

## Public Correspondence Item #3

Regina Ochoa

[Regina.ochoa@sdcounty.ca.gov](mailto:Regina.ochoa@sdcounty.ca.gov)

Ann Jimenez

[Ann.jimenez@sdcounty.ca.gov](mailto:Ann.jimenez@sdcounty.ca.gov)

San Diego County

Planning and Services Department

5510 Overland Ave

San Diego, CA 92123.

### **NCER Project – PDS 2008-3500-08-015**

Dear Ms. Ochoa/Jimenez

I have been informed that a Zoning Administrator Hearing for the current project is being scheduled for June 25, 2020 as a virtual meeting on skype with public participants having to call in using their cell phone or computer to participate in what might be an all-day meeting.

I request that this meeting be postponed until it can be held in the open chambers at the county offices. This will allow better participation by concerned citizens than is possible via internet.

This project application has a long history, summarized as follows:

- A controversial rezoning of the site to High Impact Industrial as part of the last General Plan Update even though it is surrounded by residential communities.
- The original application for this site was for a Nursery which was then modified to apply for a recycling facility for construction debris and green waste.
- The site plan has been vague and not definitive in terms of its scope – with general statement such as “Light” as well as “Medium” recycling facilities with intent to ship only 2 truckloads per day but, for some unstated reason, work 14 hours/day from 5:00AM till 7:00PM
- The site being defined as well suited for the recycling facility but actually requiring extensive blasting of the side of a mountain as well as filling the operating areas with crushed rock as it does not have load bearing capacity in its current condition.
- The actual crushing of the blasted materials will amount to a quantity equivalent to 16 years of shipped product from the operating phase. How will this project be economically viable at its stated operating rate?

- The calculation of noise, dust, traffic impacts, greenhouse gas emissions, water consumption, and other environmental impacts have been inadequately addressed.
- The draft EIR was found inadequate in year 2015. After being dormant for 4 and a half years, the project was revived and allowed to present its site plan with CEQA exemption 15183.
- After receiving more than 500 public comments and having taken 6 months to address these, County PDS plans to give us 10 days' notice to review their documents addressing these comments before participating in a virtual meeting.

The list above can be extended further but the point we make is that given the controversial history of the project and its impacts on the community, a virtual meeting to hold a Zoning Administrator Hearing seems inappropriate. A virtual meeting might be adequate for a project that is not controversial or has only minor issues that need to be resolved but such a meeting is unsuitable for a project with a long and complex history. Further, virtual meetings require more computer technology skills from participants, faster adaptation to the actual proceedings and content of the meeting on a small screen, sound systems that may not allow participants to distinctly follow what is being said or be able to report a deficiency in visual or audio effects, inability to confer with fellow attendees during an all-day-meeting — this list can go on too.

As interested public parties, as explained earlier, we have had to wait several times for long periods of time for the next development. Why should we all not wait a bit longer until the Covid-19 pandemic is under control and we have the opportunity to participate in a more effective manner in the next step in this project? I request the Zoning Administrator to postpone the Hearing on this project until circumstances allow a regular conference room meeting with in-person participation. Thanks very much for your consideration.

Yours truly,

Name

Address, email, Tel.No.

Binh Ha  
2357 Country View Glen  
Escondido CA 92026



**From:** [Neufeld, Darin](#)  
**To:** [Ochoa, Regina](#); [Smith, Ashley](#)  
**Subject:** Fwd: Hilltop Group Recycling Facility, Mesa Rock  
**Date:** Wednesday, June 24, 2020 11:50:26 AM

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Sent from my iPhone

Begin forwarded message:

**From:** Cheryl <canewman@cox.net>  
**Date:** June 24, 2020 at 11:47:30 AM PDT  
**To:** "Neufeld, Darin" <Darin.Neufeld@sdcountry.ca.gov>  
**Subject:** Hilltop Group Recycling Facility, Mesa Rock

I am adamantly opposed to the above referenced project. I have lived in the Emerald Heights community for 27 years, and over these years have been fascinated with the wind tunnel like conditions that occur during windy days, and the noise elevation that occurs on overcast days. On all overcast days, the traffic from 15 freeway is enough to wake me up. It is loud enough that I can ascertain that a vehicle has shifted gears, a motorcycle has accelerated or that brakes have been forcefully applied. What can be average winds on the streets below our hill, can uproot trees here. I can only imagine what will happen if this project is approved.

During windy days, not only those with Santa Ana wind conditions, my property will be covered in debris and dust. If I forget to close all my windows, large amounts of dust will appear on my furniture inside the house. I can only imagine what will happen if this facility is allowed.

Right now, homes in my community are receiving cancellations for property insurance due to the fire hazard of the surrounding chaparral and wind conditions. The insurance companies are well aware of the potential for a major fire in this area, and even a small spark can decimate this entire area, putting lives in danger. Almost all fires in San Diego County will result in ash on my cars and outdoor furniture due to the unusual winds that occur here. If insurance companies are aware of this, I am certain you are too. It is documented that facilities of this nature are prone, and have started, fires. I can only imagine what will happen if this facility is allowed.

Odor pollution is an issue on our hill. Chicken ranches, ocean bioluminescence, mushroom farms, even animal carcasses far below us can cause obnoxious odors that require shutting all windows. This again, is caused by the unusual wind occurrences of our hill directly above this proposed facility. It is known that obnoxious odors emanate from facilities like this. I can only what will happen if this facility is built.

The track record of the owner of Hilltop Group, Inc. is well known to San

Diegans. He has been in the news many times for illegal activities. You may think that residents don't remember the illegal grading in Escondido, but we do. We also remember the slew of other illegal actions that he took in order to circumvent or outright disobey the law. I cant even fathom that this project would be approved with this track record and the knowledge that thousands of lives could be at stake. I can only imagine what will happen if this facility is approved.

We citizens depend on the Board of Supervisors to be reasonable when projects like this are proposed and can have dire affects on the population. I can actually imagine what will happen if this project is approved. Senior citizens and those with asthma and immune disorders will have a decline in health. the smells which will be emitted will cause a drastic lifestyle change and pollute the surrounding areas. People will be forced to relocate in order to continue telecommuting from their homes. Possible fire issues will keep people on edge as more insurance companies cancel their policies. Fire now has a higher probability of destroying homes and families. Odor pollution and well as fire risks will lead to many lawsuits for years to come.

Please do the right thing and protect the citizens that elect you!

Cheryl Newman  
2439 Rock View Glen  
Escondido CA

**From:** [CHRIS BENTLEY](#)  
**To:** [Jimenez, Ann](#)  
**Subject:** NCER Project-PDS 2008-3500-08-015  
**Date:** Sunday, June 7, 2020 5:50:42 PM

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Dear Ms Jimenez:

I am writing about the Zoning Administrator Hearing for this project [June 25, 2020](#) as a virtual meeting on Skype with all participants having to access by cell phone or computer. I feel this unfair as not all interested parties have access or are capable of participating online.

With over 500 letters to reply to, there could be several hundred people trying to attend it may require many hours, if not all day for this meeting.

We have waited for over 6 months for the County to address our concerns over a project that will have major negative impacts on our community. Because of the complexity of the issues and the volume of the involved public, a virtual meeting is not adequate to do justice to the issues to be discussed and an opportunity to understand and react to them.

I urge you to postpone this Hearing until it can be held in a regular conference room (large) with in-person participation.

Thank you for your consideration

Chris Bentley  
1299 Deer Springs Rd. #21  
San Marcos, Ca 92069  
[dcbentley@verizon.net](mailto:dcbentley@verizon.net)

Sent from my iPad

**From:** [Christine Annis](#)  
**To:** [Jimenez, Ann](#)  
**Subject:** Environmental Resources Project PDS 2008-3500-08-015  
**Date:** Friday, June 5, 2020 9:53:27 AM

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I am writing to you to empathize my total dissatisfaction with the decision to conduct a meeting via SKYPE rather than waiting to have a face to face meeting with your constituents. I wish no disrespect to you but this just is not an appropriate way to conduct a meeting that is so monumental in the minds of the voters. Please consider the following:

- Not everyone has access to SKYPE or on-line communications media so this potentially eliminates resident participation. Our voices will not be heard and you will not receive our input. I am certain you have an interest hearing from your constituents.
- I would respectfully like to understand why there seems to be an urgency to hold an on-line meeting for a long on-going project for many years that should be delayed when we can have a face-to-face public meeting. Clearly the voters made their wishes clear based on the results of Measure A in November.
- Also, is it unreasonable to expect residents to sit in front of their computer or cell phone all day to know what the County is doing with this project.

Please kindly take the points listed herein into consideration to delay this meeting to a time in the future where we the people can participate in person.

Respectfully,

Christine Annis

**From:** [Dan Allen](#)  
**To:** [Jimenez, Ann](#)  
**Subject:** NCER Project – PDS 2008-3500-08-015  
**Date:** Tuesday, June 23, 2020 12:11:06 PM

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Dear Ms. Jimenez

I have been informed that a Zoning Administrator Hearing for the current project is being scheduled for June 25, 2020 as a virtual meeting on skype with public participants having to call in using their cell phone or computer to participate in what might be an all-day meeting.

I request that this meeting be postponed until it can be held in the open chambers at the county offices. This will allow better participation by concerned citizens than is possible via internet.

This project application has a long history, summarized as follows:

A controversial rezoning of the site to High Impact Industrial as part of the last General Plan Update even though it is surrounded by residential communities.

The original application for this site was for a Nursery which was then modified to apply for a recycling facility for construction debris and green waste.

The site plan has been vague and not definitive in terms of its scope – with general statement such as “Light” as well as “Medium” recycling facilities with intent to ship only 2 truckloads per day but, for some unstated reason, work 14 hours/day from 5:00AM till 7:00PM

The site being defined as well suited for the recycling facility but actually requiring extensive blasting of the side of a mountain as well as filling the operating areas with crushed rock as it does not have load bearing capacity in its current condition.

The actual crushing of the blasted materials will amount to a quantity equivalent to 16 years of shipped product from the operating phase. How will this project be economically viable at its stated operating rate?

The calculation of noise, dust, traffic impacts, greenhouse gas emissions, water consumption, and other environmental impacts have been inadequately addressed.

The draft EIR was found inadequate in year 2015. After being dormant for 4 and a half years, the project was revived and allowed to present its site plan with CEQA exemption 15183.

After receiving more than 500 public comments and having taken 6 months to address these, County PDS plans to give us 10 days’ notice to review their documents addressing these comments before participating in a virtual meeting.

The list above can be extended further but the point we make is that given the controversial history of the project and its impacts on the community, a virtual meeting to hold a Zoning Administrator Hearing seems inappropriate. A virtual meeting might be adequate for a project that is not controversial or has only minor issues that need to be resolved but such a meeting is unsuitable for a project with a long and complex history. Further, virtual meetings require more computer technology skills from participants, faster adaptation to the actual proceedings and content of the meeting on a small screen, sound systems that may not allow participants to distinctly follow what is being said or be able to report a deficiency in visual or audio effects, inability to confer with fellow attendees during an all-day-meeting --- this list can go on too.

As interested public parties, as explained earlier, we have had to wait several times for long periods of time for the next development. Why should we all not wait a bit longer until the Covid-19 pandemic is under control and we have the opportunity to participate in a more effective manner in the next step in this project? I request the Zoning

Administrator to postpone the Hearing on this project until circumstances allow a regular conference room meeting with in-person participation. Thanks very much for your consideration.

Yours truly,

Danny Allen  
2539 Valley View Glen  
Escondido CA 92026  
760-237-8161

**From:** [Andrea Sorrentino](#)  
**To:** [Ochoa, Regina](#)  
**Subject:** Meeting  
**Date:** Friday, June 5, 2020 12:30:47 PM

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I am writing in regards to this virtual meeting taking place and want to express my concern and the points I would like to make in opposition of this untimely meeting

- Those residents who are technologically challenged may not be able to participate
- What is the capacity of Skype – will it handle (potentially) hundreds of participants?
- For those who are unable to log in to Skype due to technological limitations, how can they participate in this meeting? How will they be heard or know what is being discussed?
- If there are residents who are unable to log in due to network or other limitations, will the meeting be held again to ensure they can take part?
- This project has been ongoing for many years – why is it so important to hold this meeting now instead of waiting a few weeks when we may be able to go forward with a regular public meeting?
- It is unreasonable to expect residents to sit in front of their computer or cell phone all day to know what the County is doing with this project
- Measure A was on the ballot in November because a large number of residents were unhappy with projects being approved and built in our neighborhoods. This is another example of inappropriate zoning and approval of project that has no place in a residential area.
- Finally, my husband and I would not be able to participate for we do not have the capabilities to virtually attend.

Would you please kindly consider our requests to postpone this meeting until we can meet safely and attend.

