglobal.net>; Michael Casinelli <mcasinelli@cox.net>
Cc: first last <amberrecklau@gmail.com>; Rachel Vedder <drachelvedder@gmail.com>; Will Suto <will.suto@gmail.com>
Subject: RE: EXTERNAL: RE: Hydrology & Water Quality

Perfect, thanks. As you know, I'm not only a Planning Group member, but a design professional as well. So im interested to her your perspective related to both.

From: Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>

Sent: Thursday, February 18, 2021 8:58 AM

To: Wragg, Steve <SWRAGG@mbakerintl.com>; Dan Neirinckx <jdcpgsd2@gmail.com>; Preston Brown <brown.preston@gmail.com>; Janet Mulder <jmulder02@gmail.com>; Patrick Parker <kiwiridge4@gmail.com>; SUMMER PIPER <phishtail@yahoo.com>; Kevin May <kjmaymsi@cox.net>; EVENASBY@MSN.COM; Ed Mollon <Mollon@sbcglobal.net>; Michael Casinelli <mcasinelli@cox.net>

Cc: first last <amberrecklau@gmail.com>; Rachel Vedder <drachelvedder@gmail.com>; Will Suto <will.suto@gmail.com>

Subject: RE: EXTERNAL: RE: Hydrology & Water Quality

Hi Steve,

I am back in the office. Yes, I will explain the changes of the Guidelines.

Thank you,

#

Jenna Roady

Land Use and Environmental Planner

☎858-495-5437 | [Planning and Development Services](#)

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San Diego, CA 92123

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From: Wragg, Steve <SWRAGG@mbakerintl.com>

Sent: Monday, February 15, 2021 8:31 AM

To: Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>; Dan Neirinckx <jdcpgsd2@gmail.com>; Preston Brown <brown.preston@gmail.com>; Janet Mulder <jmulder02@gmail.com>; Patrick Parker <kiwiridge4@gmail.com>; SUMMER PIPER <phishtail@yahoo.com>; Kevin May <kjmaymsi@cox.net>; EVENASBY@MSN.COM; Ed Mollon <Mollon@sbcglobal.net>; Michael Casinelli <mcasinelli@cox.net>

Cc: first last <amberrecklau@gmail.com>; Rachel Vedder <drachelvedder@gmail.com>; Will Suto

<will.suto@gmail.com>

Subject: RE: EXTERNAL: RE: Hydrology & Water Quality

Jenifer: Thanks you for attending our meeting. At the meeting, could you please explain what is being modified, added, or deleted to the guidelines as it relates to reviewing and also preparing a SWQMP or Hydrology study for discretionary actions? It is difficult to understand the actual changes. I would like to know what are the actual changes related to implementing discretionary permits and how it will affect the processing of projects. Thanks.

From: Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>

Sent: Friday, February 12, 2021 12:06 PM

To: Dan Neirinckx <jdcpgsd2@gmail.com>; Preston Brown <brown.preston@gmail.com>; Janet Mulder <jmulder02@gmail.com>; Patrick Parker <kiwiridge4@gmail.com>; SUMMER PIPER <phishtail@yahoo.com>; Kevin May <kjmaymsi@cox.net>; EVENASBY@MSN.COM; Ed Mollon <Mollon@sbcglobal.net>; Wragg, Steve <SWRAGG@mbakerintl.com>; Michael Casinelli <mcasinelli@cox.net>

Cc: first last <amberrecklau@gmail.com>; Rachel Vedder <drachelvedder@gmail.com>; Will Suto <will.suto@gmail.com>

Subject: EXTERNAL: RE: Hydrology & Water Quality

Hi everyone,

As a follow-up to Dan's email, here is the public review site:

<https://www.sandiegocounty.gov/pds/ceqa/SignificanceGuidelinesHydrology2021.html>

The updated draft Hydrology and Water Quality Guidelines are listed as "Draft Guidelines" at the bottom of the page. The previous versions are listed directly below.

Thank you,

#

Jenna Roady

Land Use and Environmental Planner

☎858-495-5437 | [Planning and Development Services](#)

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San Diego, CA 92123

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From: Dan Neirinckx <jdcpgsd2@gmail.com>
Sent: Friday, February 12, 2021 12:03 PM
To: Preston Brown <brown.preston@gmail.com>; Janet Mulder <jmulder02@gmail.com>; Patrick Parker <kiwiridge4@gmail.com>; SUMMER PIPER <phishtail@yahoo.com>; Kevin May <kjmaymsi@cox.net>; EVENASBY@MSN.COM; Ed Mollon <Mollon@sbcglobal.net>; Wragg, Steve <swragg@mbakerintl.com>; Michael Casinelli <mcasinelli@cox.net>
Cc: first last <amberrecklau@gmail.com>; Rachel Vedder <drachelvedder@gmail.com>; Will Suto <will.suto@gmail.com>
Subject: Hydrology & Water Quality

To All: Jenna Roady from PDS staff will be joining the February 23, 2021 CPG meeting to answer questions concerning the subject matter. To facilitate the proceedings please submitted to the Chair a list of your questions concerning subject NOT later than February 17, 2021.

Thank You for your cooperation!

Draft Guidelines available at :

Roady, Jennifer

From: Roady, Jennifer
Sent: Thursday, February 18, 2021 9:15 AM
To: 'Wragg, Steve'
Cc: Dan Neirinckx
Subject: RE: EXTERNAL: RE: Hydrology & Water Quality

Hi Steve,

Yes, we will explain the two options for projects located in floodplains. Thanks for sending over your questions.

Thank you,

#

Jenna Roady

Land Use and Environmental Planner

☎858-495-5437 | [Planning and Development Services](#)

5510 Overland Ave., Suite 310

San Diego, CA 92123

For local information and daily updates on COVID-19, please visit www.coronavirus-sd.com. To receive updates via text, send **COSD COVID19** to **468-311**.

Coronavirus Disease 2019
COVID-19

From: Wragg, Steve <SWRAGG@mbakerintl.com>
Sent: Tuesday, February 16, 2021 3:11 PM
To: Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>
Cc: Dan Neirinckx <jdcpgsd2@gmail.com>
Subject: FW: EXTERNAL: RE: Hydrology & Water Quality

Jennifer: one more question. Can you please go over this– I would like clarification on the two options for Projects Located in Floodplains. To me, the way it's written, I can't tell the difference or the benefit of either.

Projects Located in Floodplains

For projects that affect FEMA or County floodplains, a project applicant has the option to secure entitlements and defer review by the Department of Public Works – Flood Control (DPW – Flood Control) through two options:

Page | 10

Guidelines for Determining Significance: Hydrology and Water Quality

- **Option 1:** Applicant provides engineering computer modeling detailed analyses acceptable to DPW-Flood Control concurrent with the PDS CEQA review/determination. A FEMA-approved CLOMR is required before a grading permit is issued. If applicant starts detailed analyses as part of the CEQA review but then later decides they would like to switch to Option 2 prior to the final CEQA document, the applicant may revert to Option 2.
- **Option 2:** Applicant provides CEQA hydrology submittal pursuant to County of San Diego Guidelines for Determining Significance or CEQA Guidelines Appendix G. Staff performs CEQA hydrology review/determination. As a condition of approval for the discretionary application, the applicant will be required to provide detailed analyses acceptable to DPW-Flood Control and a FEMA-approved CLOMR prior to recordation of final map or permitting of any grading and/or improvement plan, whichever comes first.

From: Wragg, Steve <SWRAGG@mbakerintl.com>
Sent: Monday, February 15, 2021 8:26 AM
To: Bell, Stefani <Stefani.Bell@mbakerintl.com>; Talebi, Leila <Leila.Talebi@mbakerintl.com>
Subject: FW: EXTERNAL: RE: Hydrology & Water Quality

Leila and Stefani: The County is coming to my local planning group to go over the potential changes to the County's draft guidelines for Hydrology. Are there any questions that I should bring up? Jenifer Roady is soliciting questions.

From: Roady, Jennifer <Jenna.Roady@sdcounty.ca.gov>
Sent: Friday, February 12, 2021 12:06 PM
To: Dan Neirinckx <jdcpgsd2@gmail.com>; Preston Brown <brown.preston@gmail.com>; Janet Mulder <jmulder02@gmail.com>; Patrick Parker <kiwiridge4@gmail.com>; SUMMER PIPER <phishtail@yahoo.com>; Kevin May <kjmaymsi@cox.net>; EVENASBY@MSN.COM; Ed Mollon <Mollon@sbcglobal.net>; Wragg, Steve <SWRAGG@mbakerintl.com>; Michael Casinelli <mcasinelli@cox.net>
Cc: first last <amberrecklau@gmail.com>; Rachel Vedder <drachelvedder@gmail.com>; Will Suto <will.suto@gmail.com>
Subject: EXTERNAL: RE: Hydrology & Water Quality

Hi everyone,

As a follow-up to Dan's email, here is the public review site:

<https://www.sandiegocounty.gov/pds/ceqa/SignificanceGuidelinesHydrology2021.html>

The updated draft Hydrology and Water Quality Guidelines are listed as "Draft Guidelines" at the bottom of the page. The previous versions are listed directly below.

Thank you,

#

Jenna Roady

Land Use and Environmental Planner

☎858-495-5437 | [Planning and Development Services](#)

5510 Overland Ave., Suite 310

San Diego, CA 92123

For local information and daily updates on COVID-19, please visit www.coronavirus-sd.com. To receive updates via text, send COSD COVID19 to 468-311.



From: Dan Neirinckx <jdcpgsd2@gmail.com>

Sent: Friday, February 12, 2021 12:03 PM

To: Preston Brown <brown.preston@gmail.com>; Janet Mulder <jmulder02@gmail.com>; Patrick Parker <kiwiridge4@gmail.com>; SUMMER PIPER <phishtail@yahoo.com>; Kevin May <kjmaymsi@cox.net>; EVENASBY@MSN.COM; Ed Mollon <Mollon@sbcglobal.net>; Wragg, Steve <swragg@mbakerintl.com>; Michael Casinelli <mcasinelli@cox.net>

Cc: first last <amberrecklau@gmail.com>; Rachel Vedder <drrachelledder@gmail.com>; Will Suto <will.suto@gmail.com>

Subject: Hydrology & Water Quality

To All: Jenna Roady from PDS staff will be joining the February 23, 2021 CPG meeting to answer questions concerning the subject matter. To facilitate the proceedings please submitted to the Chair a list of your questions concerning subject NOT later than February 17, 2021.

Thank You for your cooperation!

Draft Guidelines available at :

Roady, Jennifer

From: Dan Neirinckx <jdcpgsd2@gmail.com>
Sent: Friday, February 19, 2021 1:36 PM
To: Roady, Jennifer
Subject: Fwd: Hydrology & Water Quality

Follow Up Flag: Follow up
Flag Status: Completed

Jenna, Please see the email from a member of the CPG with a question for you at the Meeting.

Also another member has grave concern that any action might compromise the ground water quality. Other than the "village" area of Jamul, ground water is the primary source of potable water for residential use.

Thanks,

Dan Neirinckx

----- Forwarded message -----

From: Michael Casinelli <mcasinelli@cox.net>
Date: Fri, Feb 12, 2021 at 4:13 PM
Subject: RE: Hydrology & Water Quality
To: Dan Neirinckx <jdcpgsd2@gmail.com>

Dan:

As of now my question is, are there minimum restrictions that are preset, and requirements that must be met, at the beginning of the process, or do applicants' hydro consultants write a report that that says all's good?

My concern, which might be another question, is how likely is PDS going to truly scrutinize an hydrology report and require that the applicant make costly adjustments, or will PDS turn a blind-eye because of amount of time and expense already incurred by the applicant?

It seemed to me reading the document, that the new policy is kind of vague with scrutiny all at the end of the process, without checks along the way.

Michael

From: Dan Neirinckx [mailto:jdcpgsd2@gmail.com]
Sent: Friday, February 12, 2021 12:03 PM
To: Preston Brown; Janet Mulder; Patrick Parker; SUMMER PIPER; Kevin May; EVENASBY@MSN.COM; Ed Mollon; Wragg, Steve; Michael Casinelli
Cc: first last; Rachel Vedder; Will Suto
Subject: Hydrology & Water Quality

To All: Jenna Roady from PDS staff will be joining the February 23, 2021 CPG meeting to answer questions concerning the subject matter. To facilitate the proceedings please submitted to the Chair a list of your questions concerning subject NOT later than February 17, 2021.

Thank You for your cooperation!

Draft Guidelines available at :

From: [Dan Neirinckx](#)
To: [Roady, Jennifer](#)
Subject: Hydrology and Water Quality
Date: Thursday, March 25, 2021 7:25:40 PM
Attachments: [JDCPG FINAL Minutes MARCH 9, 2021 .doc](#)

Jenna, The following is the approved comments by the Jamul Dulzura CPG at the March 9, 2021 meeting and the attached Final Minutes for same meeting, Item number 5.

"A vote was taken on the motion made by Michael Casinelli (to have assurance from the County, that if we approve the changes proposed the County will ensure no problems for groundwater) and the motion passed unanimously."

Respectfully,

Dan Neirinckx
Chair JDCPG
619 995 1434

*****SPECIAL NOTICE*****

To take part in the VIRTUAL meeting call in by phone at
either 669-900-6833 or 346-248-7799 starting at 7:15 pm.

When directed, enter the meeting ID: 825-8974-8600 and
Meeting Password: 827443

You will be placed in a Queue until admitted by the Host. You will then be
placed on hold until the Meeting begins. When it is your turn to speak,
the host will say the last four digits of your phone number
and you will be permitted to speak at that time.