**From:** [Bob Hayes](#)  
**To:** [Jimenez, Ann](#); [Neufeld, Darin](#); [Ochoa, Regina](#); [ashley.smith@sdcounty.ca.gov](mailto:ashley.smith@sdcounty.ca.gov)  
**Subject:** NCER Project - PDS 2008-3500-08-015  
**Date:** Sunday, June 21, 2020 10:40:05 AM

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Dear Ms. Jimenez, Ms. Ochoa, Ms. Smith, and Mr. Neufeld,

We have been informed that a Zoning Administrator Hearing for the current project is being scheduled for June 25, 2020 as a virtual meeting on skype with public participants having to call in using their cell phone or computer to participate in what might be an all-day meeting.

We request that this meeting be postponed until it can be held in the open chambers at the county offices. This will allow better participation by concerned citizens than is possible via the internet.

We are extremely concerned about the high potential of a fire risk, pollution, and noise. We have lived in the Emerald Heights for the past 26 years. We have lived through three terrifying fire events already. We are strongly opposed to a facility such as this Recycling Plant that can dramatically increase the danger of another fire event.

Please postpone the meeting until all of us concerned citizens can participate in a venue that enables our voices to be adequately heard.

Yours truly

Bob & Kay Hayes  
1973 Woodland Heights Glen  
Escondido, CA 92026  
760 798 2078

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Bob Hayes  
Mobile: 760 533 0814  
Email: [BobHayes1944@gmail.com](mailto:BobHayes1944@gmail.com)

**From:** [Neufeld, Darin](#)  
**To:** [Byron Marler](#); [Ochoa, Regina](#); [Jimenez, Ann](#); [rirangan@yahoo.com](mailto:rirangan@yahoo.com); [Smith, Ashley](#)  
**Subject:** RE: NCER Project 2008-3500-08-015  
**Date:** Sunday, June 7, 2020 5:54:08 PM  
**Attachments:** [image001.png](#)

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Thanks Byron. We will review your request and get back to you. We are in receipt of Kasturi's email from yesterday.

Thanks,

Darin

**Darin Neufeld, AICP** | Chief | Project Planning  
COUNTY OF SAN DIEGO | Planning & Development Services  
5510 Overland Avenue | Suite 310 | San Diego | CA | 92123  
T. 858-694-3455 | M. 619-753-5439 | F. 858-694-3373 | MAIN 858-694-2960  
PDS Website <http://www.sdcounty.ca.gov/pds/index.html>

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



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**From:** Byron Marler <marlerstorm1@gmail.com>  
**Sent:** Sunday, June 7, 2020 9:43 AM  
**To:** Neufeld, Darin <Darin.Neufeld@sdcounty.ca.gov>; Ochoa, Regina <Regina.Ochoa@sdcounty.ca.gov>; Jimenez, Ann <Ann.Jimenez@sdcounty.ca.gov>; ashley.smith@sdcounty.ca.gov; rirangan@yahoo.com  
**Subject:** NCER Project 2008-3500-08-015

I am writing to you regarding the Zoning Administrator (ZA) Hearing that you are scheduling for June 25, 2020, as a virtual meeting.

I request that the ZA hearing on this project be postponed until a regular meeting with in-person attendance can be arranged. In support of this request, I reference all information provided by Mr. Kasturi Rangan in his email letter to you dated June, 6, 2020. I fully agree with every statement made by Mr. Rangan.

Thank you.

Byron Marler

760-658-6593

25147 Rue De Fleur

Escondido, CA. 92026

**From:** [debby.siebert](#)  
**To:** [Ochoa, Regina](#)  
**Subject:** NCER Project – PDS 2008-3500-08-015  
**Date:** Saturday, June 6, 2020 12:26:22 PM

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**NCER Project – PDS 2008-3500-08-015**

Dear Ms. Ochoa/Jimenez

I have been informed that a Zoning Administrator Hearing for the current project is being scheduled for June 25, 2020 as a virtual meeting on skype with public participants having to call in using their cell phone or computer to participate in what might be an all-day meeting.

I request that this meeting be postponed until it can be held in the open chambers at the county offices. This will allow better participation by concerned citizens than is possible via internet.

This project application has a long history, summarized as follows:

- A controversial rezoning of the site to High Impact Industrial as part of the last General Plan Update even though it is surrounded by residential communities.
- The original application for this site was for a Nursery which was then modified to apply for a recycling facility for construction debris and green waste.
- The site plan has been vague and not definitive in terms of its scope – with general statement such as “Light” as well as “Medium” recycling facilities with intent to ship only 2 truckloads per day but, for some unstated reason, work 14 hours/day from 5:00AM till 7:00PM
- The site being defined as well suited for the recycling facility but actually requiring extensive blasting of the side of a mountain as well as filling the operating areas with crushed rock as it does not have load bearing capacity in its current condition.
- The actual crushing of the blasted materials will amount to a quantity equivalent to 16 years of shipped product from the operating phase. How will this project be economically viable at its stated operating rate?
- The calculation of noise, dust, traffic impacts, greenhouse gas emissions, water consumption, and other environmental impacts have been inadequately addressed.
- The draft EIR was found inadequate in year 2015. After being dormant for 4 and a half years, the project was revived and allowed to present its site plan with CEQA exemption 15183.
- After receiving more than 500 public comments and having taken 6 months to address these, County PDS plans to give us 10 days’ notice to review their documents addressing these comments before participating in a virtual meeting.

The list above can be extended further but the point we make is that given the controversial history of the project and its impacts on the community, a virtual meeting to hold a Zoning Administrator Hearing seems inappropriate. A virtual meeting might be adequate for a project that is not controversial or has only minor issues that need to be resolved but such a meeting is unsuitable for a project with a long and complex history. Further, virtual meetings require more computer technology skills from participants, faster adaptation to the actual proceedings and content of the meeting on a small screen, sound systems that may not allow participants to distinctly follow what is being said or be able to report a deficiency in visual or audio effects, inability to confer with fellow attendees during an all-day-meeting --- this list can go on too.

As interested public parties, as explained earlier, we have had to wait several times for long periods of time for the next development. Why should we all not wait a bit longer until the Covid-19 pandemic is under control and we have the opportunity to participate in a more effective manner in the next step in this project? I request the Zoning Administrator to postpone the Hearing on this project until circumstances allow a regular conference room meeting with in-person participation. Thanks very much for your consideration.

Yours truly,

Debby Siebert

Deer Springs Oaks Mobile Home Park Board President

1299 Deer Springs Road #1 San Marcos, CA 92069

808-652-4917

**From:** [Denice Riddle](#)  
**To:** [Jimenez, Ann](#)  
**Subject:** Meeting for the recycling plant zoning  
**Date:** Friday, June 5, 2020 8:40:23 PM

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Hello and I hope you are safe and healthy. Live on a private road off of the main road very close to where the new proposed recycling plant will be located. Me and my elderly mother-in-law have severe asthma and are very concerned about this being built. While I would like mine voice to be heard in person I'm willing to attend an online Zoom meeting if that was the only way to get my voice heard to protect me and my mother-in-law.

If you could please email me the information on the zoo meeting for June 25th that would be greatly appreciated.

if it will be postponed to an in-person meeting that would be even better but either way I would like to attend.

Thank you so much.

Sincerely,

Denice Riddle

1705 Cypress Point Glen  
Escondido, Ca 92026  
(760) 744-6187

Regina Ochoa  
San Diego County Planning  
& Development Services  
5510 Overland Avenue  
San Diego, CA 92123

Dear Ms. Ochoa:                      Re: NCER Recycling Project - ZA Hearing

I am opposed to locating a concrete recycling facility in an area which was initially zoned rural and then changed to high impact density in an area which is surrounded by a number of subdivisions which will be impacted by this project.

I am also opposed to arranging for a hearing to be conducted by SKYPE instead of in a location where people can attend in person to voice their concerns about this project. I ask that you postpone the hearing until such time as people can gather together and express their opinions about this project which, if approved, will have a major impact on many residents in the area.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Diane Palmer". The signature is written in a cursive style.

Diane Palmer

**From:** [Elizabeth Vierich](#)  
**To:** [Jimenez, Ann](#)  
**Cc:** [Ochoa, Regina](#)  
**Subject:** North County Environmental Resources Project PDS 2008-3500-08-015  
**Date:** Friday, June 5, 2020 8:43:54 AM

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- This project has been ongoing for many years – why is it so important to hold this meeting now instead of waiting a few weeks when we may be able to go forward with a regular public meeting?
- It is unreasonable to expect residents to sit in front of their computer or cell phone all day to know what the County is doing with this project
- Measure A was on the ballot in November because a large number of residents were unhappy with projects being approved and built in our neighborhoods. This is another example of inappropriate zoning and approval of project that has no place in a residential area.
- Finally, my husband and I would not be able to participate for we do not have the capabilities to virtually attend.

Would you please kindly consider our requests to postpone this meeting until we can meet safely and attend.

Kind Regards,  
Elizabeth Rose  
760 509-5400  
[www.cosmeticink.net](http://www.cosmeticink.net)

Ann Jimenez

[Ann.Jimenez@sdcounty.ca.gov](mailto:Ann.Jimenez@sdcounty.ca.gov)

San Diego County

Planning and Services Department

5510 Overland Ave

San Diego, CA 92123

NCER-Project—PDS 2008-3500-08-015

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Yours truly,

Ellen Keenan

2273 Canyon View Gln

Escondido, CA 92026

[Bcmgr22@yahoo.com](mailto:Bcmgr22@yahoo.com)

760-744-4589

**From:** [g.kistler](#)  
**To:** [Jimenez, Ann](#); [Neufeld, Darin](#); [Ochoa, Regina](#); [ashley.smith@sdcounty.ca.gov](mailto:ashley.smith@sdcounty.ca.gov)  
**Subject:** Recycling plant  
**Date:** Sunday, June 21, 2020 11:21:26 PM

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To Whom It May Concern:

I am a resident in the Emerald Heights neighborhood and wanted to tell you I am completely against the projected recycling plant based at the bottom of our hill. I believe it will be a big fire hazard in an area that has a lot of brush. Please do not build this center in this area.

Thank you.

Greg Kistler

Sent from my Verizon, Samsung Galaxy smartphone

**From:** [James Chagala](#)  
**To:** [Ochoa, Regina](#)  
**Subject:** Re: NCER Hidden Meadows Sponsor Group Vote  
**Date:** Tuesday, June 16, 2020 4:38:22 PM  
**Attachments:** [image001.png](#)

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Hi Regina,

As you know, on June 11 the Hidden Meadows Sponsor Group voted to recommend to the Zoning Administrator that the NCER request for a 15183 Exemption be denied. The vote was 5 in favor, 2 absent, and 2 vacant. The reasons for the motion was We did not believe that this project met Finding 2, in that we felt that there were project effects that are "Peculiar" to this project.

Thank you for the opportunity to take an action on this request.

Jim Chagala

James Chagala & Associates  
555 West Country Club Drive, #254  
Escondido, CA 92026  
760-751-2691

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**From:** Ochoa, Regina <Regina.Ochoa@sdcountry.ca.gov>  
**Sent:** Saturday, June 13, 2020 12:28 AM  
**To:** James Chagala <jchagala@hotmail.com>  
**Subject:** RE: NCER June ZA Hearing

Hi Jim,

Please feel free to send over. We noted the vote in the report but we can forward to the Zoning Administrator.

**Update:** The staff report for the North County Environmental Resources project has been posted and can be viewed here:

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

See link titled "June 25<sup>th</sup> Zoning Administrator Report".

Please let me know if you have any questions.

Thanks,

Regina Ochoa

Land Use/Environmental Planner, Project Planning  
County of San Diego | Planning & Development Services  
5510 Overland Ave, Suite 310, San Diego, CA 92123  
[regina.ochoa@sdcounty.ca.gov](mailto:regina.ochoa@sdcounty.ca.gov) | (858) 495-5338

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

Coronavirus Disease 2019  
**COVID-19**

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**From:** James Chagala <jchagala@hotmail.com>  
**Sent:** Friday, June 12, 2020 3:39 PM  
**To:** Ochoa, Regina <Regina.Ochoa@sdcounty.ca.gov>  
**Subject:** Re: NCER June ZA Hearing

Hi Regina,

Thanks for being a part of the meeting. Do you want something from me regarding the vote we had ?

Jim Chagala

James Chagala & Associates  
555 West Country Club Drive, #254  
Escondido, CA 92026  
760-751-2691

---

**From:** Ochoa, Regina <[Regina.Ochoa@sdcounty.ca.gov](mailto:Regina.Ochoa@sdcounty.ca.gov)>  
**Sent:** Friday, June 12, 2020 7:05 PM  
**To:** James Chagala <[jchagala@hotmail.com](mailto:jchagala@hotmail.com)>  
**Subject:** RE: NCER June ZA Hearing

Hi Jim,

Thank you for providing the opportunity for staff to attend the Hidden Meadows CSG meeting last night. We are finalizing the staff report (which will include the recommendation the CSG made last night) and are working on uploading the report today. I will send you the digital copy once it is ready.

As mentioned at the meeting last night, all public comments received during the public disclosure period and the response to comments have been posted online here:

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

Instructions on how to participate in the Zoning Administrator hearing can be found at

<https://www.sandiegocounty.gov/content/sdc/pds/zanext.html>. We've also created a handout (attached) with more instructions on how to participate.

We'll follow up once the staff report is uploaded. Please let me know if you have any questions in the meantime.

Thanks,

Regina Ochoa  
Land Use/Environmental Planner, Project Planning  
County of San Diego | Planning & Development Services  
5510 Overland Ave, Suite 310, San Diego, CA 92123  
[regina.ochoa@sdcounty.ca.gov](mailto:regina.ochoa@sdcounty.ca.gov) | (858) 495-5338

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

Coronavirus Disease 2019  
**COVID-19**

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**From:** James Chagala <[jchagala@hotmail.com](mailto:jchagala@hotmail.com)>  
**Sent:** Tuesday, June 9, 2020 1:41 PM  
**To:** Ochoa, Regina <[Regina.Ochoa@sdcounty.ca.gov](mailto:Regina.Ochoa@sdcounty.ca.gov)>  
**Subject:** Re: NCER June ZA Hearing

A digital copy is sufficient.

thanks

Jim Chagala

James Chagala & Associates  
555 West Country Club Drive, #254  
Escondido, CA 92026  
760-751-2691

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**From:** Ochoa, Regina <[Regina.Ochoa@sdcounty.ca.gov](mailto:Regina.Ochoa@sdcounty.ca.gov)>  
**Sent:** Tuesday, June 9, 2020 8:00 PM  
**To:** James Chagala <[jchagala@hotmail.com](mailto:jchagala@hotmail.com)>  
**Subject:** NCER June ZA Hearing

Hi Jim,

As you are aware, we are anticipating that the North County Environmental Resources project will be placed on the June 25<sup>th</sup> Zoning Administrator Hearing.

We are preparing the staff report and will email you a copy of the report on Friday. A hard copy (if needed) will follow. But since the meeting is virtual we wanted to check in to see if you would still like a hard copy of the report or if a digital copy is sufficient.

Please let me know if you have any questions.

Thanks,

Regina Ochoa  
Land Use/Environmental Planner, Project Planning  
County of San Diego | Planning & Development Services  
5510 Overland Ave, Suite 310, San Diego, CA 92123  
[regina.ochoa@sdcounty.ca.gov](mailto:regina.ochoa@sdcounty.ca.gov) | (858) 495-5338

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

Coronavirus Disease 2019  
**COVID-19**

**From:** [Julie Brooks](#)  
**To:** [Ochoa, Regina](#); [Jimenez, Ann](#)  
**Subject:** North County Environmental Resources Project PDS  
**Date:** Friday, June 5, 2020 1:26:24 PM

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Dear elected officials and staff,

There are many reasons why a meeting via Skype is just going to silence a great many residents who are justifiably concerned about the insertion of a heavy industrial business into their residential area. While hearing this agenda item now might be expedient for the county and the property owner, silencing the people who's home values will negatively impacted by this business does not reflect the purpose of this process, but is a perversion of it.

I do not Skype. In this area people with Cox, ATT and Verizon have been plagued with connectivity problems, some say it is due to work on the area cell towers. So good luck the internet we rural folk have access to is working that day...all day. Not to mention the many of us who HAVE NEVER SKYPED and cannot do it with that tech savvy neighbor because of our deadly friend COVID-19.

And it is the last item on the agenda? We are suppose to sit at our computers ALL DAY. That will teach us to disagree...is that the objective?

There is only one reason to have this on the agenda now. That is the property owner. There are hundreds of reasons why it should be taken off the agenda until there is a way to BE SURE the impacted residents can be heard. The MOST important of these Impacts is health concerns due to lowered air quality caused by dust generation and diesel exhaust and Concern for noise pollution and traffic congestion. This facility is going to stink and create noise that will be bounced by the remaining mountain back into the neighborhood. The five neighborhood schools which will be subjected to prevailing winds from over the facility. The quiet access road which will now be regularly traversed by giant trucks

full of silica dust bearing loads from other cities. Not to mention the STACKS of flammable green waste, out in the open, tinder for any wildfire and prone to start alight due to sparks from the machinery on site and spontaneous combustion.

Please pay attention to this information. It is important for all of us who have been correctly quarantining and social distancing as our county officials requested, to know that our county officials will also listen when we say “No, not right now.”

And if you must post on the county site this **DO NOT POST MY EMAIL ADDRESS** or my home address

Julie Brooks  
27908 High Vista Drive  
Escondido, CA 92026

From my mobile office.

Sent from AOL Mobile Mail  
Get the new AOL app: [mail.mobile.aol.com](http://mail.mobile.aol.com)

Kasturi Rangan

Email: [rirangan@yahoo.com](mailto:rirangan@yahoo.com)

Tel: 760-317-9697

25129 Rue De Fleur

Escondido, CA 92026

June 23, 2020

Zoning Administrator for PDS 2008 3500 08 015

San Diego County – Planning and Development Services

5510 Overland Avenue

San Diego, CA 92123.

### **PDS 2008 3500 08 015 North County Environmental Resources Project**

Dear Zoning Administrator:

I am submitting this letter as an e-comment prior to the Zoning Administrator Hearing scheduled for the subject project on June 25, 2020.

There are many environmental aspects of this proposed facility that will be significantly impactful on the community. But there are also many other characteristics of this project that influence the community's concerns. These characteristics are the lack of forthrightness, clarity, and transparency, going all the way back to year 2005 when the early work on the GPU was undertaken. These characteristics still describe this project and its intents as we move into this phase of the approval process.

#### **Relevant History:**

Records show that agents of the owner and a California Assemblyman wrote letters to the Board of Supervisors around year 2005 stating that the project site was very well suited for a debris recycling facility. The owner sought a zoning of High Impact Industrial, I-3, for this site while the Twin Oaks Community Sponsor Group and the City of Escondido opposed this industrial zoning and recommended a RR zoning. The County's own Planning Department recommended against the industrial zoning. The County Board of Supervisors (BOS) went ahead and zoned the parcels as I-3 anyway with a caveat that it would be used only for recycling. BOS have still not explained why they overlooked all the recommendations. Because of the surrounding residential areas, this zoning fits the very definition of "pocket

zoning". It actually does not meet the very criteria specified in the GPU for location of an I-3 zone.

While the owner of the site had sought the I-3 zoning classification, his official application, dated 2008 (this year still shows on the current project number), was for a green nursery – a facility that does not in any way require an I-3 zoning. The GPU and its EIR were released in 2011. In 2012, the applicant modified his green nursery application to a CD&I recycling facility. This modified application was received by PDS on 9/25/2012. There does not seem to be any evidence that the applicant followed the PDS Public Notice Procedure (rev. 9/21/2012) which requires that a minimum of 20 different property owners be notified about the modified application and that the notice area would have to be expanded until 20 neighbors are found. This in itself is a potential violation of procedure.

The surrounding community became aware of the owner's intent to install a CD&I recycling facility in 2013 and began to publicly approach County authorities through presentations at BOS meetings, Planning Commission Meetings, and discussions with PDS staff, stating the need for a full Environmental Impact Report (EIR). PDS agreed in 2014 that a site-specific EIR was required and advised the applicant to prepare and submit a draft. In mid-2015, the draft EIR was found inadequate by PDS and the applicant was asked to submit the next revision. At this stage the project went dormant. The public were not kept informed on the status of the project. One inquiry from us revealed that the project was not active but being kept open by payment of required fees. More than 4 years later, in September, 2019, PDS announced that a site-specific EIR was no longer required and that a CEQA 15183 exemption would allow the project to move forward. What happened in these 4 years? Why were the public not kept informed about the status of the project? Why can't the public now be informed about what actually transpired in interactions between the applicant and PDS and how this conclusion was reached. Even so the record will still show that the draft EIR submitted by the applicant was found inadequate and this rejected draft EIR will characterize this project.

Our learning from this history: The applicant would prefer to keep the public out of the loop as long as possible.

In keeping with the objectives stated in the GPU, it would be mutually beneficial if the County authorities worked to create the right balance between project objectives and safe, thriving communities.

### **Current Site Plan:**

I have never seen such a casually written, undetailed project description which PDS somehow finds acceptable. It is not clear if PDS has used the applicant's documents to create this description or have written it on their own based on their understanding. There is no way that the public can clearly conceptualize the specific operational aspects of this proposed facility from the written description. The public is, however, distinctly aware of the fugitive dust created by crushing, grinding, and handling of rock-like materials and construction debris, because such industries are characterized by noise and dust and their impact on surroundings. Such facilities have been featured in many a dispute between community and investor in many locations in the United States and continue to be

disrupters. The reality is that almost everyone favors recycling but picking the right location for a dusty, noisy operation is the key to its success and growth.

In the Project Description the opening statements are “ The project is a recycling facility for tree waste chipping and grinding; the recycling of wood and construction debris (“C & D wood”); and the recycling of concrete, asphalt, and inert material from demolition projects (“CDI debris”). Only presorted, non-contaminated tree trimmings, wood, and construction debris would be accepted for processing and there would be no composting or acceptance of solid waste. The proposed NCER facility would likely require permits for both a Medium Volume CDI facility, regulated by CCR Title 14, Division 7, Chapter 3.0, Article 5.9 Section 17383.5 and a Compostable Material Chipping and Grinding Permit. NCER is anticipated to release two truckloads per day (approximately 48 tons per day, 15,000 net tons annually) of finished product. The daily maximum combined process tonnage of C & D wood debris and/or CDI debris allowed by the Local Enforcement Agency (LEA) is 174 tons. The proposed project consists of a 12,000 square foot recycling processing building, 100,000-gallon water tank, a security trailer, truck scales, and up to 20 (60 feet by 60 feet by 18 feet high) adjustable storage containers.....”

There is no description of what will happen in the “steel recycling building”. The drawing shows a wash rack, presumably for washing the heavy duty vehicles to be used on site and for parking these vehicles in the building when not in use. Why is this being called a “Steel recycling building”? There is no description of the actual equipment that will be used for crushing and grinding either for CDI or for wood waste. All the drawing shows is a processing pad approx. 150 feet by 150 feet. How do you find this project description adequate when the processing equipment and methods of operation are not defined? What assumptions did the consultants make in determining noise, dust, gaseous emissions and other impacts – why are these assumptions considered valid when the applicant has not defined the operation? What is the purpose of being vague and oblique about the operational equipment and methods to be used on the site?

Why are there 50 parking spaces for normal sized cars around the building for a project that states that it estimates shipment of 2 truckloads/day?

There is no specific statement about the level of permit being sought for Chipping and Grinding facility. Is PDS assuming that it will be the lowest level of permit (less than 200 tons per day of incoming material)?

Based on the Medium Volume Facility definition, the site is allowed a maximum inventory of 174 tons/day X 30 days = 5220 tons. The 20 adjustable storage containers that the applicant states in the site plan would allow more than 6 times the allowed maximum inventory. Why should this be allowed?

Overall, the facilities described are inconsistent with the intent to ship 2 truckloads/day. This site plan should be found inadequate and unacceptable.

### **Inconsistencies and Oddities in operations and impacts:**

- Even by approximate calculations of investment required to prepare the site (blasting 244,464 cu. yds of rock), install facilities, equipment, and infrastructure, etc. and revenue

derived from shipment of 2 truckloads per day of processed material, the project would not be economically viable. It is most likely to expand capacity to become viable. This would make the current site plan and the determination of impacts a farce.