If you become disconnected, call back and
enter the appropriate ID and PW numbers.

*****SPECIAL NOTICE*****

**JAMUL DULZURA
COMMUNITY PLANNING GROUP
FINAL MINUTES
APPROVED MARCH 23, 2020
Tuesday March 9, 2021**

*******VIRTUAL MEETING*******

CALL IN BEGINS AT 7:15 p.m.

7:30 p.m.

1. **CALL TO ORDER:** Chair Dan Neirinckx, called the meeting to order at 7:30 p.m.

2. **ROLL CALL:**

Present: Dan Neirinckx, Janet Mulder, Preston Brown, Summer Piper, Michael Casinelli, Streeter Parker, Kevin May, Steve Wragg, Ed Mollon, Eve Nasby, Amber Recklau, Rachel Vedder

Guests: Jeremy Adams, Eddie, Campos, Kelly McCormick, Kathleen Leppitt, Sherri Snively, Rochelle Ross, Judy Strang, Darlene Kasmado, Kevin Brown, Katie Walker, Krystal Roy, Steve Hendrix.

Absent: 0

Vacant Seats: 5, 7, 14

3. **APPROVAL** of the Agenda for March 9, 2021 and Final Minutes for the Meeting of February 23, 2021. Motion to approve made by Preston Brown, carried unanimously.

4. **OPEN FORUM**

a. Any item not on the agenda – no one made a request to speak.

5. **County Guidelines for Hydrology and Water Quality** – We received briefings by the County as Steve Wragg asked them to send us the actual changes and to let us know where and when they occur. The County sent Steve their responses. Steve forwarded

the responses to Janet and Dan. While it seems harmless, Steve Wragg cannot attest to it. **Janet Mulder** asked about areas that are dependent upon groundwater to make sure that they are aware of the problems. **Michael Casinelli moved to have assurance from the County, that if we approve the changes proposed the County will ensure no problems for groundwater.** **Kevin May** asked Steve Wragg if he got the clarification as they seem to be designing a BMP calculator. **Summer Piper** asked if they were going to use the BMP calculator at the beginning of the project and end with the final BMW.

A vote was taken on the motion made by Michael Casinelli (to have assurance from the County, that if we approve the changes proposed the County will ensure no problems for groundwater) and the motion passed unanimously. **Kathleen Lippitt, guest,** pointed out that the questions asked by the Planning Group were not answered by the DPLU.

6. **Plan changes: 1. Safety Element, 2. Environmental Justice Element: Preston Brown**
Chair of the Sub-committee pointed out that they attended the Valley Center Sub-committee meeting which was great. **Chief Mecham** attended and delivered an extensive presentation on the history and evolution of the fire agencies which have now been unified into an efficient central command operation. **Preston Brown** asked a few questions on the impact of SB-99 and AB-2911 on the implementation of evacuation routes in the rural backcountry. **Chief Mecham** said he would be willing to set up a meeting with our Group and help us get started with organizing for fire preparedness and making decisions for evacuation routes and how to gain funding sources. Funding could come through a number of sources from Tiffs, and State Grants or others. The JDCPG sub-committee report from the 2011 JDCPG Minutes (which he had emailed to the Group) and pointed out that the consulting firm Fehr & Peers and the County representative attended our meeting and presented their findings for alternative evacuation routes in Jamul and Dulzura. He referenced the JDCPG sub-committee report from the 2011 JDCPG Minutes (which he had emailed to the Group) and pointed out that the consulting firm Fehr & Peers and the County representative attended our meeting and presented their findings for alternative evacuation routes in Jamul and Dulzura. **Michael Casinelli** asked **Preston** to let them know when the sub-committee meets and the plan is that the **sub-committee will meet at 6:30 preceding the regular JDCPG 7:30 meetings.** **Steve Wragg** recused himself from this discussion, because some of his firm have been hired to work on this project. **Jeremy Adams, resident,** asked if anything is to be discussed involving fire safety or the fire chief, he recommends that we contact the Fire Safe Council Board and share our questions or concerns with **Cesar Sterling, President of Jamul Fire Safe Council Board** which is under the umbrella organization for the San Diego Fire Safe Council Board (SWCPP).
7. **Board of Supervisors Proposed Needle Exchange Program.** **Dan Neirinckx** sent to Supervisor Joel Anderson, the information from Feb. 23 meeting minutes, in which the JDCPG had a motion that was defeated 7, yes and 1, no, that stated, while we were divided on whether or not a needle exchange program was necessary, our JDCPG makes the statement that we do not feel that there is a verifiable need for such a program in our Jamul Dulzura rural area. **Dan Neirinckx** said he did not think we could revote (even though we had three new JDCPG members joining us tonight) but felt we could make comments. **Darla Kasmedo, resident,** asked about the last meeting and as to why the motion failed. She stated that she has great concerns as she has lived where there were legal exchange programs and needles were found all around and found that it led to serious problems. She would 100% protest having a needle exchange program located in Jamul. **Preston Brown** brought up something that was brought up at the last meeting but not in the minutes, stating that they could set up a program in a vehicle like a bus and do a lot of outreach and did not necessarily need a physical location. **Darla Kasmedo, resident,**

questioned that there is a need in Jamul! **Dan Neirinckx** said our Supervisor is looking for our comments regarding this proposal as there are already 3 out of 5 votes on the Board who would vote for it and therefore he is looking to receive input that would have the least amount of impact. **Darla Kasmedo** suggested that we need to have an exchange program that is tied to rehab and one must turn in an old needle for exchange, as well as tied to treatment. **Summer Piper** said they are proposing it because the cost of the health problems caused by the sharing of needles would be greater than the cost of a needle exchange program. They are trying to lower the amount of disease in that population. **Michael Casinelli** told us he received an email from another community member, **Marcia Spurgeon**, who was unable to be at this meeting as she was a member of the Jamul Dulzura School Board and they were also meeting tonight. She asked him to report that she is “in opposition of having the needle exchange program due to her own experiences. She stated that two members of her family tree died from drug overdoses because the needle exchange allowed for their continued use of drugs. Sure, they went in rehab several times each but when they left rehab, they went back to their addiction. It is unfortunate that a drug can rule a person's life, but it does. Giving needles out is not helping; it is killing, plus it allows their drug connections a convenient place around the corner to sell their wares. Along with the drug addiction, the facilities that provide the needles brings in the worst of people. These drug addicts steal from their families, friends and strangers. They stay in squalid, filthy living areas. Rural areas could rapidly be taken over if needle exchanges were place in these areas.” **Preston Brown** said we had more questions than answers as to what and how this program would be implemented. **Darla Kasmedo** asked us to keep the residents of Jamul and Dulzura updated. **Crystal Roy, resident**, pointed out that the needle exchange program tends to support drugs and she does not want it in Jamul. **Rochelle Ross, resident**, feels that the needle exchange program conflicts with the existing law and would have a negative impact on our area and especially on the youth of the area. **Sherri Snively, resident**, asked if it would be helpful to send letters to Supervisor Anderson stating our thoughts. She has lived in Jamul for over 50 years and feels it would change the character of our community. She read from **Marcia Spurgeon's** note on Facebook (read by Michael Casinelli above) which concluded that “Rural areas could rapidly be taken over if needle exchanges were place in these areas.” **Sherri Snively** pointed out that just giving a needle to people without a program for rehabilitation is very concerning. **Laura Rockwood**, parent of Jamul students, stated that her concern is that making a needle exchange available in Jamul would bring the clientele of a needle exchange to our rural area which would not be at all safe or appropriate. She pointed out that she has worked in the mental health field in the past and knows first-hand that the needle exchange contributes to the problem even though we think we are helping others and she objects to this source of availability that encourages those already addicted only keeps them addicted. **Jeremy Adams** opposes the needle exchange program. One of the biggest things is that he has dealt with many drug addicts and found needles filled with the substance that it had been originally filled it with. His own brother is an addict and he has seen what drugs do to family and really doesn't feel it would be good for our community. He would be in favor of getting them into a center and would rather concentrate on rehab rather than needle exchange. **Kathleen Lippe** said the County programs seem to be based on the idea of getting the programs out in the County and away from the Cities. **Michael Casinelli** suggested that we need to be sure to recommend they only consider locations zoned as Industrial. **Janet Mulder** strongly recommended that the members and guests write letters individually to Supervisor Joel Anderson with our concerns.

8. **Board of Supervisors Proposed County Cannabis Zoning Changes** **Dan Neirinckx** said that according to our last meeting the Planning Group had concerns including location of

proposed Cannabis Shops too close to schools, and businesses where students congregate. **Michael Casinelli** pointed out that we represent the community and not just **our** personal thoughts, so he contacted members of our community. He reminded us that Proposition 64 allowed for a vote of the communities. **Amber Recklau** spoke with several people in the community who are growing cannabis, and still want to grow, and the input she received was split about 50/50. **Eddie Campos, resident**, is a farmer in Jamul – has 40-acres of agricultural land. He got a license then, using his knowledge, he went to Sacramento and was asked why he wanted to do this. He feels that they need to realize that there are a lot of other positive impacts as it can grow within 12 months and has a lot of valuable uses.

Summer Piper is concerned about water use in the farming. **Eddie Campos** pointed out that he uses no pesticides and only uses water during the summer and does not use a lot of water. He will get the actual water use information and pointed out that he is able to grow up to five crops a year which makes it much more profitable than any other crop but still only delivers 1/10 of what cannabis does in revenue and hemp farmers are failing. **Preston Brown** asked what was the result of your trip to Sacramento? **Eddie Campos** replied that there is not much support from the farm agencies. He was asked many questions about the hemp industry as his farm was impacted by the fire. He sees both sides of the coin now that he hears the concerns of the community. **Amber Recklau** said that we could save water growing cannabis over grapes. **Eddie Campos** said it was labor intensive and an art growing these plants. **Summer Piper** said she would like to recommend a vote of the people within the community as to where they wanted to establish these Cannabis Farms. She pointed out that Proposition 64 section 2 paragraph E states that the people can ban sales of cannabis in their area. **Kathleen Lippett, resident**, asked if **Eddie Campos** had had his crop-tested for THC as they are required to be below .03 or you can't harvest. **Eddie Campos** replied that officials come out at regular intervals to do all kinds of tests including the THC levels. **Kelly McCormick, resident**, pointed out that the program the County is proposing is far more outreaching than just the agricultural part. She read the "Social Equity Cannabis Program" that says that the program will provide people who have cannabis arrests or that live in areas that have been adversely impacted by the War on Drugs or laws against cannabis to secure a County operating permit. On the second page the report says it's "not clear yet what the equity program should look like", so she questions the wisdom of this type of law and is concerned about the fact that this needs to be fleshed out before the law is written. **Kathleen Lippett, resident**, has attended several other planning groups' meetings and told us that they brought up the questions regarding existing problem areas that have been shut down and then reopened. In addition, they don't make a distinction between residential and semi industrial and the residents need protection of their zoning. Medical offices have been forced to leave to allow room for more cannabis sales because they can afford to pay higher rents. She would suggest we go onto to CCC California Bureau of Cannabis Control website as you may be surprised to learn that they are there to license not protect the people. **Judi Strang, County PTA Support Committee**, pointed out that there are marijuana Consumption Lounges where for the first time in SD, folks would come to smoke, vape, and eat marijuana products, and then drive home drug impaired, on windy back country roads. This law sets back smoke free workplace laws by allowing smoking and vaping at workplaces; these were hard fought outcomes to create workplaces where workers would not be affected by secondhand smoke and vapor. **Eddie Campos** reminded us that this was an illegal industry that is trying to get legal and being over-charged and he feels that if we don't make it legal it will go back to the black market. **Summer** pointed out that zoning laws are not just about retail but also cultivation and manufacturing. **Peggy Walker, resident**, wanted to emphasize the importance of local choice and pointed out that one of the tenants of Prop. 64 is to preserve local choices and that 80% of the communities have chosen against it. She would urge us to write our Supervisors to let them know that she has

not heard from any of her clients that they want to have legal marijuana on sale near them. It marginalizes the law and she has heard from law officers that the number of “victims” of the war on drugs would be increased. **Dan Neirinckx** said this will come up again in the next meeting, so urged us to cut our comments short as it is getting late. **Darla Kasmedo** thanked us for our input and will return next meeting! **Dan Neirinckx asked that we send these minutes to our Supervisor and let him know that these are examples of our community concerns.**

Michael Casinelli moved that the County follow the guidelines of Proposition 64 and allow a vote of the communities involved to choose as to whether or not they allow recreational cannabis sales in their area. Other aspects of these zoning changes will be considered in the future. Vote: Motion passed: Unanimously

9. OFFICER’S ANNOUNCEMENTS AND REPORTS

- a. **Dan Neirinckx told us that he would be attending a Chair’s meeting this next week.**
- b. **Dan Neirinckx welcomed all of the new members (and the “Old” member) to the Jamul Dulzura Community Planning Group and reminded all of us....**
- c. **Form 700 is due by March 31 from regular members and needs a wet signature sent via US Mail or hand delivered to Jessica Turner.**

10. **Adjournment: Chair, Dan Neirinckx, adjourned the meeting at 9:42 p.m. thanking the members of the public who joined us and inviting them to return at the next meeting on Tuesday, March 23, 2022.**

Respectfully submitted:

Janet Mulder, Secretary

NOTICE OF NEXT REGULAR MEETING:

7:30 P.M. TUESDAY March 23, 2021

SITE: Virtual Meeting format until public/in-person meetings permitted.