- While the facility intends to ship only two truckloads per day, it states a need to operate 14 hours/day – why?
- With its intent to ship only 2 truckloads/day, this venture does not do much to help the County meet its goals of diverting construction debris from landfills. Therefore, the BOS' rejection of the recommendations made by the Twin Oaks Valley Community Sponsor Group, the City of Escondido, and the Planning Department was all for naught.
- The applicant's consultants state that the particulate emissions of PM 10 will amount to 32.35 lbs/day vs. limit of 100 lbs/day. The assumptions in their calculations are not obvious but are presumably based on processing 174 lbs/day. They also claim an unspecified and undocumented credit from Otay and Miramar landfills for particulate emissions. The assumption is that NCER will receive debris that would have been delivered to Otay and Miramar. However, there really is no documented evidence or contract presented that this will actually be the case. Use of credits might be valid in determining county wide (SDAB) emissions but such credits should not be taken into account in determining local impacts.
- The definition of Medium Volume facility states that the facility can receive 174 tons/day but does not specifically state that this amount of tonnage has to be processed on the same day. With a typical crusher capacity of 150 – 200 tons/hr, 10 days of incoming material could be accumulated and processed in one work day. Prorating from the emission rate of 32.35 lbs/day of PM 10 for 174 tons/day, the emission rate for processing 1740 tons/day would obviously be much higher than 100lbs/day and thus exceed the limits. Even a 4-day accumulation before processing would cause a potential exceedance of emission limits. How would this operation qualify for a CEQA 15183 exemption?
- The site preparation work, as described in the site plan, would involve blasting, crushing, grinding, and handling 244.464 cu.yds. of rock from the side of a mountain to create an appropriate access road. Using a bulk density of 75 lbs/cu.ft., these cu.yds of rock amount to roughly the same number of tons of rock. The site plan states that this rock will be crushed in 2 - 4 weeks at the site location where the process facility will operate. Assuming 4 weeks, this calculates to processing of 8,731 tons/day. The PM 10 emission from such processing is quantified as only 13.56 lbs/day. If the PM 10 emission can be 32.35 lbs/day for processing 174 tons/day how could it go down drastically to 13.56 lbs/day for processing 8,731 tons/day? Here again, the use of a CEQA 15183 exemption does not seem valid. Additional review via a site/facility specific EIR is needed to understand the apparent imbalance in the emissions between operations and construction.
- The technology for dust control is broadly stated as water misting with no further definition. In this modern world, even a lawn sprinkler has a specification that relates to its water flow, pressure of supply, radius of spray, and arc of spray – however, for an inherently dusty process that can impact surrounding communities there is no specification on water suppression other than to use misting. Will one or two small spray nozzles or a pipe drilled with small holes be adequate?
- There is a noise standard error in the consultant's noise analysis that states that the standard for a residence in a nearby RR zone is 57.5 dBA and therefore the 58 dBA noise level from the facility at this distance would not be a violation. However the standard for

such a residence is actually 50 dBA at daytime and 45 dBA at night, making the noise from the facility a violation.

- The facility is adjacent to a steep, brushy hillside area which is designated a High Wildfire Hazard Severity Zone. With shredded mulch and wood in storage, outdoors, in this facility, the potential for fire from a spark caused by equipment or other source is high. Santa Ana wind conditions would spread such a fire rapidly towards residential areas over the ridge on the west side flank of the project site. The current fire plan with just one 100,000 gallon water tank would not be able to contain such a fire.
- Water for operational use is stated to be available from the Vallecitos Water District but there is no document provided in the site plan to show such agreement, particularly for stated consumption of 2,400,000 gal/yr – what is the basis of this calculation?

### **Alternatives and conclusions:**

Others have written to the County authorities, earlier, about the reckless, unprofessional, unethical, and outrageous rule violations on the part of associated companies of this project venture, coupled with a total disregard for the environment. This kind of behavior by a business entity creates a distrust and wariness on the part of the surrounding community who will naturally anticipate that impacts on the community will get worse and not better. Given these circumstances, one would think that the community would get reassurance from the project applicant and PDS that the project will be provided with adequate modern facilities and follow stringent procedures to qualify as a facility that intends to integrate well into its surroundings. Instead we see a vaguely defined project which is not economically viable, has many inconsistencies, and poses hazards to the safety and health of the community. The community also does not want to be made the involuntary monitor of this facility for environmental violations and have to frequently call the County when things don't seem right.

There are other good alternatives that might take some investment up front but would make for a good compromise by striking a good balance between the ability to operate a noisy, dusty recycling facility and yet provide a safe and enjoyable residential environment for the surrounding community. These are:

- Install the processing and handling facilities in an enclosed structure. This is a well demonstrated practice with several such facilities in California.
- Install available electronic monitoring devices for noise and dust at the periphery of the site.

An even more significant alternative would be to relocate this project to other I-3 zoned land and/or existing industrial parks where adequate safe guards for the public have been established.

Because of all the issues detailed above, the project does not qualify for a CEQA 15183 Exemption and should be rejected. I think the County authorities should ask the applicant to evaluate alternatives to minimize impacts on the community and provide a site-specific EIR to support a better defined project. Thanks for your consideration.

Yours truly,

Kasturi Rangan.

**From:** [royalviewranch@aol.com](mailto:royalviewranch@aol.com)  
**To:** [Ochoa, Regina](#); [ann.jimenez@sdcounty.ca.gov](mailto:ann.jimenez@sdcounty.ca.gov)  
**Subject:** NCER comment on SKYPE platform, etc.  
**Date:** Sunday, June 7, 2020 2:17:37 PM

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Dear Ms. Ochoa/Jimenez:

I am writing regarding NCER project. The fact that it will be held using the SKYPE platform is absurd. The more I think about the virtual meeting, the more questions I have.

This is such a controversial project. I have no idea how to even use Skype nor will 95% or more of the other people who wish to participate.

We have no idea if this will need to be installed on our computer, how we would fill out a slip to speak, if it is compatible with our computers, etc.

Why is the county using this process of a virtual meeting on such a controversial project?

I have been deeply following this project for the last 7 years or so, even when it went under different names and uses.

Thank you.

Karen Binns  
2637 Deer Springs Place  
San Marcos, CA 92069

**From:** [Georgeann Higgins](#)  
**To:** [Ochoa, Regina](#)  
**Cc:** [Jimenez, Ann](#)  
**Subject:** NCER Project – PDS 2008-3500-08-015  
**Date:** Monday, June 8, 2020 11:44:44 AM  
**Attachments:** [Doc1.docx](#)

---

**From:** [royalviewranch@aol.com](mailto:royalviewranch@aol.com)  
**To:** [Jimenez, Ann](#); [Ochoa, Regina](#)  
**Subject:** NCER project PDS 2008-3500-08-015  
**Date:** Sunday, June 7, 2020 6:03:51 AM

---

June 7, 2020

Karen Binns  
2637 Deer Springs Place  
San Marcos, CA 92069-9761

San Diego County  
Planning and Development Services  
5510 Overland Ave  
San Diego, CA 92123.

**NCER Project – PDS 2008-3500-08-015**

Dear Ms. Ochoa/Jimenez:

I have been informed that a Zoning Administrator Hearing for the current project is being scheduled for June 25, 2020 as a virtual meeting on Skype which I have never used before, I am just barely getting used to Zoom, with public participants having to call in using their cell phone or computer to participate in what might be an all-day meeting.

I request that this meeting be postponed until it can be held in the open chambers at the county offices. This will allow better participation by concerned citizens than is possible via internet.

Given the controversial history of the project and its impacts on the community, a virtual meeting to hold a Zoning Administrator Hearing seems inappropriate. A virtual meeting might be adequate for a project that is not controversial or has only minor issues that need to be resolved but such a meeting is unsuitable for a project with a long and complex history. Further, virtual meetings require more computer technology skills from participants, faster adaptation to the actual proceedings and content of the meeting on a small screen, sound systems that may not allow participants to distinctly follow what is being said or be able to report a deficiency in visual or audio effects, inability to confer with fellow attendees during an all-day-meeting --- this list can go on too.

As interested public parties, as explained earlier, we have had to wait several times for long periods of time for the next development. Why should we all not wait a bit longer until the Covid-19 pandemic is under control and we have the opportunity to participate in a more effective manner in the next step in this project? I request the Zoning Administrator to postpone the Hearing on this project until circumstances allow a regular conference room meeting with in-person participation.

Thanks very much for your consideration.

Sincerely,

Karen Binns

-

**From:** [royalviewranch@aol.com](mailto:royalviewranch@aol.com)  
**To:** [De La Rosa, Michael](#); [Wardlaw, Mark](#); [Ochoa, Regina](#); [Jimenez, Ann](#)  
**Cc:** [Cox, Greg](#); [Desmond, Jim](#); [Gaspar, Kristin](#); [david.hall@sdcounty.ca.gov](mailto:david.hall@sdcounty.ca.gov); [Jacob, Dianne](#); [Fletcher, Nathan \(BOS\)](#); [Aghassi, Sarah](#); [Gretler, Darren M](#); [Mayorga, Marvin](#); [McClain, Tim](#); [Mills, Benjamin](#); [seth.patton@sdcounty.ca.gov](mailto:seth.patton@sdcounty.ca.gov); [Wilson, Adam](#)  
**Subject:** North County Environmental Resources comments  
**Date:** Friday, June 19, 2020 7:05:05 PM

---

June 19, 2020

Karen Binns  
2637 Deer Springs Place  
San Marcos, CA 92069-9761  
760-744-5916  
[royalviewranch@aol.com](mailto:royalviewranch@aol.com)

**RE: North County Environmental Resources PDS2008-3500-080-015; PDS2013-BC-13-0019; PDS2008-3910-08-08-012**

**Environmental Comments:**

Dear Michael,

I have been following this project from its beginnings. I was opposed to the rezone of this property to the current status of High Intensity Industrial. There has been a lot of Community opposition with this project also.

We have several topics of concern, however my comments will be just a brief outline.

**Air Quality:**

Most of the people who live near the site are elderly people who have breathing issues. The Deer Springs Mobile Home Park is nearby. That is an elderly mobile home park. People with asthma will also be affected by the dust generated by this site and its truck traffic, as well as the activities onsite such as blasting, rock crushing, etc.

The Montreau housing neighborhood is directly across the freeway from this project. They will be receiving the prevailing winds from this project.

Will the trucks be covered when they are arriving and leaving the site?

**Noise:**

The community is very concerned with the hours of operation, and why they are so long? They are from 5 am to 7 pm Monday thru Saturday. Most business start at 7 am and close around 4:00 or 5:00 pm. The truck scales do not even open until 7 am. What type of business will they be conducting at such an early hour? What type of noise will this generate? This will be a real hardship for the neighbors to this project. They will be listening to large trucks idling as they are staging before 5 am to enter the site. There is a noise ordinance that needs to be adhered to. It starts at 7 am.

How will the project be able to adhere to the Noise Ordinance with the type of demolition such as rock crushing, blasting, etc., that they will be conducting?

What will the containers be made of? Will they be metal containers? The neighbors will be exposed to the constant "clanging" every time something is dumped into the containers.

Construction activities for the site will occur Mondays thru Fridays between 6 am and 5 pm. Why are they

starting construction so early in the morning? There is a noise ordinance to adhere to and that is why most construction business do not start before 7 am.

**Environmental Hazards:**

Another concern is the hazardous waste issue. The workers at the project site are going to look at the load when they enter. Who is to say that the hazardous materials are not going to be placed in the center of the load were they will not be detected. What happens if they are then detected after the load has been dumped and the dumping party has left the site?

**Fire Plan:**

The NOP stated that C&D mulch can stay on site for 90 days. Our fear is for a mulch fire on site. Last year there were several mulch fires around the county and they burned for days. How will the Fire Plan address this?

**Water:**

We have been in a drought, yet they plan to use a tremendous amount of water. Is this water truly available or is it "just on paper"?

**Traffic:**

The project is only allowed 2 outbound trucks per day. We know that that will not be economically feasible.

There is also the devaluation of property for those who live next to the site. The devaluation of property values will cause a decline in the comparison value or "comps" for people who are trying to sell their property who may not even live next to the site.

**Other:**

The project applicant is notorious for not getting the appropriate licenses. The Community is aware of this and is quite skeptical that he will adhere to the rules and conditions he needs to follow. The Community is also concerned with "piece-mealing" where the applicant understates his project to get approval and then after approval increases his capacity.

Once again thank you for listening to my concerns.

Sincerely,

Karen Binns

**From:** [Ellen McCann](#)  
**To:** [Jimenez, Ann](#); [Ochoa, Regina](#)  
**Subject:** North County Environmental Resources Project PDS 2008-3500-08-015  
**Date:** Tuesday, June 9, 2020 3:38:53 PM

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Dear Friends,

It is unfair to hold a zoning meeting that effects many of the citizens of Escondido on the phone via skype. I am 56 years and a resident of Esco for 20 years, and somewhat of an environmentalist. And, I hate phones and am not good at them. That doesn't mean my voice shouldn't be heard. Expecting someone to be on a phone all day is ridiculous and it seems that this is another project that's going to be passed under our noses.

Think about this: during this current administration, public land equal to the size of Florida has been appropriated and basically stolen from us people.

I don't believe toxic projects belong in our neighborhoods and I want a say in it.

Don't be shifty. Hold a public meeting.

Kind regards,

Ellen McCann  
1262 Amalfi Pl.  
Escondido, CA 92027

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**From:** [Neufeld, Darin](#)  
**To:** [Kasturi Rangan](#); [Ochoa, Regina](#); [Jimenez, Ann](#); [Ashley Smith](#)  
**Cc:** [Byron Marler](#)  
**Subject:** RE: NCER Project PDS 2008-3500-08-015  
**Date:** Sunday, June 7, 2020 5:52:31 PM  
**Attachments:** [image001.png](#)

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Thanks, Kasturi. We will review and get back to you. As planned though, it will only be County staff and the Zoning Administrator in the hearing chambers. All other, including the applicant team, will be on the phone.

**Darin Neufeld, AICP** | Chief | Project Planning  
COUNTY OF SAN DIEGO | Planning & Development Services  
5510 Overland Avenue | Suite 310 | San Diego | CA | 92123  
T. 858-694-3455 | M. 619-753-5439 | F. 858-694-3373 | MAIN 858-694-2960  
PDS Website <http://www.sdcounty.ca.gov/pds/index.html>

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



---

**From:** Kasturi Rangan <[rirangan@yahoo.com](mailto:rirangan@yahoo.com)>  
**Sent:** Saturday, June 6, 2020 9:22 PM  
**To:** Neufeld, Darin <[Darin.Neufeld@sdcounty.ca.gov](mailto:Darin.Neufeld@sdcounty.ca.gov)>; Ochoa, Regina <[Regina.Ochoa@sdcounty.ca.gov](mailto:Regina.Ochoa@sdcounty.ca.gov)>; Jimenez, Ann <[Ann.Jimenez@sdcounty.ca.gov](mailto:Ann.Jimenez@sdcounty.ca.gov)>; Ashley Smith <[ashley.smith@sdcounty.ca.gov](mailto:ashley.smith@sdcounty.ca.gov)>  
**Cc:** Byron Marler <[marlerstorm1@gmail.com](mailto:marlerstorm1@gmail.com)>  
**Subject:** NCER Project PDS 2008-3500-08-015

I am writing to you regarding the Zoning Administrator (ZA) Hearing that you are scheduling for June 25, 2020, as a virtual meeting.

I have carefully considered the merits and demerits of a virtual meeting, also taking into account my recent experience with such meetings. Many of our interested participants may not have the technology skills to participate in a virtual meeting. Using a cell phone, my experience has been that Power Point charts that are shown are very difficult to read. A virtual meeting is probably appropriate only for a small number of attendees with a simple agenda or to share information for further study. At this point, I am also curious to know whether PDS personnel and the project applicant's team are all planning to call in from home or whether they will be in the same conference room with social distancing and only the other interested parties will have to participate on-line. I strongly feel that for a controversial project such as this, with so many issues of significance, and hundreds of attendees, a virtual meeting would not be appropriate for hearing from a multitude of participants or drawing conclusions, and that the ZA Hearing should be postponed until a time when we can

all meet in a conference room for an in-person meeting. Please convey my request for postponement of the meeting to the Zoning Administrator.

I am giving below a short summary of my analysis of the project's history and the issues that remain unresolved, thus necessitating a better engagement and discussion than a virtual meeting can provide:

- A controversial rezoning of the project site to I-3, High Impact Industrial, as part of the last General Plan Update in 2011 even though it is surrounded by residential communities. The Twin Oaks Valley Community Sponsor Group (TOVCSG) and the City of Escondido had objected to the rezoning when it was proposed and the County Planning Department had advised against it but the Board of Supervisors (BOS) rezoned anyway. The TOVCSG has sought explanation on why the BOS ruled against their recommendation but has not received any response.
- The original application was for a Nursery in year 2008. This application was modified in year 2012 for installation of a recycling facility. We have not been able to find any evidence that the PDS procedure in effect at that time, for notifying 20 area residents about this modified application, was followed by the applicant.
- In the year 2013, some of the neighboring communities became aware of this intent to install recycling facilities and began communications with the County to voice their opposition and the need for a full EIR. PDS agreed in year 2014 that an EIR would be required.
- The draft EIR was found inadequate by PDS in mid-2015 and a re-submittal with improved detail was requested from the applicant. This did not happen; the project was dormant for more than 4 years, with public parties of interest not being kept informed of the status of the project by PDS.
- In October 2019, the project was revived by the applicant and PDS, seeking to use the CEQA 15183 exemption from EIR preparation.
- PDS received about 500 comment letters in the public comment period and now states that they have addressed these comments. We are yet to see how these comments have been addressed.
- The last submitted site plan is very vague about project facilities and has much less detail than earlier submittals. It has no description of proposed facilities other than those of an office/storage building. The stated intent to ship only two truckloads of product per day is inconsistent with the stated need to operate for 14 hours/day. There is no specific definition of facilities for processing CDI debris or for green waste. It is obvious from very basic calculations that the proposed site preparation and investment for facilities, plus operation for 14 hours/day for shipment of just 2 truckloads/day is not an economically viable venture. Further, there is no need for another such facility to ship just 2 truckloads per day of product as there are 4 such operating facilities for CDI debris processing within a 10 mile radius. If there is an intent to expand the

capacity, it is important that it be stated now. Project capacity is the “sine qua non” for determination of environmental impacts and the adequacy of mitigation and compliance measures.

- Calculations for noise, dust, and greenhouse gas emissions are vague and do not take into account specific equipment and operating periods. Fire prevention is not properly addressed.
- Visual impact from higher level roadways across Interstate 15 is not properly addressed.
- Debris laden trucks entering and leaving the site will be a blight on local roads.
- There is no description of compliance methodology for operation within the limits of a permit.
- The site preparation for the facility is extensive and is inconsistent with earlier claims that the facility is well suited for this operation. The crushing of rock removed by blasting the side of a mountain for access to the site would amount to 16 years of the stated annual capacity of the facility. How is such preparation justified on an economic or environmental basis?

I do not see how such significant issues can be resolved in a long virtual meeting with interested parties trying to participate with a cell phone. If PDS and the applicant's team are going to be physically present in a conference room, they would derive a significant advantage over other participants who cannot be there. Further, given the length of time that PDS has taken to address the public comments, it seems inadequate that the public be given only 10 days to digest these comments, analyze the adequacy of response, and participate effectively in a virtual meeting. The project applicant and PDS have caused significant delays in the project earlier to either re-strategize their intent or deal with issues. Given the circumstances that we are all facing now with Covid-19, why not take a delay until we can have an appropriate in-person meeting in a conference room?

I conclude by requesting again that the ZA Hearing be postponed until a regular meeting with in-person attendance can be arranged. Thanks for your consideration.

Kasturi Rangan.

**From:** [glitzgalore@aol.com](mailto:glitzgalore@aol.com)  
**To:** [Ochoa, Regina](#)  
**Subject:** RECYCLING PLANT  
**Date:** Saturday, June 20, 2020 10:08:08 AM

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OPPOSED

Our concerns are simple; fire, noise, and pollution. With the proposed project being east of Emerald Heights, and large brush fuel loads located between the properties, along with the type of use being created by an industrial trash recycling plant, that has had a history in San Diego county of catching on fire, we are concerned. A Santa Ana blowing across the proposed plant, catching a spark from its use, will light up our hills, and put our development at severe risk.

Elaine Scioscia  
2116 Rock Glen  
Escondido, CA

**From:** [gccclouds@cox.net](mailto:gccclouds@cox.net)  
**To:** [Jimenez, Ann](#); [Neufeld, Darin](#); [Ochoa, Regina](#); [ashley.smith@sdcounty.ca.gov](mailto:ashley.smith@sdcounty.ca.gov)  
**Subject:** Recycling Plant  
**Date:** Saturday, June 20, 2020 2:10:53 PM

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As residents of Escondido Highlands (Emerald Heights) we are writing to inform you of our strenuous objection to having a recycling plant built within a half mile of our housing development. It represents a threat to our community on many different levels, not the least of which is that it would be a fire hazard and impact air quality in our neighborhood. We ask that you please consider our concerns and make the right choice to reject this proposal.

Sincerely,

Gerard and Christine Cloutier

**From:** [Doreen Poling](#)  
**To:** [Ochoa, Regina](#)  
**Subject:** Recycling project  
**Date:** Sunday, June 7, 2020 9:17:54 AM

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I am a resident in the area that will be affected by this project. I am requesting that you postpone the meeting until a time when we can see each other face-to-face – socially distanced of course! There will be many residents who would like to have input and doing this online as you probably know will be an extremely tenuous process. Please postpone. Thank you so much for considering this request.

Doreen Poling

Beading Heart Designs- for women who like to sparkle!

**From:** [Sherill Dowdy](#)  
**To:** [Ochoa, Regina](#)  
**Subject:** FW: NCER Project-PDS 2008-3500-08-015  
**Date:** Monday, June 22, 2020 9:08:43 AM

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Dear Ms. Ochoa,

I have been informed that a Zoning Administration Hearing for the current project is being scheduled for June 25, 2020 as a virtual meeting on Skype with public participants having to call in using their cell phone or computer to participate in what may be an day long meeting.

I request that the meeting be postponed until it can be held in the open chambers at the county offices. This will allow better participation by concerned citizens than is possible via internet.

This project application has a long history, summarized as follows:

- A controversial rezoning of the site to High Impact Industrial as part of the last General Plan Update, even though it is surrounded by residential communities.
- The original application for this site was for a Nursery which was then modified to apply for a recycling facility for construction debris and green waste.
- The site plan has been vague and not definitive in terms of its scope, with general statements such as “light” as well as “Medium” recycling facilities with intent to ship only two truckloads per day, but for some unstated reason, work 14 hours per day from 5:00am till 7:00pm.
- The site being defined as well suited for the recycling facility but actually requiring extensive blasting of the side of the mountain as well as filling the operating areas with crushed rock as it does not have load bearing capacity in its current condition.
- The actual crushing of blasted materials will amount to a quantity equivalent to 16 years of shipped product from the operating phase. How will this project be economically viable at its stated operating rate?
- The calculation of noise, dust, traffic impacts, greenhouse gas emissions, water consumption and other environmental impacts have been inadequately addressed.
- The draft EIR was found inadequate in year 2015. After being dormant for four

and a half years, the project was revived and allowed to present its site plan with CEQA Exemption 15183.

- o After receiving more than 500 public comments and having taken six months to address these, the County PDS plans to give us 10 days' notice to review the documents addressing these comments before participating in a virtual meeting.

The list above can be extended further, but the point we make is that given the controversial history of the project and its impacts on the community, a virtual meeting to hold a Zoning Administrator Hearing seems inappropriate. A virtual meeting might be adequate for a project that is not controversial or has only minor issues that need to be resolved but such a meeting is unsuitable for a project with a long and complex history. Further, virtual meetings require more computer technology skills from participants, faster adaptation to the actual proceedings and content of the meeting on a small screen, sound systems that may not allow participants to distinctly follow what is being said or be able to report a deficiency in visual or audio effects, inability to confer with fellow attendees during an day long meeting. This list can go on too.

As interested public parties, as explained earlier, we have had to wait several times for long periods of time for the next development. Why should we not wait a bit longer until the Covid-19 pandemic is under control and we have the opportunity to participate in a more effective manner in the next step in this project? I request the Zoning Administrator to postpone the Hearing on this project until circumstances allow for a regular conference room meeting with in person participation.

Thank you very much for your consideration.

Sincerely,  
Sherill Johnston  
2498 Bear Rock Glen  
Escondido, CA 92026

**From:** [Maryanne Culkin](#)  
**To:** [Ochoa, Regina](#); [Jimenez, Ann](#)  
**Subject:** In person hearing is needed. I can't do Skype  
**Date:** Thursday, June 18, 2020 10:43:22 AM  
**Attachments:** [page1image3930451328.png](#)  
[page1image3930451616.png](#)  
[page1image3930451904.png](#)

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San Diego County  
Planning and Services Department 5510 Overland Ave  
San Diego, CA 92123.

NCER Project – PDS 2008-3500-08-015

Dear Ms. Ochoa/Jimenez

I have been informed that a Zoning Administrator Hearing for the current project is being scheduled for June 25, 2020 as a virtual meeting on skype with public participants having to call in using their cell phone or computer to participate in what might be an all-day meeting.

I request that this meeting be postponed until it can be held in the open chambers at the county offices. This will allow better participation by concerned citizens than is possible via internet. I attended the Hidden Meadows meeting in person and plan to attend every meeting regarding this unworthy and perhaps unscrupulous project.

This project application has a long history, summarized as follows:

A controversial rezoning of the site to High Impact Industrial as part of the last General Plan Update even though it is surrounded by residential communities.

The original application for this site was for a Nursery which was then modified to apply for a recycling facility for construction debris and green waste.

The site plan has been vague and not definitive in terms of its scope – with general statement such as “Light” as well as “Medium” recycling facilities with intent to ship only 2 truckloads per day but, for some unstated reason, work 14 hours/day from 5:00AM till 7:00PM

The site being defined as well suited for the recycling facility but actually requiring extensive blasting of the side of a mountain as well as filling the operating areas with crushed rock as it does not have load bearing capacity in its current condition.

The actual crushing of the blasted materials will amount to a quantity equivalent to 16 years of shipped product from the operating phase. How will this project be economically viable at its stated operating rate?