Meeting minutes and agendas can be accessed at

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

NOTICE OF SUB-COMMITTEE MEETING:

GENERAL PLAN: SAFETY ELEMENT AND

ENVIRONMENTAL JUSTICE ELEMENT

6:30 P.M. TUESDAY March 9, 2021

VIRTUAL MEETING FORMAT, SIGNIN/JOIN INFORMATION SAME AS REGULAR MEETING

CALLIN BEGINS AT 6:20 PM

PUBLIC NOTICE

We strive to protect personally identifiable information by collecting only information necessary to deliver our services. All information that may be collected becomes public record that may be subject to inspection and copying by the public, unless an exemption in law exists. In the event of a conflict between this Public Notice and any County

ordinance or other law governing the County's disclosure of records, the County ordinance or other applicable law will control.

Access and Correction of Personal Information

You can review any personal information collected about you. You may recommend changes to your personal information you believe is in error by submitting a written request that credibly shows the error. If you believe that your personal information is being used for a purpose other than what was intended when submitted, you may contact us. In all cases, we will take reasonable steps to verify your identity before granting access or making corrections.

JAMUL/DULZURA COMMUNITY PLANNING GROUP

MISSION STATEMENT:

The mission of the Jamul-Dulzura Community Planning Group is to represent the best interests of the communities of Jamul and Dulzura while adhering to County of San Diego, California Board of Supervisors Policy I-1.

PURPOSE STATEMENT:

The purpose of the Jamul-Dulzura Community Planning Group is:

To provide a public forum where local citizens can learn about issues of importance to them and their community and provide input.

To carefully consider all input when advising the county on such issues as planning, land use, discretionary projects, and community and sub-regional plans.

APPROVED 5/12/2020

Attachment E
Final Engineering Flexibility Proposed Code Changes
Zoning Ordinance Amendment
Strike-out/Underline Copy

ORDINANCE NO. _____ (NEW SERIES)

AN ORDINANCE AMENDING SECTION 7609 OF THE COUNTY OF SAN DIEGO ZONING ORDINANCE
RELATING TO MINOR DEVIATION OF PLAN (Informational Copy)

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that the County of San Diego Zoning Ordinance should be updated by amending Section 7609. Minor Deviation of Plan. The Board finds that these amendments are reasonable and necessary to streamline operations and business efficiency; provides consistency between California Code of regulations and local permit processes; and supports efforts to protect environmental resources.

Section 2. Section 7609 of the County of San Diego Zoning Ordinance is hereby amended to read as follows:

7609 MINOR DEVIATION FROM PLAN.

A Minor Deviation to an Administrative Permit, Variance, Site Plan Permit or Use Permit may be authorized in accordance with the following provisions:

- a. Intent. This section provides for situations where it is necessary to deviate from an approved permit decision and associated approved plans in a minor way which is in substantial conformance with the purpose and intent of the related Administrative Permit, Variance, Site Plan Permit or Use Permit and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. This section provides for flexibility in the implementation of an Administrative Permit, Variance, Site Plan Permit or Use Permit by permitting a Minor Deviation to be administratively granted by the Director. It is not the intent of this section to allow a deviation from the plan which would violate the intent and purpose of the related Administrative Permit, Variance, Site Plan Permit or Use Permit or any of its conditions, or to allow any action or use for which an Administrative Permit, Variance, Site Plan Permit or Use Permit would otherwise be required by The Zoning Ordinance and which is not specifically allowed by the approved decision.
- b. Jurisdiction. The Director may authorize a Minor Deviation from a plan referred to in an Administrative Permit, Variance, Site Plan Permit or Use Permit granted by the Board of Supervisors, the Planning Commission, or the Director.
- c. Required Findings. A Minor Deviation from an approved permit shall be authorized only after findings that:
 1. The requested deviation does not constitute a substantial change in the Administrative Permit, Variance, Site Plan Permit, or Use Permit, as allowed pursuant to the permit decision;
 2. The requested deviation will not adversely affect adjacent property or property owners; and
 3. A summary table and complete description of all proposed changes has been added to the project file, prepared and signed by the property owner(s), indicating the total cumulative percent change of area, size, height or other deviation from the original permit approval. Any subsequent deviation shall include a revised summary and calculation pursuant to this subsection.

- d. Limitations. A deviation from an approved permit, or deviations having a cumulative effect, may be allowed in accordance with the following limitations:
1. A cumulative increase or decrease from the original approved plan of up to 10 percent of the following:
 - i. the gross area of any yard, open space, working area, parking area or other area regulated by the permit, provided that no decrease may be permitted in any required yard for which an exception pursuant to Section 4813 or a Variance is required;
 - ii. the size of any building or structure or of the total land area covered by any building or structure;
 - iii. the height of any building or structure or of any part thereof, or of the depth or area of an excavation, slope or working area;
 - iv. In the cases of Use Permits and Site Plan permits, the number of buildings or structures shown on the original approved plan provided the total land area covered by all buildings and structures does not increase or decrease more than 10 percent; or
 - v. A sign or sign program subject to a Community Design Review, Historic Landmark, Historic District or Design Review special area regulations designator may be approved upon due consideration of the recommendation of the applicable Design Review Board, Historic Site Board, Historic District Review Board, or Community or Subregional Planning Group. However, a change of copy, colors or print type, without a change to the overall size of the sign is not subject Design Review Board or Community or Subregional Planning Group review.
 - vi. In calculating the cumulative increase or decrease from the original approved plan, project change(s) required to comply with changes in State or Federal regulatory requirements shall not be counted toward the cumulative change if all of the following are met:
 - i. A determination shall be made that the project change(s) do not result in a new or substantially increased significant impact in accordance with the California Environmental Quality Act (CEQA).
 - ii. A determination shall be made that the project change(s) do not result in the creation of a situation that would be detrimental to the health, safety, or welfare of the public.
 - iii. A determination shall be made that the project change(s) do not result in the elimination of project features required to meet other County of San Diego code requirements, including, but not limited to the following:
 - (1) Elimination of a trail that provides a connection through the project that is needed for regional connectivity.
 - (2) Reduction in the overall amount of parkland approved with the original project.
 - (3) Elimination of roads that are needed for emergency access, travel time, or to handle the traffic generated by the project.
 - (4) Reduction of area needed for required water supply well or onsite wastewater treatment system and reserve area.

2. A change to the size and the type of windows, openings or doors, the colors or materials on the elevations or roof of a structure, or other similar changes may be allowed provided the approved architectural style is maintained. However, architectural or design elements specified in the permit conditions of approval will require a modification of the permit to authorize a change, pursuant to Section 7072, 7126, 7169 or 7378, as applicable.
- e. Application Form, Filing and Fee. An application requesting a minor deviation from a plan shall be made on the form prescribed by the Director, shall be signed by the property owner(s) or their agent(s) as required by Section 7017, shall be filed with the authority having jurisdiction as provided by paragraph "b" of this section, and shall be accompanied by the fee referenced in Section 7602.
- f. Hearing Not Required. Any action of the Director pursuant to this section may be taken without notice or public hearing.
- g. Decision is Final. Any decision by the Director pursuant to this section shall be final; provided, however, that the denial by the Director of a request for a minor deviation from a plan shall not prevent the applicant from applying for a new Administrative Permit, Variance, Site Plan Permit, or Use Permit or modification thereof pursuant to the Zoning Ordinance.

Section 3. This ordinance shall take affect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in the San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of San Diego this ____th day of ____, 2021.

Approved as to form and legality

By: _____, Senior Deputy County Counsel

Attachment F
Final Engineering Flexibility Proposed Code Changes
Zoning Ordinance Amendment
Clean Copy

ORDINANCE NO. _____ (NEW SERIES)

AN ORDINANCE AMENDING SECTION 7609 OF THE COUNTY OF SAN DIEGO ZONING ORDINANCE
RELATING TO MINOR DEVIATION OF PLAN (Informational Copy)

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that the County of San Diego Zoning Ordinance should be updated by amending Section 7609. Minor Deviation of Plan. The Board finds that these amendments are reasonable and necessary to streamline operations and business efficiency; provides consistency between California Code of regulations and local permit processes; and supports efforts to protect environmental resources.

Section 2. Section 7609 of the County of San Diego Zoning Ordinance is hereby amended to read as follows:

7609 MINOR DEVIATION FROM PLAN.

A Minor Deviation to an Administrative Permit, Variance, Site Plan Permit or Use Permit may be authorized in accordance with the following provisions:

- i. In calculating the cumulative increase or decrease from the original approved plan, project change(s) required to comply with changes in State or Federal regulatory requirements shall not be counted toward the cumulative change if all of the following are met:
 - i. A determination shall be made that the project change(s) do not result in a new or substantially increased significant impact in accordance with the California Environmental Quality Act (CEQA).
 - ii. A determination shall be made that the project change(s) do not result in the creation of a situation that would be detrimental to the health, safety, or welfare of the public.
 - iii. A determination shall be made that the project change(s) do not result in the elimination of project features required to meet other County of San Diego code requirements, including, but not limited to the following:
 - (1) Elimination of a trail that provides a connection through the project that is needed for regional connectivity.
 - (2) Reduction in the overall amount of parkland approved with the original project.
 - (3) Elimination of roads that are needed for emergency access, travel time, or to handle the traffic generated by the project.
 - (4) Reduction of area needed for required water supply well or onsite wastewater treatment system and reserve area.

Section 3. This ordinance shall take affect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in the San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of San Diego this ____th day of ____, 2021.

Approved as to form and legality

By: _____, Senior Deputy County Counsel

Attachment G
Final Engineering Flexibility Proposed Code Changes
Subdivision Ordinance Amendment
Strike-out/Underline Copy

ORDINANCE NO. _____ (NEW SERIES)

**AN ORDINANCE AMENDING SECTIONS 81.501 AND 81.801 OF THE COUNTY OF SAN DIEGO
SUBDIVISION ORDINANCE RELATING TO MAPS AND PARCEL MAPS TO CONFORM TO REQUIREMENTS
(Informational Copy)**

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that the County of San Diego Subdivision Ordinance should be updated by amending Section 81.501. Maps to Conform to Requirements and Section 81.801. Parcel Maps to Conform to Requirements. The Board finds that these amendments are reasonable and necessary to streamline operations and business efficiency; provides consistency between California Code of regulations and local permit processes; and supports efforts to protect environmental resources.

Section 2. Section 81.501 of the County of San Diego Subdivision Ordinance is hereby amended to read as follows:

SEC. 81.501. MAPS TO CONFORM TO REQUIREMENTS.

In addition to conforming to the requirements of the SMA and this division, a final map shall comply with all requirements and conditions of the approved or conditionally approved tentative map. Whenever a final map is filed, the Director shall make a determination as to whether the final map is in substantial conformance with the approved tentative map and resolution of approval.

In determining whether the final map is in substantial conformance with the approved tentative map and resolution of approval, project change(s) required to comply with changes in State or Federal regulatory requirements shall not be required to be considered in the substantial conformance determination if all of the following are met:

- (a) It shall be determined that the project change(s) do not result in a new or substantially increased significant impact in accordance with the California Environmental Quality Act (CEQA).
- (b) It shall be determined that that the project change(s) do not result in the creation of a situation that would be detrimental to the health, safety, or welfare of the public.
- (c) It shall be determined that the project change(s) do not result in the elimination of project features required to meet other County of San Diego code requirements, including, but not limited to the following:
 - (1) Elimination of a trail that provides a connection through the project that is needed for regional connectivity.
 - (2) Reduction in the overall amount of parkland approved with the original project.
 - (3) Elimination of roads that are needed for emergency access, travel time, or to handle the traffic generated by the project.
 - (4) Reduction of area needed for required water supply well or onsite wastewater treatment system and reserve area.

The Director shall prepare written findings identifying the requirements or conditions that were not met or performed if the final map is disapproved.

Section 3. Section 81.801 of the County of San Diego Subdivision Ordinance is hereby amended to read as follows:

SEC. 81.801. PARCEL MAPS TO CONFORM TO REQUIREMENTS.

In addition to conforming to the requirements of the SMA and this division a parcel map shall comply with all requirements and conditions of the approved or conditionally approved tentative parcel map.

In determining whether the parcel map complies with the approved tentative parcel map, project change(s) required to comply with changes in State or Federal regulatory requirements shall not be required to be considered if all of the following are met:

- (a) It shall be determined that the project change(s) do not result in a new or substantially increased significant impact in accordance with the California Environmental Quality Act (CEQA).
- (b) It shall be determined that that the project change(s) do not result in the creation of a situation that would be detrimental to the health, safety, or welfare of the public.
- (c) It shall be determined that the project change(s) do not result in the elimination of project features required to meet other County of San Diego code requirements, including, but not limited to the following:
 - (1) Elimination of a trail that provides a connection through the project that is needed for regional connectivity.
 - (2) Reduction in the overall amount of parkland approved with the original project.
 - (3) Elimination of roads that are needed for emergency access, travel time, or to handle the traffic generated by the project.
 - (4) Reduction of area needed for required water supply well or onsite wastewater treatment system and reserve area.

Section 4. This ordinance shall take affect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in the San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of San Diego this ____th day of ____, 2021.