The calculation of noise, dust, traffic impacts, greenhouse gas emissions, water consumption, and other environmental impacts have been inadequately addressed.

The draft EIR was found inadequate in year 2015. After being dormant for 4 and a half years, the project was revived and allowed to present its site plan with CEQA exemption 15183.

After receiving more than 500 public comments and having taken 6 months to address these, County PDS plans to give us 10 days' notice to review their documents addressing these comments before participating in a virtual meeting.

The list above can be extended further but the point we make is that given the controversial history of the project and its impacts on the community, a virtual meeting to hold a Zoning Administrator Hearing seems inappropriate. A virtual meeting might be adequate for a project that is not controversial or has only minor issues that need to be resolved but such a meeting is unsuitable for a project with a long and complex history. Further, virtual meetings require more computer technology skills from participants, faster adaptation to the actual proceedings and content of the meeting on a small screen, sound systems that may not allow participants to distinctly follow what is being said or be able to report a deficiency in visual or audio effects, inability to confer with fellow attendees during an all-day-meeting --- this list can go on too.

As interested public parties, as explained earlier, we have had to wait several times for long periods of time for the next development. Why should we all not wait a bit longer until the Covid-19 pandemic is under control and we have the opportunity to participate in a more effective manner in the next step in this project? I request the Zoning Administrator to postpone the Hearing on this project until circumstances allow a regular conference room meeting with in-person participation. Thanks very much for your consideration.

Yours truly,

**Maryanne Culkin**  
2255 Rock View Glen  
Escondido, CA 92026

760 744-7775

**From:** [Katherine Lakavage](#)  
**To:** [Jimenez, Ann](#)  
**Subject:** NCER Project – PDS 2008-3500-08-015  
**Date:** Sunday, June 21, 2020 9:07:39 PM

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Dear Ms. Jimenez,

I have been informed that a Zoning Administrator Hearing for the current project is being scheduled for June 25, 2020 as a virtual meeting on skype with public participants having to call in using their cell phone or computer to participate in what might be an all-day meeting.

I request that this meeting be postponed until it can be held in the open chambers at the county offices. This will allow better participation by concerned citizens than is possible via internet.

This project application has a long history, summarized as follows:

- A controversial rezoning of the site to High Impact Industrial as part of the last General Plan Update even though it is surrounded by residential communities.
- The original application for this site was for a Nursery which was then modified to apply for a recycling facility for construction debris and green waste.
- The site plan has been vague and not definitive in terms of its scope – with general statement such as “Light” as well as “Medium” recycling facilities with intent to ship only 2 truckloads per day but, for some unstated reason, work 14 hours/day from 5:00AM till 7:00PM
- The site being defined as well suited for the recycling facility but actually requiring extensive blasting of the side of a mountain as well as filling the operating areas with crushed rock as it does not have load bearing capacity in its current condition.
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- The calculation of noise, dust, traffic impacts, greenhouse gas emissions, water consumption, and other environmental impacts have been inadequately addressed.
- The draft EIR was found inadequate in year 2015. After being dormant for 4 and a half years, the project was revived and allowed to present its site plan with CEQA exemption 15183.
- After receiving more than 500 public comments and having taken 6 months to address these, County PDS plans to give us 10 days’ notice to review their documents addressing these comments before participating in a virtual meeting.

The list above can be extended further but the point we make is that given the controversial history of the project and its impacts on the community, a virtual meeting to hold a Zoning Administrator Hearing seems inappropriate. A virtual meeting might be adequate for a project that is not controversial or has only minor issues that need to be resolved but such a meeting is unsuitable for a project with a long and complex history. Further, virtual meetings require more computer technology skills from participants, faster adaptation to the actual proceedings and content of the meeting on a small screen, sound systems that may not allow participants to distinctly follow what is being said or be able to report a deficiency in visual or audio effects, inability to confer with fellow attendees during an all-day-meeting --- this list can go on too.

As interested public parties, as explained earlier, we have had to wait several times for long periods of time for the next development. Why should we all not wait a bit longer until the Covid-19 pandemic is under control and we have the opportunity to participate in a more effective manner in the next step in this project? I request the Zoning

Administrator to postpone the Hearing on this project until circumstances allow a regular conference room meeting with in-person participation. Thanks very much for your consideration.

Yours truly,  
Katherine Lakavage

2427 Starlight Glen  
Escondido, CA 92026  
Katherinelakavage@gmail.com  
858.722.3085

Sent from my iPhone

**From:** [Melody Seekins](#)  
**To:** [Jimenez, Ann](#); [Ochoa, Regina](#)  
**Subject:** North County Environmental Resources Project PDS 2008-3500-08-015  
**Date:** Thursday, June 4, 2020 3:00:45 PM

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I am urging that this very important meeting be delayed until an in-person meeting can be safely conducted.

This is a huge issue that effects my community and its importance can not be ignored. First, if conducted this way it is unfair to those residents who can not handle the technological aspect as well as Skype not being able to handle everyone that chooses to participate. This project has been on going for sometime so what is the rush?? It is totally and unfairly impossible for people to be on this for hours.

This is inappropriate zoning and this should not be placed in a residential area. The health of residents, the beauty of our area and environment are at stake here with this VERY important issue.

Thank you for your consideration.

Kevin and Melody Seekins  
3242 Laurashawn Lane  
Escondido, CA 92026



**From:** [Leigh Sobotka](#)  
**To:** [Jimenez, Ann](#); [Ochoa, Regina](#)  
**Subject:** Subject Line - North County Environmental Resources Project PDS 2008-3500-08-015  
**Date:** Friday, June 5, 2020 1:19:15 PM

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Hello Ann and Regina,

I was on a Zoom/Skype business call yesterday and it was hacked by an inappropriate outsider without clothes. I do not understand how you can keep hundreds of participants safe without being hacked.

As you know many residents in the area are not computer literate which allows for errors and potential issues.

This project is extremely important to take "shortcuts" and have a computer meeting. Take note that this online meeting is not acceptable....wait to have a meeting as a public meeting FACE to FACE with masks! Not sure why the rush when this has been going on for many many years. I am unable to be on my computer all day due to physical restraints.

Measure A was on the ballot in November because a large number of residents were unhappy with projects being approved and built in our neighborhoods. This is another example of inappropriate zoning and approval of a project that has no place in a residential area.

I moved to Escondido 3 years ago from Poway. I am shocked at the handling of serious matters by asking the Escondido residents to cancel a public meeting and not pick another date to see each other in person. How are you going to let hundreds of residents speak? Many times the computer speakers don't work on Zoom or Skype depending on the age of the computer. Seriously you want us to rely on "cable/wifi" to be active and not "down" due to technical difficulties from our providers. This has happened to me before as well.

Please reconsider cancelling this online meeting due to the importance of including everyone in a public platform- person to person meeting.

thank you for listening,  
Leigh Sobotka  
2963 Rue Montreux  
92026

**From:** [Martin Lakavage](#)  
**To:** [Jimenez, Ann](#)  
**Subject:** NCER Project – PDS 2008-3500-08-015  
**Date:** Monday, June 22, 2020 9:48:13 AM

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Dear Ms. Jimenez,

I have been informed that a Zoning Administrator Hearing for the current project is being scheduled for June 25, 2020 as a virtual meeting on skype with public participants having to call in using their cell phone or computer to participate in what might be an all-day meeting.

I request that this meeting be postponed until it can be held in the open chambers at the county offices. This will allow better participation by concerned citizens than is possible via internet.

This project application has a long history, summarized as follows:

- A controversial rezoning of the site to High Impact Industrial as part of the last General Plan Update even though it is surrounded by residential communities.
- The original application for this site was for a Nursery which was then modified to apply for a recycling facility for construction debris and green waste.
- The site plan has been vague and not definitive in terms of its scope – with general statement such as “Light” as well as “Medium” recycling facilities with intent to ship only 2 truckloads per day but, for some unstated reason, work 14 hours/day from 5:00AM till 7:00PM
- The site being defined as well suited for the recycling facility but actually requiring extensive blasting of the side of a mountain as well as filling the operating areas with crushed rock as it does not have load bearing capacity in its current condition.
- The actual crushing of the blasted materials will amount to a quantity equivalent to 16 years of shipped product from the operating phase. How will this project be economically viable at its stated operating rate?
- The calculation of noise, dust, traffic impacts, greenhouse gas emissions, water consumption, and other environmental impacts have been inadequately addressed.
- The draft EIR was found inadequate in year 2015. After being dormant for 4 and a half years, the project was revived and allowed to present its site plan with CEQA exemption 15183.
- After receiving more than 500 public comments and having taken 6 months to address these, County PDS plans to give us 10 days’ notice to review their documents addressing these comments before participating in a virtual meeting.

The list above can be extended further but the point we make is that given the controversial history of the project and its impacts on the community, a virtual meeting to hold a Zoning Administrator Hearing seems inappropriate. A virtual meeting might be adequate for a project that is not controversial or has only minor issues that need to be resolved but such a meeting is unsuitable for a project with a long and complex history. Further, virtual meetings require

more computer technology skills from participants, faster adaptation to the actual proceedings and content of the meeting on a small screen, sound systems that may not allow participants to distinctly follow what is being said or be able to report a deficiency in visual or audio effects, inability to confer with fellow attendees during an all-day-meeting --- this list can go on too.

As interested public parties, as explained earlier, we have had to wait several times for long periods of time for the next development. Why should we all not wait a bit longer until the Covid-19 pandemic is under control and we have the opportunity to participate in a more effective manner in the next step in this project? I request the Zoning Administrator to postpone the Hearing on this project until circumstances allow a regular conference room meeting with in-person participation. Thanks very much for your consideration.

Yours truly,  
Martin Lakavage

2427 Starlight Glen  
Escondido, CA 92026  
858-261-9335

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Martin Lakavage  
[MartinLakavage@gmail.com](mailto:MartinLakavage@gmail.com)

**From:** [Mary Senior](#)  
**To:** [Jimenez, Ann](#)  
**Subject:** Zoning Administrator Hearing scheduled for June 25th  
**Date:** Sunday, June 7, 2020 5:17:39 PM

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Ms. Jimenez:

As a resident of the area that would be impacted by the proposed North County Environmental Resources concrete crushing facility, **I am very disappointed to hear that the June 25th hearing is going to be held virtually, and strongly urge that it be postponed until concerned individuals can be physically present.** My experience with Zoom and other virtual meetings during these past months is that they quickly get bogged down and ineffective with as few as twenty people are involved. Hundreds of people are concerned about this proposed project and a virtual meeting is simply not appropriate for that reason alone. Additionally, many people who are entitled to input lack the technology and/or the skills to participate effectively. This project threatens to negatively impact the environment in multiple ways that would affect the lives of a great many residents in the area. It is too important to be denied the full consideration of a public meeting in open chambers.

Thank you for your attention,

Mary Ann Senior, 2211 Medina Glen, Escondido, CA 92026  
760-532-0438

Regina Ochoa  
[Regina.ochoa@sdcountry.ca.gov](mailto:Regina.ochoa@sdcountry.ca.gov)  
Ann Jimenez  
[Ann.jimenez@sdcountry.ca.gov](mailto:Ann.jimenez@sdcountry.ca.gov)  
San Diego County  
Planning and Services Department  
5510 Overland Ave  
San Diego, CA 92123.

**NCER Project – PDS 2008-3500-08-015**

Dear Ms. Ochoa/Jimenez

I have been informed that a Zoning Administrator Hearing for the current project is being scheduled for June 25, 2020 as a virtual meeting on skype with public participants having to call in using their cell phone or computer to participate in what might be an all-day meeting. I request that this meeting be postponed until it can be held in the open chambers at the county offices. This will allow better participation by concerned citizens than is possible via internet. This project application has a long history, summarized as follows:

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Yours truly,

*dinky7@me.com*

Name

San Diego County Planning & Services Department  
5510 Overland Avenue  
San Diego, CA 92123

NCER Project - PDS2008-3500-08-015

Attention: Regina Ochoa & Ann Jimenez

June 19,2020

Dear Ms. Ochoa/Jimenez

My name is Maureen Knox. I am writing to express my opposition to the North County Environmental Resources Project AKA Mesa Rock Recycling Plant Project.

My family has lived in the community of Emerald Heights for over 27 years. We have enjoyed a quiet pristine existence at the top of the hill. Every year we worry about the Santa Ana winds coming from the east. One spark from the grinding equipment used to crush trees and rocks could send a major inferno right into our neighborhood. One cigarette carelessly tossed out of a truck drivers hand while waiting to haul a load of debris, or scraping metal or spark from a dump truck could also ignite the vegetation and trees causing a major fire. Family neighborhoods should not have to live with that huge worry.

Plus, there is no way around it, the noise from the dump trucks engines plus their loud horns blowing as the trucks are backing up will feel like we are living in a construction zone instead of a quiet, pristine family neighborhood.