Approved as to form and legality

By: _____, Senior Deputy County Counsel

Attachment H
Final Engineering Flexibility Proposed Code Changes
Subdivision Ordinance Amendment
Clean Copy

ORDINANCE NO. _____ (NEW SERIES)

**AN ORDINANCE AMENDING SECTIONS 81.501 AND 81.801 OF THE COUNTY OF SAN DIEGO
SUBDIVISION ORDINANCE RELATING TO MAPS AND PARCEL MAPS TO CONFORM TO REQUIREMENTS
(Informational Copy)**

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that the County of San Diego Subdivision Ordinance should be updated by amending Section 81.501. Maps to Conform to Requirements and Section 81.801. Parcel Maps to Conform to Requirements. The Board finds that these amendments are reasonable and necessary to streamline operations and business efficiency; provides consistency between California Code of regulations and local permit processes; and supports efforts to protect environmental resources.

Section 2. Section 81.501 of the County of San Diego Subdivision Ordinance is hereby amended to read as follows:

SEC. 81.501. MAPS TO CONFORM TO REQUIREMENTS.

In determining whether the final map is in substantial conformance with the approved tentative map and resolution of approval, project change(s) required to comply with changes in State or Federal regulatory requirements shall not be required to be considered in the substantial conformance determination if all of the following are met:

- (a) It shall be determined that the project change(s) do not result in a new or substantially increased significant impact in accordance with the California Environmental Quality Act (CEQA).
- (b) It shall be determined that the project change(s) do not result in the creation of a situation that would be detrimental to the health, safety, or welfare of the public.
- (c) It shall be determined that the project change(s) do not result in the elimination of project features required to meet other County of San Diego code requirements, including, but not limited to the following:
 - (1) Elimination of a trail that provides a connection through the project that is needed for regional connectivity.
 - (2) Reduction in the overall amount of parkland approved with the original project.
 - (3) Elimination of roads that are needed for emergency access, travel time, or to handle the traffic generated by the project.
 - (4) Reduction of area needed for required water supply well or onsite wastewater treatment system and reserve area.

Section 3. Section 81.801 of the County of San Diego Subdivision Ordinance is hereby amended to read as follows:

SEC. 81.801. PARCEL MAPS TO CONFORM TO REQUIREMENTS.

In determining whether the parcel map complies with the approved tentative parcel map, project change(s) required to comply with changes in State or Federal regulatory requirements shall not be required to be considered if all of the following are met:

- (a) It shall be determined that the project change(s) do not result in a new or substantially increased significant impact in accordance with the California Environmental Quality Act (CEQA).
- (b) It shall be determined that that the project change(s) do not result in the creation of a situation that would be detrimental to the health, safety, or welfare of the public.
- (c) It shall be determined that the project change(s) do not result in the elimination of project features required to meet other County of San Diego code requirements, including, but not limited to the following:
 - (1) Elimination of a trail that provides a connection through the project that is needed for regional connectivity.
 - (2) Reduction in the overall amount of parkland approved with the original project.
 - (3) Elimination of roads that are needed for emergency access, travel time, or to handle the traffic generated by the project.
 - (4) Reduction of area needed for required water supply well or onsite wastewater treatment system and reserve area.

Section 4. This ordinance shall take affect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in the San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of San Diego this ____th day of ____, 2021.

Approved as to form and legality

By: _____, Senior Deputy County Counsel

Attachment I

Final Engineering Flexibility Proposed Code Changesd

Grading Ordinance Amendment

Strike-out/Underline Copy

ORDINANCE NO. _____ (NEW SERIES)

AN ORDINANCE AMENDING SECTIONS 87.203 AND 87.207 OF THE COUNTY OF SAN DIEGO GRADING ORDINANCE RELATING TO ISSUANCE OF GRADING PERMITS AND GRADING PLANS OR IMPROVEMENT PLANS FOR PROJECTS WITH PREVIOUS DISCRETIONARY LAND USE APPROVAL (Informational Copy)

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that the County of San Diego Zoning Ordinance should be updated by amending Section 87.203. Issuance of Grading Permits and Section 87.207. Grading Plans or Improvement Plans for Projects with Previous Discretionary Land Use Approval. The Board finds that these amendments are reasonable and necessary to streamline operations and business efficiency; provides consistency between California Code of regulations and local permit processes; and supports efforts to protect environmental resources.

Section 2. Section 87.203 of the County of San Diego Grading Ordinance is hereby amended to read as follows:

SEC. 87.203. ISSUANCE OF GRADING PERMIT.

(a) Upon application signed by the owner of the property, the County Official shall issue a grading permit where the County Official determines that:

- 1) The proposed grading substantially complies with grading plans or improvement plans approved pursuant to Section 87.204 through 87.208;

In determining whether the proposed grading substantially complies with grading plans or improvement plans approved pursuant to Section 87.204 through 87.208, project change(s) required to comply with changes in State or Federal regulatory requirements shall not be required to be considered in the substantial conformance determination if all of the following are met:

- (a) It shall be determined that the project change(s) do not result in a new or substantially increased significant impact in accordance with the California Environmental Quality Act (CEQA).
- (b) It shall be determined that that the project change(s) do not result in the creation of a situation that would be detrimental to the health, safety, or welfare of the public.
- (c) It shall be determined that the project change(s) do not result in the elimination of project features required to meet other County of San Diego code requirements, including, but not limited to the following:
 - (1) Elimination of a trail that provides a connection through the project that is needed for regional connectivity.
 - (2) Reduction in the overall amount of parkland approved with the original project.
 - (3) Elimination of roads that are needed for emergency access, travel time, or to handle the traffic generated by the project.
 - (4) Reduction of area needed for required water supply well or onsite wastewater treatment system and reserve area.
- (b) Notwithstanding paragraph (a), where the approval of plans occurred prior to May 9, 2003, the application for a grading permit shall be evaluated based upon the criteria applicable under Sections 87.204 through 87.208; and where federal or state wildlife protection agencies identify newly

discovered concerns with impacts to resources that were not known at the time of grading plan or improvement plan approval, the County Official may defer issuance of a grading permit until those agencies' requirements have been complied with.

- (c) The 24 month period referenced in paragraph (a)(3) may be renewed by the County Official one time for an additional 24 months, if he or she determines that no significant changes in the work are proposed, environmental review documentation has been appropriately updated and, in the case of major grading, none of the criteria requiring denial under Section 87.211 exist. Notwithstanding the foregoing, the 24 month period shall not be renewed in violation cases, where the application has been filed to correct work done in violation of this Division (including work done without obtaining a grading permit).
- (d) Once issued, the grading permit shall authorize only the work shown on the approved grading plans, which shall be deemed to be incorporated into the grading permit, for a period of 36 months following the date of permit issuance, after which time the permit shall expire and be of no further force or effect. All work authorized by the grading permit, including the matters required by Sections 87.425 (Completion of Work -- Final Reports) and 87.426 (Notification of Completion), shall be completed within 36 months.
- (e) On the effective date of this subsection, a grading permit issued on or after August 21, 2007 and before August 21, 2009 that was issued for 24 months shall automatically be extended for an additional 12 months to make the expiration date 36 months from the original issue date.
- (f) When requested by a permittee, the County Official shall grant a one time extension, up to an additional 12 months for a permit in subsection (d) or subsection (e) if the County Official determines that:
 - 1) No significant changes in the work are proposed;
 - 2) For a permit issued before August 21, 2009 the permittee has provided a statement that due to economic reasons, the permittee has not been able to complete at least 30 percent of the total volume of earthwork. For a permit issued after August 21, 2009, substantial progress has been made towards completing the approved grading, in that at least 30 percent of the total volume of earthwork has been completed; and
 - 3) The estimates of the costs of the work for purposes of Section 87.304 have been updated to current costs at the time of extension.
- (g) Upon application by the owner, the County Official shall approve a modification to a grading permit, provided that:
 - 1) A grading plan or improvement plan change has been approved for the modification pursuant to Section 87.204(c);
 - 2) The proposed grading, as modified, substantially complies with grading plans or improvement plans approved pursuant to Section 87.204 through 87.208;
 - 3) The grading permit application was filed not more than 24 months following the approval of grading plans or improvement plans, or within the duration of a renewal of that period pursuant to paragraph (c);
 - 4) The grading permit modification fee specified in Chapter 3 of this Division has been paid; and
 - 5) Appropriate amendments have been entered into, if required by the County Official, for the Agreement relating to a Right of Entry for Inspection and Indemnification pursuant to Section 87.215, and the Agreement and Cash Deposit if required by Section 87.304.

A modification to a grading permit shall have no effect on the period of time within which grading shall be completed.

Section 3. Section 87.207 of the County of San Diego Grading Ordinance is hereby amended to read as follows:

SEC. 87.207. GRADING PLANS OR IMPROVEMENT PLANS FOR PROJECTS WITH PREVIOUS DISCRETIONARY LAND USE APPROVAL.

(a) The County Official may approve grading plans or improvement plans for a project for which a discretionary land use approval has previously been granted, where he or she determines that:

- 1) The work substantially conforms to that shown on preliminary grading plans which were reviewed as part of an approved and unexpired tentative map, tentative parcel map, use permit or other land development application.

In determining whether the proposed grading substantially complies with grading plans or improvement plans approved pursuant to Section 87.204 through 87.208, project change(s) required to comply with changes in State or Federal regulatory requirements shall not be required to be considered in the substantial conformance determination if all of the following are met:

- (a) It shall be determined that the project change(s) do not result in a new or substantially increased significant impact in accordance with the California Environmental Quality Act (CEQA).
- (b) It shall be determined that that the project change(s) do not result in the creation of a situation that would be detrimental to the health, safety, or welfare of the public.
- (c) It shall be determined that the project change(s) do not result in the elimination of project features required to meet other County of San Diego code requirements, including, but not limited to the following:
 - (1) Elimination of a trail that provides a connection through the project that is needed for regional connectivity.
 - (2) Reduction in the overall amount of parkland approved with the original project.
 - (3) Elimination of roads that are needed for emergency access, travel time, or to handle the traffic generated by the project.
 - (4) Reduction of area needed for required water supply well or onsite wastewater treatment system and reserve area.
- 2) An analysis is conducted pursuant to Section 15162 of Title 14 of the California Code of Regulations, to determine whether the effects of such grading were analyzed in the environmental review of such approved land development application, and whether further environmental documentation is necessary;
- 3) The grading complies with Title 6, Division 7, Chapter 8 of this code.
- 4) Sections 87.212 and 87.213, regarding specified sensitive areas, have been complied with;
- 5) If the grading will involve waters, rivers, streams or lakes, as referenced in Section 87.214, the applicant has submitted documentation of compliance with the requirements of that Section;
- 6) The grading or improvement plans identify any environmental mitigation measures or other conditions which were required by the previous approval to be completed prior to issuance of a grading permit, and makes these conditions which must be fulfilled prior to issuance of a grading permit;

- 7) All conditions of the previous approval which were required to be completed prior to approval of grading plans or improvement plans have been fulfilled;
 - 8) Dust control measures will be employed, sufficient to comply with Section 87.428; and
 - 9) The grading complies with the design standards stated in Chapter 4 of this Division.
- (b) The application shall be accompanied by plans showing a vicinity sketch, property lines, location of all structures in the area to be graded, including those on land of others if within fifteen feet, contours showing the topography of the existing ground, elevations, dimensions, location, extent and slopes of all proposed grading, the location, extent and square footage of the total area to be cleared of vegetation, all areas proposed to be subjected to any "Land Disturbance Activity" (as that term is defined in Section 67.803 of this Code), and all watercourses located on site.

Section 4. This ordinance shall take affect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in the San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of San Diego this ____th day of ____, 2021.

Approved as to form and legality

By: _____, Senior Deputy County Counsel

Attachment J
Final Engineering Flexibility Proposed Code Changes
Grading Ordinance Amendment
Clean Copy

ORDINANCE NO. _____ (NEW SERIES)

AN ORDINANCE AMENDING SECTIONS 87.203 AND 87.207 OF THE COUNTY OF SAN DIEGO GRADING ORDINANCE RELATING TO ISSUANCE OF GRADING PERMITS AND GRADING PLANS OR IMPROVEMENT PLANS FOR PROJECTS WITH PREVIOUS DISCRETIONARY LAND USE APPROVAL (Informational Copy)

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that the County of San Diego Zoning Ordinance should be updated by amending Section 87.203. Issuance of Grading Permits and Section 87.207. Grading Plans or Improvement Plans for Projects with Previous Discretionary Land Use Approval. The Board finds that these amendments are reasonable and necessary to streamline operations and business efficiency; provides consistency between California Code of regulations and local permit processes; and supports efforts to protect environmental resources.

Section 2. Section 87.203 of the County of San Diego Grading Ordinance is hereby amended to read as follows:

SEC. 87.203. ISSUANCE OF GRADING PERMIT.

In determining whether the proposed grading substantially complies with grading plans or improvement plans approved pursuant to Section 87.204 through 87.208, project change(s) required to comply with changes in State or Federal regulatory requirements shall not be required to be considered in the substantial conformance determination if all of the following are met:

- (a) It shall be determined that the project change(s) do not result in a new or substantially increased significant impact in accordance with the California Environmental Quality Act (CEQA).
- (b) It shall be determined that that the project change(s) do not result in the creation of a situation that would be detrimental to the health, safety, or welfare of the public.
- (c) It shall be determined that the project change(s) do not result in the elimination of project features required to meet other County of San Diego code requirements, including, but not limited to the following:
 - (1) Elimination of a trail that provides a connection through the project that is needed for regional connectivity.
 - (2) Reduction in the overall amount of parkland approved with the original project.
 - (3) Elimination of roads that are needed for emergency access, travel time, or to handle the traffic generated by the project.
 - (4) Reduction of area needed for required water supply well or onsite wastewater treatment system and reserve area.

Section 3. Section 87.207 of the County of San Diego Grading Ordinance is hereby amended to read as follows:

SEC. 87.207. GRADING PLANS OR IMPROVEMENT PLANS FOR PROJECTS WITH PREVIOUS DISCRETIONARY LAND USE APPROVAL.

In determining whether the proposed grading substantially complies with grading plans or improvement plans approved pursuant to Section 87.204 through 87.208, project change(s) required to comply with changes in State or Federal regulatory requirements shall not be required to be considered in the substantial conformance determination if all of the following are met:

- (a) It shall be determined that the project change(s) do not result in a new or substantially increased significant impact in accordance with the California Environmental Quality Act (CEQA).
- (b) It shall be determined that that the project change(s) do not result in the creation of a situation that would be detrimental to the health, safety, or welfare of the public.
- (c) It shall be determined that the project change(s) do not result in the elimination of project features required to meet other County of San Diego code requirements, including, but not limited to the following:
 - (1) Elimination of a trail that provides a connection through the project that is needed for regional connectivity.
 - (2) Reduction in the overall amount of parkland approved with the original project.
 - (3) Elimination of roads that are needed for emergency access, travel time, or to handle the traffic generated by the project.
 - (4) Reduction of area needed for required water supply well or onsite wastewater treatment system and reserve area.

Section 4. This ordinance shall take affect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in the San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of San Diego this ____th day of ____, 2021.

Approved as to form and legality

By: _____, Senior Deputy County Counsel

Attachment K
Final Engineering Flexibility
Environmental Documentation



County of San Diego

KATHLEEN FLANNERY
ACTING DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
858) 505-6445 General • (858) 694-2705 Codes
(858) 565-5920 Building Services
www.SDCPDS.org

VINCE NICOLETTI
ACTING ASSISTANT DIRECTOR

AN ADDENDUM TO THE PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT REPORT, LOG NO. 02-ZA-00 FOR THE COUNTY OF SAN DIEGO GENERAL PLAN UPDATE

FOR PURPOSES AND CONSIDERATION OF FINAL ENGINEERING FLEXIBILITY ZONING ORDINANCE AMENDMENT SUBDIVISION ORDINANCE AMENDMENT GRADING ORDINANCE AMENDMENT PDS2020-MISC-20-029

February 25, 2021

CEQA Guidelines, Section 15164(b) states that an Addendum to a previously adopted Negative Declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 or 15163 calling for the preparation of a subsequent or supplemental EIR or subsequent Negative Declaration have occurred.

Discussion:

There are some minor changes and additions, which need to be included in an Addendum to the previously certified Environmental Impact Report (EIR) to accurately cover the new project. The additions are underlined and deletions are struck out. The changes and additions consist of the following:

1. To the Project Numbers add PDS2020-MISC-20-029
2. To the first paragraph add as indicated: "The EIR for this project are comprised of this form along with the Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document dated February 4, 2021 which includes the following forms attached."
 - A. The previously Certified Environmental Impact Report, dated August 3, 2011;
 - B. An Addendum to the previously certified Environmental Impact Report with an Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document dated February 4, 2021.

Attachment A

The Final Environmental Impact Report, County of San Diego General Plan Update, SCH #2002111067 is available on the Planning and Development Services website at:

<https://www.sandiegocounty.gov/content/sdc/pds/gpupdate/environmental.html>

Attachment B

**Environmental Review Update Checklist Form for projects
with Previously Approved Environmental Documents**

**For Purposes of Consideration of
Final Engineering Flexibility
PDS2020-MISC-20-029**



County of San Diego

MARK WARDLAW
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
www.sdcounty.ca.gov/pds

KATHLEEN A. FLANNERY
ASSISTANT DIRECTOR

February 4, 2021

Environmental Review Update Checklist Form For projects with Previously Approved Environmental Documents

FOR PURPOSES OF CONSIDERATION OF FINAL ENGINEERING FLEXIBILITY; PDS2020-MISC-20-029

The California Environmental Quality Act (CEQA) Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted Negative Declaration (ND) or a previously certified environmental impact report (EIR) covering the project for which a subsequent discretionary action is required. This Environmental Review Update Checklist Form has been prepared in accordance with CEQA Guidelines Section 15164(e) to explain the rationale for determining whether any additional environmental documentation is needed for the subject discretionary action.

1. Background on the previously certified EIR:

A Program EIR for the County of San Diego's (County) General Plan Update, Environmental Review Number 02-ZA-00, State Clearing House Number 2002111067, was certified by the Board of Supervisors on August 3, 2011 (GPU EIR). The GPU EIR evaluated potentially significant effects for the following environmental areas of potential concern: 1) Aesthetics; 2) Agricultural Resources; 3) Air Quality; 4) Biological Resources; 5) Cultural And Paleontological Resources; 6) Geology And Soils; 7) Hazards and Hazardous Materials; 8) Hydrology and Water Quality; 9) Land Use and Planning; 10) Mineral Resources; 11) Noise; 12) Population and Housing; 13) Public Services; 14) Recreation; 15) Transportation and Traffic; 16) Utilities and Service Systems, and 17) Climate Change.

Of these seventeen environmental subject areas, it was determined that only Geology/Soils and Population/Housing would not involve potentially significant impacts. The remaining environmental issues evaluated included impacts that would be significant and unavoidable with the exception of the following four subject areas in which all impacts would be mitigated below a level of significance: Cultural and Paleontological Resources, Land Use and Planning, Recreation, and Climate Change. For those areas in which environmental impacts will remain significant and unavoidable, even with the implementation of mitigation measures, overriding considerations exist which make the impacts acceptable. The GPU EIR is on file with the County Planning and Development Services Department.

2. Lead agency name and address:

County of San Diego, Planning & Development Services
5510 Overland Avenue, Suite 110
San Diego, CA 92123

a. Contact: Ashley Smith, Project Manager

b. Phone number: (619) 857-8012

c. E-mail: ashley.smith2@sdcounty.ca.gov

3. Project applicant's name and address:

County of San Diego
Planning & Development Services
5510 Overland Ave., Suite 310
San Diego, CA 92123

4. Does the project for which a subsequent discretionary action is now proposed differ in any way from the previously approved project?

YES



NO



The project would amend the County Zoning Ordinance (Zoning Ordinance), County Subdivision Ordinance (Subdivision Ordinance), and County Grading Ordinance (Grading Ordinance) to allow project changes required to comply with changes in State or Federal regulatory requirements, without requiring a modification or revised map if specific findings are made (project). These project changes would not be counted toward the cumulative change if all of the following are met: 1) project change(s) do not result in a new or substantially increased significant impact in accordance with CEQA; 2) project change(s) do not result in a situation that would be detrimental to the health, safety, or welfare of the public; and 3) project change(s) do not result in the elimination of project features required to meet the County code requirements. Examples of project features required to meet the County code requirements that cannot be eliminated include, but are not limited to, the following: 1) elimination of a trail that provides a connection through the project that is needed for regional connectivity; 2) reduction in overall amount of parkland approved with the original project; 3) elimination of roads that are needed for emergency access, travel time, or to handle the traffic generated by the project; and 4) reduction of area needed for required water supply well or onsite wastewater treatment systems and reserve area.

The changes to the Zoning Ordinance, Subdivision Ordinance, and Grading Ordinance described above would not involve substantial changes in the magnitude of impacts identified in the GPU EIR. As explained in this addendum, none of the proposed changes require major revisions of the GPU EIR due to new significant effects or the substantial increase in the severity of previously identified effects. There are no substantial changes with respect to the circumstances under which the project is undertaken that require major revisions of the GPU EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, there is not new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the GPU EIR was certified that result in significant effects or more severe effects than the GPU EIR.

5. **SUBJECT AREAS DETERMINED TO HAVE NEW OR SUBSTANTIALLY MORE SEVERE SIGNIFICANT ENVIRONMENTAL EFFECTS COMPARED TO THOSE IDENTIFIED IN THE PREVIOUS ND OR EIR.** The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

☒ NONE

☐ Aesthetics

☐ Biological Resources

☐ Geology & Soils

☐ Hydrology & Water
Quality

☐ Noise

☐ Recreation

☐ Utilities & Service
Systems

☐ Agriculture and Forest
Resources

☐ Cultural Resources

☐ Greenhouse Gas
Emissions

☐ Land Use & Planning

☐ Population & Housing

☐ Transportation/Traffic

☐ Wildfire

☐ Air Quality

☐ Energy

☐ Hazards & Haz
Materials

☐ Mineral Resources

☐ Public Services

☐ Tribal Cultural
Resource

☐ Mandatory Findings of
Significance

DETERMINATION:

On the basis of this analysis, Planning & Development Services has determined that:

- ☒ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously certified EIR is adequate upon completion of an ADDENDUM.
- ☐ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, because the project is a residential project in conformance with, and pursuant to, a Specific Plan with a EIR completed after January 1, 1980, the project is exempt pursuant to CEQA Guidelines Section 15182.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects; Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However, all new significant environmental effects or a substantial increase in severity of previously identified significant effects are clearly avoidable through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT ND is required.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND or EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT or SUPPLEMENTAL EIR is required.

February 4, 2021

 Signature

 Date

Ashley Smith

 Printed Name

Project Manager

 Title

INTRODUCTION

CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted ND or a previously certified EIR for the project.

CEQA Guidelines, Section 15162(a) and 15163 state that when an ND has been adopted or an EIR certified for a project, no Subsequent or Supplemental EIR or Subsequent Negative Declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole public record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration; or
 - b. Significant effects previously examined will be substantially more severe than shown in the previously adopted Negative Declaration or previously certified EIR; or
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous Negative Declaration or EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines, Section 15164(a) states that an Addendum to a previously certified EIR may be prepared if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent or Supplemental EIR have occurred.

CEQA Guidelines, Section 15164(b) states that an Addendum to a previously adopted Negative Declaration may be prepared if only minor technical changes or additions are necessary.

If the factors listed in CEQA Guidelines Sections 15162, 15163, or 15164 have not occurred or are not met, no changes to the previously certified EIR or previously adopted ND are necessary.

The following responses detail any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that may cause one or more effects to environmental resources. The responses support the "Determination," above, as to the type of environmental documentation required, if any.

ENVIRONMENTAL REVIEW UPDATE CHECKLIST

I. AESTHETICS – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to aesthetic resources including: scenic vistas; scenic resources including, but not limited to, trees, rock outcroppings, or historic buildings within a state scenic highway; existing visual character or quality of the site and its surroundings; or day or nighttime views in the area?

YES

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NO

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The GPU EIR identified impacts to scenic vistas, scenic resources, visual character or quality, and light and glare as potentially significant. Impacts to scenic vistas and resources were less than significant with mitigation; however, impacts to visual character or quality and light or glare were significant and unavoidable.

The project does not propose any development. The project would amend the Zoning Ordinance, Subdivision Ordinance, and Grading Ordinance to allow project changes required to comply with changes in State or Federal Regulatory requirements, without requiring a modification, a revised map, or counted toward the project cumulative change, if specific findings are made.

The Zoning Ordinance currently allows for project changes of up to 10%. The Subdivision Ordinance and Grading Ordinance currently allow minor project changes that are in substantial conformance to the parent permit. The project would allow for additional changes complying with regulatory requirements, but these changes would not require major revisions of the GPU EIR due to new significant environmental effects, an increase in severity of previously identified significant effects, or new information of substantial importance. This is because these changes would be minimal in nature. For example, future project changes that could be screened out from subsequent analysis include, but are not limited to, the following: minor alterations to a proposed road due to fire code requirements, minor changes to grading quantities due to required changes in Municipal Separate Storm Sewer System (MS4) best management practices (BMPs), American Disability Act (ADA) required parking or wheelchair access, California Building code requirements for "electric vehicle (EV) ready" parking spaces, or California Department of Fish and Wildlife (CDFW) and United States Fish and Wildlife Service biological resources enhancement requirements. Each of the above examples could result in a visual change in the environment but would not result in a substantial adverse effect on visual resources that would require major revisions of the GPU EIR.

In addition, in order for future projects to be screened out of subsequent analysis, specific findings are required which include CEQA conformance of no new or substantially increased significant impacts. Because the project would not result in significant adverse effects on visual resources, and future project changes would be required to meet specific findings including CEQA conformance, the project would not contribute to a cumulatively considerable effect on visual resources.

II. AGRICULTURE AND FORESTRY RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to agriculture or forestry resources including: conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use, conflicts with existing zoning for agricultural use or Williamson Act contract, or conversion of forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

YES

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NO

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The GPU EIR identified impacts to conversion of agricultural resources, land use conflicts and indirect conversion of agricultural resources as potentially significant. Land use conflicts was determined to be less than significant with mitigation; however, direct and indirect conversion of agricultural resources were determined to be significant and unavoidable.

The project does not propose any development. The project would amend the Zoning Ordinance, Subdivision Ordinance, and Grading Ordinance to allow project changes required to comply with changes in State or Federal Regulatory requirements, without requiring a modification, a revised map, or counted toward the project cumulative change, if specific findings are made.

Examples of future projects which may be exempt from subsequent analysis are provided in I. Aesthetics. The magnitude of land space required for these changes is minimal and would not constitute new information of substantial importance, a new significant environmental effect, or an increase in severity of previously identified significant effect, requiring major revisions of the GPU EIR.

In addition, in order for future project changes to be screened out of subsequent analysis, specific findings are required which include CEQA conformance of no new or substantially increased significant impacts. Because the project would not result in significant adverse effects on agriculture or forestry resources, and future project changes would be required to meet specific findings including CEQA, the project would not contribute to a cumulatively considerable effect on agriculture or forestry resources.