Not to mention the air pollution from all of the many different kinds of materials that will be ground up causing contaminated dust particles to fly over our neighborhood and pollute us and our childrens lungs.

Water huge amount of water used to cool this grinding equipment will cause the price of our water to go up plus we may be asked to cut back on water usage in drought years. And, we have plenty of droughts years!

These grinding machines have to be extremely loud to crush concrete, etc., also adding to the feeling that we are living in a construction zone.

With family neighborhoods all around the proposed recycling plant area I strongly encourage you to turn down this Project as it should really be Zoned residential and not industrial!

Thank you for your time Regina and Ann.

My Regards



Emerald Height No County Environmental Resources Project Opposition EH NCERP  
Maureen Knox  
2411 S. Summit Circle Glen  
Escondido, CA 92026  
760-613-9585



**From:** [Michelle Purcell](#)  
**To:** [Ochoa, Regina](#)  
**Subject:** Mesa Rock Recycling Plant  
**Date:** Sunday, June 21, 2020 4:05:44 PM

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June 21,2020

Dear Regina Ochoa,

I'm contacting you again about the proposed Mesa Rock Road concrete crushing construction recycling plant. This is an incredibly inappropriate location for this plant. The site is in a beautiful rural residential area of Escondido, in fact it's a scenic byway because it IS lovely and beautiful. I can't understand what could have happened when heavy industrial zoning in this small corner of the city/county was approved. It makes no sense and should never have even been considered. I live very close to this location and strongly oppose this plant from being built and operated near my home. It will cause terrible noise pollution, air pollution and heavy traffic. There has to be many more appropriate places for this. It is disturbing to think you and the zoning department would be so willing to disregard the opposition by the entire community. Please do not approve this plant here. Please think about if it was built in close proximity to your home or your family. If built here it will destroy the quality of life for every single residence in the area, elderly people with respiratory illnesses like my mother and those with children will suffer health problems not to mention the extreme noise pollution will ruin our daily enjoyment of life. It's not fair, it's not right and I don't think theres any way you would approve it if it was near your home. Please save our community by NOT allowing this horrible plant in our backyards.

Thank you for reading this and please do the right thing for our lovely little community.

Best Regards-

Michelle Purcell  
1481 Los Cedros Lane  
Escondido, CA 92026  
760-807-5036  
[melnru@yahoo.com](mailto:melnru@yahoo.com)

**From:** [Nancy Hara](#)  
**To:** [Ochoa, Regina](#); [Jimenez, Ann](#)  
**Subject:** NCER Project – PDS 2008-3500-08-015  
**Date:** Tuesday, June 23, 2020 6:28:51 PM

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Regina Ochoa

[Regina.ochoa@sdcounty.ca.gov](mailto:Regina.ochoa@sdcounty.ca.gov)

Ann Jimenez

[Ann.jimenez@sdcounty.ca.gov](mailto:Ann.jimenez@sdcounty.ca.gov)

San Diego County  
Planning and Services Department 5510 Overland Ave  
San Diego, CA 92123.

NCER Project – PDS 2008-3500-08-015

Dear Ms. Ochoa/Jimenez

I have been informed that a Zoning Administrator Hearing for the current project is being scheduled for June 25, 2020 as a virtual meeting on skype with public participants having to call in using their cell phone or computer to participate in what might be an all-day meeting.

I request that this meeting be postponed until it can be held in the open chambers at the county offices. This will allow better participation by concerned citizens than is possible via internet.

This project application has a long history, summarized as follows:

A controversial rezoning of the site to High Impact Industrial as part of the last General Plan Update even though it is surrounded by residential communities.

The original application for this site was for a Nursery which was then modified to apply for a recycling facility for construction debris and green waste.

The site plan has been vague and not definitive in terms of its scope – with general statement such as “Light” as well as “Medium” recycling facilities with intent to ship only 2 truckloads per day but, for some unstated reason, work 14 hours/day from 5:00AM till 7:00PM

The site being defined as well suited for the recycling facility but actually requiring extensive blasting of the side of a mountain as well as filling the operating areas with crushed rock as it does not have load bearing capacity in its current condition.

The actual crushing of the blasted materials will amount to a quantity equivalent to 16 years of shipped product from the operating phase. How will this project be economically viable at its stated operating rate?

The calculation of noise, dust, traffic impacts, greenhouse gas emissions, water consumption, and other environmental impacts have been inadequately addressed.

The draft EIR was found inadequate in year 2015. After being dormant for 4 and a half years, the project was revived and allowed to present its site plan with CEQA exemption 15183.

After receiving more than 500 public comments and having taken 6 months to address these, County PDS plans to give us 10 days' notice to review their documents addressing these comments before participating in a virtual meeting.

The list above can be extended further but the point we make is that given the controversial history of the project and its impacts on the community, a virtual meeting to hold a Zoning Administrator Hearing seems inappropriate. A virtual meeting might be adequate for a project that is not controversial or has only minor issues that need to be resolved but such a meeting is unsuitable for a project with a long and complex history. Further, virtual meetings require more computer technology skills from participants, faster adaptation to the actual proceedings and content of the meeting on a small screen, sound systems that may not allow participants to distinctly follow what is being said or be able to report a deficiency in visual or audio effects, inability to confer with fellow attendees during an all-day-meeting --- this list can go on too.

As interested public parties, as explained earlier, we have had to wait several times for long periods of time for the next development. Why should we all not wait a bit longer until the Covid-19 pandemic is under control and we have the opportunity to participate in a more effective manner in the next step in this project? I request the Zoning Administrator to postpone the Hearing on this project until circumstances allow a regular conference room meeting with in-person participation. Thanks very much for your consideration.

Yours truly,

Nancy M. Hara

2274 Rock Crest Glen, Escondido, CA. 92026

(201) 602-2659

**From:** [Nancie Froning](#)  
**To:** [Ochoa, Regina](#); [Jimenez, Ann](#)  
**Subject:** NCER project-PDS 2008-3500-08-015  
**Date:** Monday, June 8, 2020 9:20:19 AM  
**Attachments:** [County letter virtual meeting.docx](#)

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Ms. Ochoa and Ms. Jimenez,

Please read the attached letter for the record of this situation.

Thank you,

Nancie

**From:** [Rich Bourne](#)  
**To:** [Jimenez, Ann](#); [Neufeld, Darin](#); [Ochoa, Regina](#); [ashley.smith@sdcounty.ca.gov](mailto:ashley.smith@sdcounty.ca.gov)  
**Cc:** [Kjerstie Bourne](#)  
**Subject:** No on the recycling center  
**Date:** Saturday, June 20, 2020 9:52:29 AM

---

Dear Planning Committee,

I live in Emerald Heights and am writing in regard to the proposed recycling center. I am in strong opposition to this proposal. My wife also emailed you but this is important and needs both our voices. Please consider these points:

- **Pollution** - both the noise, light, smell and impact on the environment
- **Increased Fire risk** - an industrial site will increase the risk of fires and there is a significant amount of brush near us
- **Potential for Future Industrial development** - once this recycling center goes in the risk increases for more industrial development right near residential. That is poor city planning. Isn't there another place this can go where it does not impact the community so significantly.
- **Studies** - where are all the reports from the fire department, environmental groups? Why is this project being rushed and not rationally evaluated.

Thank You,  
Rich Bourne  
2124 Rock Glen, Escondido CA

**From:** [Michelle Hackbardt](#)  
**To:** [Jimenez, Ann](#); [darin.neufeld@scounty.ca.gov](mailto:darin.neufeld@scounty.ca.gov); [Ochoa, Regina](#); [Smith, Ashley](#)  
**Subject:** No. County recycling plant  
**Date:** Monday, June 22, 2020 4:11:40 PM

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Dear County of San Diego:

I am writing to oppose the lumber and concrete recycling plant under consideration for off Hwy 15 just north of Escondido. I live less than a mile (as the crow flies) west of the proposed site. Not only am I less than excited to have concrete crushing beginning at 5AM daily, with dust and pollution blowing into my community, but my larger concern is the lumber recycling. These types of facilities are often the source of long smoldering fires. Our community is directly west of the plant, and in a hilly area. As you know, Santa Ana wind conditions could easily take sparks from these inevitable fires and land them directly in my neighborhood and the hilly areas around me, leading to massive wildfires and potential loss of life. I have attached links to just some recent lumber recycling fires which you may like to read.

<https://www.kxxv.com/story/35336341/large-pile-of-mulch-catches-fire-at-waco-wood-recycling-plant>

<https://www.wtsp.com/article/news/local/polkcounty/polk-fire-lakeland-pallet-recycle/67-aa03f195-be42-4608-9b42-edb2c3114fb9>

<https://www.live5news.com/story/35458317/crews-contain-blaze-after-40-high-mulch-pile-catches-fire/>

None of these prolonged blazes even had high winds to add to the fire spread. We know our area is prone to high wind driven fires.

Please use forethought before allowing this facility to begin operation so close to our homes.

Best regards,  
Michelle Hackbardt  
1975 Woodland Valley Gln  
Escondido, Ca 92026

**From:** [Rebecca Ritsema](#)  
**To:** [annjimenez@sdcounty.ca.gov](mailto:annjimenez@sdcounty.ca.gov); [Ochoa, Regina](#)  
**Subject:** North County Environmental Resources Project PDS 2008-3500-08-015  
**Date:** Monday, June 22, 2020 9:14:05 AM

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Good Morning Ann and Regina,

I'd like to register for the upcoming hearing regarding the project mentioned in the subject line, North County Environmental Resources project.

I understand it is to take place via video conference on Thursday, June 25th.

Please provide all necessary instructions for participation.

I would also like to express my concerns with this format and the apparent 'rush' to hold this meeting.

This project has been sitting in a holding pattern for several years, so it would seem that holding off for a few more weeks in order to hold a proper town hall meeting would not be too much to ask.

At this time, it is my understanding that as long as people maintain physical distancing, gatherings can be held.

The county can certainly find a format to make this work, even if it means using a facility that is outdoors.

Please provide participant information.

Thank-you,

Rebecca Ritsema Hanash

1766 Arroyo Glen

Escondido, CA 92026

**From:** [Melody Seekins](#)  
**To:** [Jimenez, Ann](#); [Ochoa, Regina](#)  
**Subject:** North County Environmental Resources Project PDS 2008-3500-08-015  
**Date:** Thursday, June 4, 2020 3:00:24 PM

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I am urging that this very important meeting be delayed until an in-person meeting can be safely conducted.

This is a huge issue that effects my community and its importance can not be ignored. First, if conducted this way it is unfair to those residents who can not handle the technological aspect as well as Skype not being able to handle everyone that chooses to participate. This project has been on going for sometime so what is the rush?? It is totally and unfairly impossible for people to be on this for hours.

This is inappropriate zoning and this should not be placed in a residential area. The health of residents, the beauty of our area and environment are at stake here with this VERY important issue.

Thank you for your consideration.

Kevin and Melody Seekins  
3242 Laurashawn Lane  
Escondido, CA 92026

**From:** [Kjerstie Bourne](#)  
**To:** [Jimenez, Ann](#); [Neufeld, Darin](#); [Ochoa, Regina](#); [ashley.smith@sdcounty.ca.gov](mailto:ashley.smith@sdcounty.ca.gov)  
**Cc:** [Rich Bourne](#)  
**Subject:** proposed recycling center  
**Date:** Saturday, June 20, 2020 7:59:28 AM

---

Dear Planning Committee,

I have heard that there is a proposed recycling center less than 1/2 mile from our home. It is very weird to hear of this and not receive any communication from the city about the upcoming planning meeting.

We live on top of a hill and as you know fire can be a problem in San Diego. There are almost 700 homes up here and there are limited ways of the hill. In addition, there are large brush fuel loads. If a fire would happen from the facility there would not be enough time to evacuate all the residents safely. Have you had the fire departments evaluate this project with respect to the current resident's safety? What are their findings?

I also worry that added fire danger would limit us from getting home insurance. There are already only 2 companies that provide home insurance to homes on our hill. If there is an added risk would these companies still insure our homes? What research has been done about this potential problem?

I also worry about pollution and environmental impact. What would happen with the run-off water when it rains? There are many native animals, plants, and bugs that are living here. Please provide a copy of the environmental report findings.

My husband and I work from home. And currently, our children also do school from home. I am worried about the additional noise, light, and smell that the recycling plant would cause. Is there a report that addresses these potential issues and findings? Please provide a copy of this report.

I am also worried that the city is limiting its boundaries. Once you put in a recycling center there would be no housing developers that would want to put in new homes for future residents. Especially with the side effects of COVID, where it is predicted more people will prefer to sprawl out and live outside a city. How is adding a recycling plant in an area that could instead have homes be helping our city's future needs? Is there a revenue report as to what the city would gain financially by allowing a recycling plant opposed to allowing a home developer to use the land?