III. AIR QUALITY -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to air quality including: conflicts with or obstruction of implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP); violation of any air quality standard or substantial contribution to an existing or projected air quality violation; a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; exposure of sensitive receptors to substantial pollutant concentrations; or creation of objectionable odors affecting a substantial number of people?

YES

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NO

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The GPU EIR identified impacts to air quality plans and from objectionable odors as less than significant. Impacts from air quality violations, non-attainment criteria pollutants and sensitive receptors were determined to be significant and unavoidable.

The project does not propose any development. Future project changes due to regulatory compliance would be exempt from subsequent analysis but would not result in a significant air quality impact beyond the GPU EIR. The future project changes would minimally expand upon existing or proposed permits but would not increase or change the intensity of the uses. The future project changes that would be exempt and not subject to subsequent analysis, would be required to conform with the County's General Plan Policies such as COS-14.8: Minimize Air Pollution and COS-14.10: Low-Emission Construction Vehicles and Equipment. As identified by the GPU EIR, these policies would require that development minimize land use conflicts that expose people to significant amounts of air pollutants, and require County contractors and encourage other developers to use low-emission construction vehicles and equipment to improve air quality and reduce GHG emissions. Therefore, the project would not constitute new information of substantial importance, a new significant environmental effect, or an increase in severity of previously identified significant effects, requiring major revisions of the GPU EIR.

In addition, in order for future project changes to be screened out of subsequent analysis, specific findings are required which include CEQA conformance of no new or substantially increased significant impacts. Because the project would not result in significant adverse effects on air quality, and future project changes would be required to meet specific findings including CEQA, the project would not contribute to a cumulatively considerable effect on air quality.

IV. BIOLOGICAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to biological resources including: adverse effects on any sensitive natural community (including riparian habitat) or species identified as a candidate, sensitive, or special status species in a local or regional plan, policy, or regulation, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; adverse effects to federally protected wetlands as defined by Section 404 of the Clean Water Act; interference with the movement of any native resident or migratory fish or wildlife species or with wildlife corridors, or impeding the use of native wildlife nursery sites; and/or conflicts with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional or state habitat conservation plan, policies or ordinances?

YES

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NO

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The GPU EIR identified potentially significant impacts to special status species, riparian habitat and other sensitive natural communities, federally protection wetlands and wildlife movement corridors. Federally protected wetlands were found to be less than significant with mitigation; however, special status species, riparian habitat and other sensitive natural communities, and wildlife movement corridors, were found to be significant and unavoidable. Local policies and ordinances, and habitat conservation plans and natural community conservation plans, were determined to be less than significant.

The project does not propose any development. The project would amend the Zoning Ordinance, Subdivision Ordinance, and Grading Ordinance to allow project changes required to comply with changes in State or Federal Regulatory requirements, without requiring a modification, a revised map, or counted toward the project cumulative change, if specific findings are made.

Examples of future project changes which may be exempt from subsequent analysis are provided in I. Aesthetics. The magnitude of land space required for these changes is minimal and would not constitute new information of substantial importance, a new significant environmental effect, or an increase in severity of previously identified significant effect, requiring major revisions of the GPU EIR. Future project changes would minimally expand upon existing or proposed permits but would not increase or change the intensity of the uses. In addition, some project changes may result in a reduction of impacts to biological resources, such as biological resources enhancements essential to comply with CDFW and USFWS requirements. Further, future project changes would be required to conform with the County's General Plan Policies such as Policy COS-1.9: Invasive Species, Policy COS-2.2: Habitat Protection through Site Design, and Policy COS-3.1: Wetland Protection. As identified by the GPU EIR, these policies require new development adjacent to biological preserves to use non-invasive plant in landscaping; require development to be sites in the least biologically sensitive areas and minimize the loss of natural habitat through site design; and require development to preserve existing natural wetland areas and associated transitional riparian and upland buffers and retain opportunities for enhancement.

In addition, in order for future projects to be screened out of subsequent analysis, specific findings are required which include CEQA conformance of no new or substantially increased significant impacts. Because the project would not result in significant adverse effects on biological resources, and future development would be required to meet specific findings including CEQA, the project would not contribute to a cumulatively considerable effect on biological resources.

V. CULTURAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to cultural resources including: causing a change in the significance of a historical or archaeological resource as defined in State CEQA Guidelines Section 15064.5; destroying a unique paleontological resource or site or unique geologic feature; and/or disturbing any human remains, including those interred outside of formal cemeteries?

YES

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NO

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The GPU EIR identified potentially significant impacts to historical resources, archaeological resources, paleontological resources, and human resources. All issue topics were determined to be less than significant with mitigation.

Examples of future project changes which may be exempt from subsequent analysis are provided in I. Aesthetics. The magnitude of land space required for these changes is minimal and would not constitute new information of substantial importance, a new significant environmental effect, or an increase in severity of previously identified significant effect, requiring major revisions of the GPU EIR. Future project changes would minimally expand upon existing or proposed permits but would not increase or change the intensity of the uses. In addition, future project changes would be required to conform with the County's General Plan Policies such as Policy COS-7.1: Archaeological Protection, Policy COS-7.3: Archaeological Collections, Policy COS-9.1: Preservation, and Policy

COS-7.5: Treatment of Human Remains. As identified by the GPU EIR, these policies require the preservation and treatment of important archaeological resources or collections in a culturally appropriate manner; require the salvage and preservation of unique paleontological resources when exposed to the elements during excavation, grading activities, or other development processes; and require human remains be treated with utmost dignity and respect and that the disposition and handling of human remains will be done in consultation with the Most Likely Descendant and under the requirements of the Federal, State and County Regulations.

In addition, in order for future projects to be screened out of subsequent analysis, specific findings are required which include CEQA conformance of no new or substantially increased significant impacts. Because the project would not result in significant adverse effects on cultural resources, and future development would be required to meet specific findings including CEQA, the project would not contribute to a cumulatively considerable effect on cultural resources.

VI. ENERGY USE – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or “new information of substantial importance” that result in one or more effects from energy including: wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; and/or conflict with or obstruct a state or local plan for renewable energy or energy efficiently?

YES

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NO

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Energy use was not specifically analyzed within the GPU EIR as a separate issue area under CEQA. At the time, energy use was contained within Appendix F of the CEQA Guidelines and since then, has been moved to the issue areas within Appendix G of the CEQA Guidelines. However, the issue of energy use in general was discussed within the GPU and GPU EIR. For example, within the Conservation and Open Space Element of the GPU, Goal COS-15 promotes sustainable architecture and building techniques that reduce emissions of criteria pollutants and GHGs, while protecting public health and contributing to a more sustainable environment. Policies COS-15.1, COS-15.2 and COS-15.3 would support this goal by encouraging design and construction of new buildings and upgrades of existing buildings to maximize energy efficiency and reduce GHG. Goal COS-17 promotes sustainable solid waste management. Policies COS-17.1 and COS-17.5 would support this goal by reducing GHG emissions through waste reduction techniques and methane recapture.

CEQA requires mitigation measures to reduce “wasteful, inefficient and unnecessary” energy usage (Public Resources Code Section 21100, subdivision [b][3]. Neither the law nor the State CEQA Guidelines establish criteria that defines wasteful, inefficient, or unnecessary use. Compliance with the California Code of Regulations 2019 Title 24 Part 6 Building Code would result in highly energy-efficient buildings.

The project does not propose any development. Future project changes due to regulatory compliance would be exempt from subsequent analysis but would not result in a significant energy impacts. The future project changes would minimally expand upon existing or proposed permits but would not increase or change the intensity of the uses. The future project changes that would be exempt and not subject to subsequent analysis, would be required to conform with the County’s General Plan Policies, as described above. Therefore, the project would not constitute new

information of substantial importance, a new significant environmental effect, or an increase in severity of previously identified significant effects, requiring major revisions of the GPU EIR.

In addition, in order for future project changes to be screened out of subsequent analysis, specific findings are required which include CEQA conformance of no new or substantially increased significant impacts. Because the project would not result in significant adverse effects on energy use, and future project changes would be required to meet specific findings including CEQA, the project would not contribute to a cumulatively considerable effect on energy use.

VII. GEOLOGY AND SOILS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from geology and soils including: exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic-related ground failure, including liquefaction, strong seismic ground shaking, or landslides; result in substantial soil erosion or the loss of topsoil; produce unstable geological conditions that will result in adverse impacts resulting from landslides, lateral spreading, subsidence, liquefaction or collapse; being located on expansive soil creating substantial risks to life or property; and/or having soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

YES

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NO

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The GPU EIR identified impacts to exposure to seismic-related hazards, soil erosion or topsoil loss, soil stability, expansive soils, wastewater disposal systems, and unique geologic features as less than significant. No mitigation was required.

No development is proposed currently as part of the project. Future subsequent projects could be hindered by a range of site development encumbrances such as location near an earthquake fault, located on unstable geological unit or soil, or located on expansive soils. However, future subsequent projects would be required to conform to the Seismic Requirements outlines within the California Building Code of Regulations, Title 24. In addition, the San Diego County Code Section 87.101 requires a soil compaction report with proposed foundation recommendation would be required to be approved before the approval of subsequent projects.

To reduce potential losses of topsoil, projects would also need to prepare Storm Water Pollution Prevention Plans (SWPPP) and Storm Water Quality Management Plans (SWQMP) for both construction and post construction phases. The SWPPP would be required to be prepared in accordance with order No. 2009-009-DWQ, National Pollutant Discharge Elimination System (NPDES) order CAS000002 Construction General Permit (CGP) adopted by the State Water Resources Control Board (SWRCB) on September 9, 2009, or the most recent version adopted. The SWQMP would be required to be prepared in accordance with the County of San Diego BMP Design Manual (2019) and San Diego County Regional Water Quality Control Board (SDRWQCB) Order No. R9-2013-0001 MS4 permit (2013), as adopted by the RWQCB on May 8, 2013, or most recent version adopted. The SWPPP and SWQMP specify and describe the implementation process of all Best Management Practices (BMPs) that would address equipment operation and materials management, prevent the erosion process from occurring, and prevent sedimentation in any onside and downstream receiving waters. County staff would ensure that these plans are implemented as required. Moreover, future subsequent projects would be required to comply with

the San Diego County Code of Regulations, Title 8, Zoning and Land Use Regulations, Division 7, Sections 87.414 and 87.417 for Drainage, Erosion Prevention, and planting. Compliance with these regulations minimizes the potential for water and wind erosion.

Therefore, compliance with County, State and Federal requirements and regulations would ensure the project would not have a substantial adverse effect from geology and soils (i.e. strong seismic ground shaking, liquefaction, unstable geological unit or soil, or expansive soils).

In addition, in order for future projects to be screened out of subsequent analysis, specific findings are required which include CEQA conformance of no new or substantially increased significant impacts. Because the project would not result in significant adverse effects on geology and soils, and future development would be required to meet specific findings including CEQA, the project would not contribute to a cumulatively considerable effect on geology and soils.

VIII. GREENHOUSE GAS EMISSIONS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects related to environmental effects associated with greenhouse gas emissions or compliance with applicable plans, policies or regulations adopted for the purpose of reducing greenhouse gas emissions?

YES

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NO

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The GPU EIR identified compliance with AB 32 and potential effects of global climate change as potentially significant. Both issue topics were found to have a less than significant impact with mitigation but were found to have a significant cumulative contribution.

For background, in February 2018, the County Board of Supervisors adopted the County of San Diego Climate Action Plan (CAP) that included strategies and measures to reduce GHG emissions from the unincorporated County and County government operations. In December 2018, because of a lawsuit filed against the County and the CAP, the San Diego County Superior Court issued a writ ordering the approval of the CAP and associated SEIR be set aside. In June 2020, this decision was upheld by the California Court of Appeal, Fourth District following the County's appeal of the San Diego County Superior Court decision and County Board of Supervisors subsequently rescinded approvals of the CAP, SEIR and related approvals in September 2020. Through the holding of this decision, the County's CAP can no longer be considered the applicable plan in the unincorporated County for the purpose of reducing GHG emissions, and consistency with the CAP cannot be used as a determination of significance until such a time as it is reapproved in compliance with CEQA. However, GHG reduction strategies and measures included in the CAP continue to be implemented pending preparation of an updated CAP for consideration by the County Board of Supervisors.

Until such time that a Climate Action Plan is adopted by the County, subsequent projects implemented would be required to comply with applicable GPU mitigation measures and General Plan Policies. This includes GPU mitigation measures CC-1.7, which states to incorporate the recommendations of the California Air Resources Board (CARB) related to climate change. Though CARB has not released a threshold of significance, CARB developed a 2017 Scoping Plan, which is intended to reduce GHG emissions to meet the statewide targets set forth in AB

32 and SB 32 and provides examples of local actions that can be implemented to support the State's climate goals.

The project does not propose any development. Future project changes due to regulatory compliance would be exempt from subsequent analysis but would not result in a significant greenhouse gas impact. The future project changes would minimally expand upon existing or proposed permits but would not increase or change the intensity of the uses. Therefore, the project would not constitute new information of substantial importance, a new significant environmental effect, or an increase in severity of previously identified significant effects, requiring major revisions of the GPU EIR.

In addition, in order for future project changes to be screened out of subsequent analysis, specific findings are required which include CEQA conformance of no new or substantially increased significant impacts. Because the project would not result in significant adverse effects on greenhouse gas emissions, and future project changes would be required to meet specific findings including CEQA, the project would not contribute to a cumulatively considerable effect on greenhouse gas emissions.

IX. HAZARDS AND HAZARDOUS MATERIALS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from hazards and hazardous materials including: creation of a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes; creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; production of hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; location on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 creating a hazard to the public or the environment; location within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport; within the vicinity of a private airstrip resulting in a safety hazard for people residing or working in the project area; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or exposure of people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

YES
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NO
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The GPU EIR identified potentially significant impacts to public airports, private airports, emergency response and evacuation plans, and wildland fires. Public airports, private airports, and emergency response and evacuation plans were determined to result in less than significant impacts with mitigation. Wildland fires was found to have a significant and unavoidable impact. Transport, use, and disposal of hazardous materials, accidental release of hazardous materials, hazards to schools, existing hazardous materials sites, and vectors, were all found to have less than significant impacts with no mitigation.

The project does not propose any development. Future project changes due to regulatory compliance would be exempt from subsequent analysis but would not result in a significant hazards or hazardous materials impact. The future project changes would minimally expand upon existing

or proposed permits but would not increase or change the intensity of the uses. Therefore, the project would not constitute new information of substantial importance, a new significant environmental effect, or an increase in severity of previously identified significant effects, requiring major revisions of the GPU EIR.

In addition, in order for future project changes to be screened out of subsequent analysis, specific findings are required which include CEQA conformance of no new or substantially increased significant impacts. Because the project would not result in significant adverse effects on hazards or hazardous materials, and future project changes would be required to meet specific findings including CEQA, the project would not contribute to a cumulatively considerable effect on hazards or hazardous materials.

X. HYDROLOGY AND WATER QUALITY -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to hydrology and water quality including: violation of any waste discharge requirements; an increase in any listed pollutant to an impaired water body listed under section 303(d) of the Clean Water Act ; cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses; substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level; substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion, siltation or flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems; provide substantial additional sources of polluted runoff; place housing or other structures which would impede or redirect flood flows 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; expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; and/or inundation by seiche, tsunami, or mudflow?

YES

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NO

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The GPU EIR identified potentially significant impacts to the following issue topics: water quality standards and requirements; groundwater supplies and recharge; erosion or siltation; flooding; exceed capacity of stormwater systems; housing within a 100-year flood hazard area; impeding or redirecting flood flows; dam inundation and flood hazards; and seiche, tsunami and mudflow hazards. All issue topics were found to be less than significant with mitigation for the exception of water quality standards and requirements, and groundwater supplies and recharge, which were found significant and unavoidable.

The project does not propose any development. Future project changes due to regulatory compliance would be exempt from subsequent analysis but would not result in a significant hydrology or water quality impacts. The future project changes would minimally expand upon existing or proposed permits but would not increase or change the intensity of the uses. As stated under VII. Geology and Soils, SWPPs and SWQMPs would be required to be prepared for both construction and post construction phases. The purpose of the SWPPP is to prevent erosion and storm water pollution from entering into downstream receiving water bodies. The SWQMP is enforced during the post construction phase and requires projects to implement site design, source control and structural BMPs to prevent potential pollutants from entering storm water runoff during

project operations. In addition, future project changes would be required to comply with the Guidelines for Determining Significance for both Water Quality and Hydrology as identified by the GPU EIR mitigation measure Hyd-1.5. Future project changes would also be required to conform to the County's General Plan Policies such as Policy S-10.5, Policy COS-5.1, and Policy S-9.3 which requires development to provide necessary on-site and off-site improvements to stormwater runoff and drainage facilities; restricts development in floodways and floodplains in accordance with policies in the Flood Hazards section of the Safety Element; and, requires development within mapped flood hazard areas to be sited and designed to minimize on-site and off-site hazards to health, safety, and property due to flooding. Therefore, the project would not constitute new information of substantial importance, a new significant environmental effect, or an increase in severity of previously identified significant effects, requiring major revisions of the GPU EIR.

In addition, in order for future project changes to be screened out of subsequent analysis, specific findings are required which include CEQA conformance of no new or substantially increased significant impacts. Because the project would not result in significant adverse effects on hazards or hazardous materials, and future project changes would be required to meet specific findings including CEQA, the project would not contribute to a cumulatively considerable effect on hazards or hazardous materials.

X. LAND USE AND PLANNING -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to land use and planning including: physically dividing an established community; and/or conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?

YES

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NO

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The GPU EIR identified potentially significant impacts related to physical division of an established community, which were found to be less than significant with the incorporation of mitigation measures. The GPU EIR also analyzed impacts related to conflicts with land use plans, policies, and regulations, as well as conflicts with Habitat Conservation Plans (HCPs) and Natural Community Conservation Planning (NCCPs) and were found to be less than significant.

The project does not propose any development. Future project changes due to regulatory compliance would be exempt from subsequent analysis but would not result in a significant land use and planning impacts. The future project changes would minimally expand upon existing or proposed permits but would not increase or change the intensity of the uses. Therefore, the project would not constitute new information of substantial importance, a new significant environmental effect, or an increase in severity of previously identified significant effects, requiring major revisions of the GPU EIR.

In addition, in order for future project changes to be screened out of subsequent analysis, specific findings are required which include CEQA conformance of no new or substantially increased significant impacts. Because the project would not result in significant adverse effects on land use and planning, and future project changes would be required to meet specific findings including CEQA, the project would not contribute to a cumulatively considerable effect on land use and planning.

XII. MINERAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to mineral resources including: the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; and/or loss of locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

YES

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NO

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The GPU EIR identified significant and unavoidable impacts related to mineral resource availability and mineral resource recovery sites.

The project does not propose any development. The project would amend the Zoning Ordinance, Subdivision Ordinance, and Grading Ordinance to allow project changes required to comply with changes in State or Federal Regulatory requirements, without requiring a modification, a revised map, or counted toward the project cumulative change, if specific findings are made.

Examples of future project changes which may be exempt from subsequent analysis are provided in I. Aesthetics. The magnitude of land space required for these changes is minimal and would not constitute new information of substantial importance, a new significant environmental effect, or an increase in severity of previously identified significant effect, requiring major revisions of the GPU EIR. Future project changes would minimally expand upon existing or proposed permits but would not increase or change the intensity of the uses. In addition, future project changes would be proposed in locations where previous permits have been approved, and development exists. These developed land areas would be incompatible with future mining operations, likely creating a significant impact to neighboring properties for issues such as noise, air quality, and traffic, if a mining site was proposed. Therefore, implementation of the project is not expected to result in the loss of availability of a known mineral resource that would be of value since these land uses have already been lost due to incompatible land uses. Therefore, the project would not constitute new information of substantial importance, a new significant environmental effect, or an increase in severity of previously identified significant effects, requiring major revisions of the GPU EIR.

In addition, in order for future projects to be screened out of subsequent analysis, specific findings are required which include CEQA conformance of no new or substantially increased significant impacts. Because the project would not result in significant adverse effects on mineral resources, and future development would be required to meet specific findings including CEQA, the project would not contribute to a cumulatively considerable effect on mineral resources.

XIII. NOISE -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from noise including: exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; for projects located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or for

projects within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

YES

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NO

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The GPU EIR identified potentially significant impacts related to excessive noise levels, excessive groundborne vibration, permanent and temporary increases in ambient noise levels, and excessive noise exposure from a public or private airport. All impacts were determined to be less than significant with mitigation with the exception of impacts related to permanent increases in ambient noise levels, which remained significant and unavoidable.

The project does not propose any development. Future project changes due to regulatory compliance would be exempt from subsequent analysis but would not result in a significant land use and planning impacts. The future project changes would minimally expand upon existing or proposed permits but would not increase or change the intensity of the uses. In addition, future project changes would be required to conform to the County's General Plan Policies such as Policy LU-2.8: Mitigation of Development Impacts and Policy N-2.1: Development Impacts to Noise Sensitive Land Uses. As identified by the GPU EIR, these policies would require projects to minimize significant impacts to surrounding areas from uses or operations that cause excessive noise or vibrations, and would require an acoustical study where development may exceed thresholds and require mitigation for sensitive uses in compliance with the noise standards listed in Table N-2 in the Noise Element. Therefore, the project would not constitute new information of substantial importance, a new significant environmental effect, or an increase in severity of previously identified significant effects, requiring major revisions of the GPU EIR.

In addition, in order for future project changes to be screened out of subsequent analysis, specific findings are required which include CEQA conformance of no new or substantially increased significant impacts. Because the project would not result in significant adverse effects on noise, and future project changes would be required to meet specific findings including CEQA, the project would not contribute to a cumulatively considerable effect on noise.

XIV. POPULATION AND HOUSING -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects to population and housing including displacing substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?

YES

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NO

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The GPU EIR found less than significant impacts related to population and housing, including population growth, displacement of housing, and displacement of people.

The project does not propose any development. Future project changes due to regulatory compliance would be exempt from subsequent analysis but would not result in a significant land use and planning impacts. The future project changes would minimally expand upon existing or proposed permits but would not increase or change the intensity of the uses. Therefore, the project would not constitute new information of substantial importance, a new significant environmental effect, or an increase in severity of previously identified significant effects, requiring major revisions of the GPU EIR.

In addition, in order for future project changes to be screened out of subsequent analysis, specific findings are required which include CEQA conformance of no new or substantially increased significant impacts. Because the project would not result in significant adverse effects on population and housing, and future project changes would be required to meet specific findings including CEQA, the project would not contribute to a cumulatively considerable effect on population and housing.

XV. PUBLIC SERVICES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services: fire protection, police protection, schools, parks, or other public facilities?

YES

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NO

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The GPU EIR found potentially significant impacts to fire protection services, police protection services, school services, and other public services. All impacts were reduced to a level of less than significant with the incorporation of mitigation measures, with the exception of school services, which was found to remain significant and unavoidable.

The project does not propose any development. Future project changes due to regulatory compliance would be exempt from subsequent analysis but would not result in a significant land use and planning impacts. The future project changes would minimally expand upon existing or proposed permits but would not increase or change the intensity of the uses. Therefore, the project would not constitute new information of substantial importance, a new significant environmental effect, or an increase in severity of previously identified significant effects, requiring major revisions of the GPU EIR.

In addition, in order for future project changes to be screened out of subsequent analysis, specific findings are required which include CEQA conformance of no new or substantially increased significant impacts. Because the project would not result in significant adverse effects on public services, and future project changes would be required to meet specific findings including CEQA, the project would not contribute to a cumulatively considerable effect on public services.

XVI. RECREATION -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or that include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

YES

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NO

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The GPU EIR found potentially significant impacts related to deterioration of parks and recreational facilities and construction of new recreational facilities. All impacts were reduced to a level of less than significant with the incorporation of mitigation measures.

The project does not propose any development. Future project changes due to regulatory compliance would be exempt from subsequent analysis but would not result in a significant land use and planning impacts. The future project changes would minimally expand upon existing or proposed permits but would not increase or change the intensity of the uses. Therefore, the project would not constitute new information of substantial importance, a new significant environmental effect, or an increase in severity of previously identified significant effects, requiring major revisions of the GPU EIR.

In addition, in order for future project changes to be screened out of subsequent analysis, specific findings are required which include CEQA conformance of no new or substantially increased significant impacts. Because the project would not result in significant adverse effects on recreation, and future project changes would be required to meet specific findings including CEQA, the project would not contribute to a cumulatively considerable effect on recreation.

XVII. TRANSPORTATION -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to transportation/traffic including: an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system; exceedance, either individually or cumulatively, of a level of service standard established by the county congestion management agency for designated roads or highways; a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; substantial increase in hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); inadequate emergency access; inadequate parking capacity; and/or a conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

YES

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NO

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The GPU EIR found potentially significant impacts to traffic and Level of Service (LOS) standards, rural road safety, emergency access, parking capacity, and alternative transportation. Emergency access, parking capacity, and alternative transportation were reduced to a less than significant level with the incorporation of mitigation measures, while traffic and LOS standards, and rural road safety, remained significant and unavoidable.

Senate Bill (SB) 743 was signed into law on September 27, 2013 and changed the way that public agencies are to evaluate transportation impacts under CEQA. In response, the Governor's Office of Planning and Research updated the CEQA guidelines and recommended that Vehicle Miles Travelled (VMT) be the primary metric for evaluation. When determining whether subsequent and supplemental analyses are required under Public Resources Code section 21166, the lead agency should focus the inquiry on whether there are substantial changes in the project or circumstances that would require major revisions of the document, or if new information, which was not known and could not have been known at the time of becomes available.

The project does not propose any development. Future project changes due to regulatory compliance would be exempt from subsequent analysis but would not result in a significant land use

and planning impacts. The future project changes would minimally expand upon existing or proposed permits but would not increase or change the intensity of the uses. In addition, future project changes would be required to comply with the County's Guidelines for Determining Significance Transportation and Traffic, as identified by the GPU EIR mitigation measure Tras-1.4, which has now been updated to the Transportation Study Guide. Therefore, the project would not constitute new information of substantial importance, a new significant environmental effect, or an increase in severity of previously identified significant effects, requiring major revisions of the GPU EIR.

In addition, in order for future project changes to be screened out of subsequent analysis, specific findings are required which include CEQA conformance of no new or substantially increased significant impacts. Because the project would not result in significant adverse effects on transportation, and future project changes would be required to meet specific findings including CEQA, the project would not contribute to a cumulatively considerable effect on transportation.

XVIII. TRIBAL CULTURAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to tribal cultural resources including: causing a change in the significance of a tribal cultural resource as defined in Public Resource Code §21074?

YES

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NO

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Since the GPU EIR (PDS2002-3910-02ZA001[ER], SCH#2002111067) was certified, there has been a change in circumstances. Assembly Bill 52 (AB-52) became effective on July 1, 2015. AB-52 requires that tribal cultural resources (TCR) be evaluated under CEQA. AB-52 consultation does not apply since the environmental document is not a Negative Declaration (ND), Mitigation Negative Declaration (MND), or Environmental Impact Report (EIR).

The project does not propose any development. Examples of future project changes which may be exempt from subsequent analysis are provided in I. Aesthetics. The magnitude of land space required for these changes is minimal and would not constitute new information of substantial importance, a new significant environmental effect, or an increase in severity of previously identified significant effect, requiring major revisions of the GPU EIR. Future project changes due to regulatory compliance would be exempt from subsequent analysis but would not result in a significant land use and planning impacts. The future project changes would minimally expand upon existing or proposed permits but would not increase or change the intensity of the uses. Therefore, the project would not constitute new information of substantial importance, a new significant environmental effect, or an increase in severity of previously identified significant effects, requiring major revisions of the GPU EIR.

In addition, in order for future project changes to be screened out of subsequent analysis, specific findings are required which include CEQA conformance of no new or substantially increased significant impacts. Because the project would not result in significant adverse effects on tribal cultural resources, and future project changes would be required to meet specific findings including CEQA, the project would not contribute to a cumulatively considerable effect on tribal cultural resources.

XVX. UTILITIES AND SERVICE SYSTEMS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to utilities and service systems including: exceedance of wastewater treatment requirements of the applicable Regional Water Quality Control Board; require or result in the construction of new water or wastewater treatment facilities, new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; require new or expanded entitlements to water supplies or new water resources to serve the project; result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and/or noncompliance with federal, state, and local statutes and regulations related to solid waste?

YES

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NO

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The GPU EIR identified potentially significant impacts to wastewater treatment requirements, water and wastewater treatment facilities, sufficient stormwater drainage facilities, water supplies, and landfill capacity. All impact areas were reduced to a less than significant level of significance with the incorporation of mitigation measures with the exception of water supplies and landfill capacity which were determined to remain significant and unavoidable.

The project does not propose any development. Future project changes due to regulatory compliance would be exempt from subsequent analysis but would not result in a significant land use and planning impacts. The future project changes would minimally expand upon existing or proposed permits but would not increase or change the intensity of the uses. Therefore, the project would not constitute new information of substantial importance, a new significant environmental effect, or an increase in severity of previously identified significant effects, requiring major revisions of the GPU EIR.

In addition, in order for future project changes to be screened out of subsequent analysis, specific findings are required which include CEQA conformance of no new or substantially increase significant impacts. Because the project would not result in significant adverse effects on utilities and services systems, and future project changes would be required to meet specific findings including CEQA, the project would not contribute to a cumulatively considerable effect on utilities and service systems.

XX. Wildfire -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to wildfire for projects located in or near state responsibility areas or lands classified as very high fire hazard severity zones including: substantially impair an adopted emergency response plan or emergency evacuation plan; due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; and/or require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

YES

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NO

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Wildfire was analyzed within the GPU EIR within Section 2.7, Hazards and Hazardous Materials. The guidelines for determining significance stated: the proposed General Plan Update would have a significant impact if it would expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. In 2019, the issue of Wildfire was separated into its own section within Appendix G of the CEQA Guidelines to incorporate the four issue questions above. The GPU EIR did address these issues within the analysis; however, they were not called out as separate issue areas. Within the GPU EIR, the issue of Wildland Fires was determined to be significant and unavoidable.

The majority of the County is designated as a Very High and High Fire Hazard Severity Zone (FHSZ), except for the Desert and eastern Mountain Empire subregions, which are in the Moderate FHSZ. There are also areas of Moderate FHSZ and un-zoned areas in the more densely populated communities around the County. The project does not propose any development. Future project changes due to regulatory compliance would be exempt from subsequent analysis but would not result in significant land use and planning impacts. The future project changes would minimally expand upon existing or proposed permits but would not increase or change the intensity of the uses. In addition, future project changes would be required to comply with regulations relating to emergency access, water supply, and defensible space specified in the County Fire Code and Consolidated Fire Code. Implementation of these fire safety standards would occur prior to project approval, as identified by GPU mitigation measures Haz-4.2 and Haz-4.3. Therefore, the project would not constitute new information of substantial importance, a new significant environmental effect, or an increase in severity of previously identified significant effects, requiring major revisions of the GPU EIR.

In addition, in order for future project changes to be screened out of subsequent analysis, specific findings are required which include CEQA conformance of no new or substantially increase significant impacts. Because the project would not result in significant adverse effects on wildfire, and future project changes would be required to meet specific findings including CEQA, the project would not contribute to a cumulatively considerable effect on wildfire.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE: Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in any mandatory finding of significance listed below?

Does the project degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

YES

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NO

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Per the instructions for evaluating environmental impacts in this environmental document, the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory were considered in the response to each question in sections IV and V of this form. In addition to project specific impacts, this evaluation considered the projects potential for significant cumulative effects. There is no substantial evidence that there are biological or cultural resources that would be affected or associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

Per the instructions for evaluating environmental impacts in this environmental document, the potential for adverse cumulative effects were considered in the response to each question in sections I through XX of this form. In addition to project specific impacts, this evaluation considered the projects potential for incremental effects that are cumulatively considerable. As a result of this evaluation, there is no substantial evidence that there are cumulative effects associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

In the evaluation of environmental impacts in this environmental document, the potential for adverse direct or indirect impacts to human beings were considered in the response to certain questions in sections I. Aesthetics, III. Air Quality, VI. Geology and Soils, VIII. Hazards and Hazardous Materials, IX Hydrology and Water Quality, XII. Noise, XIII. Population and Housing, and XVI. Transportation and Traffic. As a result of this evaluation, there is no substantial evidence that there are adverse effects on human beings associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

**XXII. REFERENCES USED IN THE COMPLETION OF THE ENVIRONMENTAL REVIEW
UPDATE CHECKLIST FORM**

California Department of Fish and Wildlife. Fish and Wildlife Code, Section 1600 *et. seq.*

California Environmental Quality Act, CEQA Guidelines

California Environmental Quality Act. 2001. California Code of Regulations, Title 14, Chapter 3, Section 15382.

County Code of Regulatory Ordinances, Title 3, Division 5, Chapter 3

County of San Diego General Plan, 2011.

County of San Diego General Plan Final Program EIR, certified on August 3, 2011.

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Agricultural Resources, approved March 19, 2007.

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Air Quality, approved March 19, 2007

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Biological Resources, approved September 15, 2010

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources: Archaeological and Historical Resources, approved December 5, 2007

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Geologic Hazards, approved July 30, 2007

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Mineral Resources, approved July 30, 2008

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Noise, approved March 19, 2007

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Transportation and Traffic, approved August 24, 2011

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Vectors, approved January 15, 2009

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Visual Resources, approved July 30, 2007

County of San Diego Guidelines for Determining Significance and Report Format and Content

Requirements for Wildland Fire and Fire Protection, approved August 31, 2010

County of San Diego Zoning Ordinance

County of San Diego. Resource Protection Ordinance, Article II (16-17). October 10, 1991

Water Quality Control Plan for the San Diego Basin (9), California Regional Water Quality Control Board, San Diego Region

Attachment L
Final Engineering Flexibility Correspondence

From: [Jim Royle](#)
To: [Smith, Ashley](#)
Subject: Final Engineering Flexibility
Date: Friday, March 12, 2021 3:53:28 PM
Attachments: [Final Engineering Flexibility Public Notice.pdf](#)

Hi, Ashley.

It looks like the Postal Service decided to skip my house today so, to be sure you have this before the comment deadline, here's a scan of the SDCAS letter. With any luck, the hard copy will show up at your office Monday.

Regards,
Jim Royle



San Diego County Archaeological Society, Inc.

Environmental Review Committee

12 March 2021

To: Ms. Ashley Smith
Department of Planning and Development Services
County of San Diego
5510 Overland Avenue, Suite 310
San Diego, California 92123

Subject: Public Disclosure Notice
Final Engineering Flexibility

Dear Ms. Smith:

The subject Notice was distributed last month and I would like to submit a few comments and questions on its application.

The text of the Notice states that the intent is "to allow project changes required to comply with changes in State or Federal regulatory requirements, without requiring a modification or revised map if specific findings are made." The use of the word "required" implies that no changes would be permitted if the State or Federal requirements were *less severe*. The redlined text for the changes to the three ordinances, however, makes no distinction between requirements that are more severe or less severe. If nothing *requires* a project change but merely would otherwise permit one, to maintain the project characteristics and/or mitigation promised to the public in the project environmental documents, that change should not be permitted. That needs to find its way into the proposed ordinance revision.

The Notice and the proposed changes appear to be silent on several timing matters:

1. What is the key time (let's call it "Time T") in the timeline for a project, after which the process allowed by this proposed ordinance change would be allowed to be applied?
2. What is the corresponding point in the Federal or State regulatory process timeline? It seems it should only be for projects for which not even effective regulatory dates had been established at Time T, or cases where the Federal or State changed already-existing effective dates after Time T to make them take effect sooner.

It would seem essential for clarification of the intent to be incorporated somehow, to eliminate any future ambiguities when a potential case for application of the new provision comes along.

Thank you for making this proposed change available for public input to the County.

Sincerely,

A handwritten signature in black ink, appearing to read "James W. Royle, Jr.", written in a cursive style.

James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: SDCAS President
File

Hi Ashley,

Proposed looks good with the following comments for consideration:

1. Consider replacing the language the proposed language for the Zoning and Subdivision Ordinance so the 3 items are prefaced with “considered”, not “met”, see below:

In determining whether the parcel map complies with the approved tentative parcel map, project change(s) required to comply with changes in State or Federal regulatory requirements shall not be required to be considered if all of the following are met: ~~met:~~ considered

- (a) It shall be determined that the project change(s) do not result in a new or substantially increased significant impact in accordance with the California Environmental Quality Act (CEQA).
- (b) It shall be determined that that the project change(s) do not result in the creation of a situation that would be detrimental to the health, safety, or welfare of the public.
- (c) It shall be determined that the project change(s) do not result in the elimination of project features required to meet other County of San Diego code requirements, including, but not limited to the following:

2. In the proposed changed in the Grading Ordinance, also consider the change of “met” to “consider”, for both locations. See above for location of work change.
3. In order to streamline the approval process of changes to approved grading plans, I think it’s important to provide guidance to new plan checker to determine what “substantially complies”. Attached is a previous Substantial Conformance list that was provided to plan checker in DPW, to assist in determining Substantial Conformance, which was provided to industry so submittals were streamlined for approval. Consider implementation of Policy in order to support substantial conformance determination with GP and IP submitted after approval of the TPM or TM.

Thank you for the opportunity to provide feedback to the proposed changes.

Annie Sibug Aguilar, PE
President | Principal Engineer

462 Stevens Avenue, Suite 305 | Solana Beach, California, 92075
O. 858.345.1149, Extension 1160 | D. 858.345.1160 | W. sdeinc.com



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7/2008
9/2009

These Guidelines are for use in determining when actual ground grading is to be considered **NOT** in substantial conformance with an approved Grading Plan. These Guidelines are meant to help define the expectations for how final ground grading will occur. DPW reserves the right to hold specific areas within the graded area to higher tolerances than those listed below if circumstances warrant such action. Any changes that exceed any of these tolerances will require the Permittee to process a Plan Change prior to proceeding with the work. Should DPW Inspection Staff visually detect grading which appears to exceed these tolerances, the Permittee and/or the Supervising Engineer will be requested to verify the actual ground conditions, a Notice of Violation will be issued for grading outside the tolerances and may result in a Notice to Stop Work until a Plan Change is processed.

GRADING CHANGES THAT REQUIRE A PLAN CHANGE

1. The grading footprint of the disturbed area measured in square feet exceeds that shown on the approved plans by more than 5% or 300 square feet (which ever is greater).
2. Actual grading quantities exceed those shown on the approved plans by more than 10% or 300 cubic yards (which ever is greater).
3. Internal slope heights/pad grades (cut or fill) differ from those shown on the approved plans by more than 2 feet (vertically).
4. Slope heights/pad grades (cut or fill) along the property line differ from those shown on the approved plans by more than 1 foot (vertically).
5. Any grading into stream or drainage thread, not shown on approved plan.
6. Any grading into any existing or proposed Open Space (including recreational), not shown on approved plan.
7. Any grading into Coastal Sage Scrub or within 250 feet of County mapped Coastal Sage Scrub, not shown on approved plan.
8. Installation of non-standard slope protection and/or planting for erosion control.
9. Significant new evidence has been discovered, such as sensitive habitat, vernal pools, unstable soils, etc., that restricts construction per the approved plans.
10. Lot grading that will require a lot line adjustment by more than 2 feet horizontally.
11. New or revised retaining structures or drainage facilities not as shown on approved plans.
12. Any grading offsite or into an existing easement not shown on approved plan.
13. Graded location of road has changed by more than 5 feet horizontally.
14. Graded elevation for road improvements has changed by more than 2 feet vertically.
15. Addition of new grading to support improvements or pads not shown on approved plans.
16. Changes that will cause significant changes in the grading operations, lot lines, or road easements.
17. Installation of utilities in roadways not shown on approved plans.
18. Any grading that will result in requiring a change to a final map.
19. Any addition or deletion of work that is subject to a condition of approval.