Thank You,  
Kjerstie and Rich Bourne  
2124 Rock Glen, Escondido CA

**From:** [Kjerstie Bourne](#)  
**To:** [Jimenez, Ann](#); [Neufeld, Darin](#); [Ochoa, Regina](#); [ashley.smith@sdcounty.ca.gov](mailto:ashley.smith@sdcounty.ca.gov)  
**Cc:** [Rich Bourne](#)  
**Subject:** proposed recycling center  
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Thank You,  
Kjerstie and Rich Bourne  
2124 Rock Glen, Escondido CA

**From:** [Francis Eason](#)  
**To:** [Ochoa, Regina](#); [Jimenez, Ann](#)  
**Subject:** RE: NCER Project – PDS 2008-3500-08-015  
**Date:** Sunday, June 7, 2020 1:16:18 PM

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Dear Ms. Ochoa/Jimenez:

I am writing about the Zoning Administrator Hearing for this project June 25, 2020 as a virtual meeting on Skype with all participants having to access by cell phone or computer. With over 500 letters to reply to, there could be several hundred people trying to attend it may require many hours, if not all day for this meeting.

We have waited for over 6 months for the County to address our concerns over a project that will have major impacts on our community. Because of the complexity of the issues and the volume of the involved public, a virtual meeting is not adequate to do justice to the issues to be discussed and an opportunity to understand and react to them.

I urge you to postpone this Hearing until it can be held in a regular conference room with in-person participation.

Regards  
Tony Eason  
1299 Deer Springs Road #28  
San Marcos  
760 747-0177

**From:** [Nichola St. Laurent](#)  
**To:** [Jimenez, Ann](#); [Ochoa, Regina](#)  
**Subject:** Re: North County Environmental Resources Project PDS 2008-3500-08-015  
**Date:** Friday, June 5, 2020 4:54:37 PM

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What if there are technical difficulties and people are not able to communicate? And why do I have to deal with Skype anyway? You should set up multiple sessions on different days each with a different product such as Zoom or Meet, IF you're not going to have public meetings. What is the big rush, any case? Do your duty and allow time for fair and impartial hearings from all of us who have a vested interest.

I live in Hidden Meadows and I am strongly opposed to this project. The traffic situation alone should have told you this is not a viable option.

Find a true industrial area, or an area more remote. Do your JOB the right way. You work for the people who live here.

Nichola St. Laurent  
Lyndia St. Laurent  
10813 Meadow Glen Way E, Escondido, Ca 92026  
760-297-1404

**From:** [Suzan Fornof](#)  
**To:** [Ochoa, Regina](#)  
**Subject:** Re: Notice of Public Hearing - June 25, 2020  
**Date:** Monday, June 22, 2020 6:55:08 PM

---

Hello,

I am writing to voice my utmost concern and consternation that the proposal by the Hilltop group scheduled hearing for June 25, 2020 is being allowed to move forward. This community surrounding this project have repeatedly reached out to the county in letters and we are being ignored. Our concerns of noise as well as dust are not being addressed or considered. This area is mostly homes that have been here for 30 years and a few light businesses but this project is totally inappropriate for this area. There is nothing the Hilltop group to stop the noise and dust. We all have bought homes and live out here for the peace and quiet as well as non density of housing. It seems to us that this is being decided upon and we have no choice. I'm almost completely certain no one is even reading our concerns. Now that there is not a true public hearing where we can face this business representative and express our extreme displeasure, we are relegated to writing letters no one is reading or considering. I would like my letter read and recorded in the minutes of this meeting.

Thank you,  
Suzan Fornof  
2182 Rockhoff Road  
Escondido, CA 92026

Sent from my iPad

On Jun 19, 2020, at 4:59 PM, Ochoa, Regina <[Regina.Ochoa@sdcounty.ca.gov](mailto:Regina.Ochoa@sdcounty.ca.gov)> wrote:

Good afternoon,

As an update to the email below, we have scheduled a rehearsal for Tuesday, June 23<sup>rd</sup> to allow members of the public an opportunity to practice calling in prior to the June 25<sup>th</sup> Zoning Administrator hearing. No public testimony will be received during the rehearsal. If you would like to participate, please follow the instructions below.

**Planning Group Rehearsal Time 11:15 – 11:30 AM, Tuesday, June 23<sup>rd</sup>**

1. At 11:15 AM, please call **(619) 343-2539**
2. Enter the conference ID: **864279782#**
3. Listen for instructions on how to unmute your phone when appropriate
4. You may be on hold for periods of time as we open the line, do not hang-up until told to do so

**Community Members Rehearsal Time 11:30 AM – 12:30 PM, Tuesday, June 23<sup>rd</sup>**

1. At 11:30 AM, please call **(619) 343-2539**
2. Enter the conference ID: **864279782#**
  - a. Overflow ID: 713076389#
3. Listen for instructions on how to unmute your phone when appropriate
4. You may be on hold for periods of time as we open the line, do not hang-up until told to do so

The Voice Your Opinion flyer that was previously provided is attached to this email. Please note there have been minor changes but the call in details provided in the previous flyer remain unchanged.

Please let us know if you have any questions.

Thank you,

Regina Ochoa  
Land Use/Environmental Planner, Project Planning  
County of San Diego | Planning & Development Services  
5510 Overland Ave, Suite 310, San Diego, CA 92123  
[regina.ochoa@sdcounty.ca.gov](mailto:regina.ochoa@sdcounty.ca.gov) | (858) 495-5338

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

[<image001.png>](#)

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**From:** Ochoa, Regina  
**Sent:** Friday, June 12, 2020 5:25 PM  
**To:** Ochoa, Regina <[Regina.Ochoa@sdcounty.ca.gov](mailto:Regina.Ochoa@sdcounty.ca.gov)>  
**Cc:** Neufeld, Darin <[Darin.Neufeld@sdcounty.ca.gov](mailto:Darin.Neufeld@sdcounty.ca.gov)>; Smith, Ashley <[Ashley.Smith2@sdcounty.ca.gov](mailto:Ashley.Smith2@sdcounty.ca.gov)>  
**Subject:** Notice of Public Hearing - June 25, 2020

Good afternoon,

You are receiving this email based on your interest in the North County Environmental Resources project. Attached please find the Notice of Public Hearing for the June 25, 2020 Zoning Administrator Hearing.

In person participation will be prohibited, but members of the public will be able to provide comments through teleconference or by calling a phone number during public meetings of the Zoning Administrator and by submitting e-comments and/or written comments prior to the meeting.

All instructions can be found at

<https://www.sandiegocounty.gov/content/sdc/pds/zanext.html>. We've also created a handout (attached) with more instructions on how to participate.

The staff report, public comments received during the public disclosure period, and the response to comments are posted online here:

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

Thank you,

Regina Ochoa  
Land Use/Environmental Planner, Project Planning  
County of San Diego | Planning & Development Services  
5510 Overland Ave, Suite 310, San Diego, CA 92123  
[regina.ochoa@sdcounty.ca.gov](mailto:regina.ochoa@sdcounty.ca.gov) | (858) 495-5338

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[<image001.png>](#)

<Voice Your Opinion on Zoning Administrator Items Flyer\_FINAL.pdf>

**From:** [Laura Bowersox](#)  
**To:** [Ochoa, Regina](#)  
**Cc:** [Neufeld, Darin](#); [Flannery, Kathleen](#)  
**Subject:** Re: Public Hearing on June 25, 2020  
**Date:** Sunday, June 21, 2020 3:39:33 PM

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Good Afternoon Ms. Ochoa,

I write to let you know that the County Office of San Diego is abusing its position in having a No in Person Attendance allowed, Teleconference Only meeting for the highly controversial North County Environmental Resources PDS2008-3500-08-015, PDS2013-BC-13-0019, PDS2008-3910-0808012. The County of San Diego is supported by tax paying residents, but yet has chosen to implement a hearing that will benefit the applicant and make the over 500 tax paying residents who oppose this project look minimal. I think you know this is wrong as well. Regardless of Covid-19, this hearing should be postponed until both parties involved have the opportunity to have equal representation.

Blessings,

Laura M. Bowersox

**From:** [L](#)  
**To:** [Ochoa, Regina](#)  
**Cc:** [Jimenez, Ann](#); [Neufeld, Darin](#); [ashley.smith@sdcounty.ca.gov](mailto:ashley.smith@sdcounty.ca.gov)  
**Subject:** recycling plant  
**Date:** Sunday, June 21, 2020 3:22:33 PM

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Just a quick note.

I oppose the recycling plant as the plans currently stand. It's far too close to residential areas. While the pollution, noise, and smell present problems, and I don't want those, my biggest concern is the proliferation of rats it will support. Rats then will cause a surge in rattlesnake as well as coyote population. This just doesn't make sense so close to residential areas where children should feel safe playing in their back yards.

Please consider an alternate location, much further from any residential areas.

Thank you,  
Escondido Resident  
Lisa Stead

**From:** [Robert Knox](#)  
**To:** [Jimenez, Ann](#); [Ochoa, Regina](#)  
**Subject:** NCER Project  
**Date:** Thursday, June 11, 2020 11:34:36 AM  
**Attachments:** [page1image496450704.png](#)  
[page1image496450992.png](#)  
[page1image496451280.png](#)  
[page2image480901120.png](#)  
[page2image480901408.png](#)  
[page2image480901696.png](#)

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Regina Ochoa

[Regina.ochoa@sdcounty.ca.gov](mailto:Regina.ochoa@sdcounty.ca.gov)

Ann Jimenez

[Ann.jimenez@sdcounty.ca.gov](mailto:Ann.jimenez@sdcounty.ca.gov)

San Diego County  
Planning and Services Department 5510 Overland Ave  
San Diego, CA 92123.

NCER Project – PDS 2008-3500-08-015

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I request that this meeting be postponed until it can be held in the open chambers at the county offices. This will allow better participation by concerned citizens than is possible via internet.

This project application has a long history, summarized as follows:

A controversial rezoning of the site to High Impact Industrial as part of the last General Plan Update even though it is surrounded by residential communities.

The original application for this site was for a Nursery which was then modified to apply for a recycling facility for construction debris and green waste.

The site plan has been vague and not definitive in terms of its scope – with general statement such as “Light” as well as “Medium” recycling facilities with intent to ship only 2 truckloads per day but, for some unstated reason, work 14 hours/day from 5:00AM till 7:00PM

The site being defined as well suited for the recycling facility but actually requiring extensive blasting of the side of a mountain as well as filling the operating areas with crushed rock as it does not have load bearing capacity in its current condition.

The actual crushing of the blasted materials will amount to a quantity equivalent to 16 years of shipped product from the operating phase. How will this project be economically viable at its stated operating rate?

---

The calculation of noise, dust, traffic impacts, greenhouse gas emissions, water consumption, and other environmental impacts have been inadequately addressed.

The draft EIR was found inadequate in year 2015. After being dormant for 4 and a half years, the project was revived and allowed to present its site plan with CEQA exemption 15183.

After receiving more than 500 public comments and having taken 6 months to address these, County PDS plans to give us 10 days' notice to review their documents addressing these comments before participating in a virtual meeting.

The list above can be extended further but the point we make is that given the controversial history of the project and its impacts on the community, a virtual meeting to hold a Zoning Administrator Hearing seems inappropriate. A virtual meeting might be adequate for a project that is not controversial or has only minor issues that need to be resolved but such a meeting is unsuitable for a project with a long and complex history. Further, virtual meetings require more computer technology skills from participants, faster adaptation to the actual proceedings and content of the meeting on a small screen, sound systems that may not allow participants to distinctly follow what is being said or be able to report a deficiency in visual or audio effects, inability to confer with fellow attendees during an all-day-meeting --- this list can go on too.

As interested public parties, as explained earlier, we have had to wait several times for long periods of time for the next development. Why should we all not wait a bit longer until the Covid-19 pandemic is under control and we have the opportunity to participate in a more effective manner in the next step in this project? I request the Zoning Administrator to postpone the Hearing on this project until circumstances allow a regular conference room meeting with in-person participation. Thanks very much for your consideration.

Yours truly,

**Robert Knox**

2411 South Summit Circle Glen

Escondido, CA. 92026

760-809-6370

[robertcknox@gmail.com](mailto:robertcknox@gmail.com)



Regina Ochoa

[Regina.ochoa@sdcounty.ca.gov](mailto:Regina.ochoa@sdcounty.ca.gov)

Ann Jimenez

[Ann.jimenez@sdcounty.ca.gov](mailto:Ann.jimenez@sdcounty.ca.gov)

San Diego County

Planning and Services Department

5510 Overland Ave

San Diego, CA 92123.

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Yours truly,



Name

Ronald A. Beales

Address, email, Tel.No.

3165 No. Broadway

Escondido

CA 92026

rgbeales@hotmail.com

760 884 6559 (cell)

**From:** [Rusty Robinson](#)  
**To:** [Jimenez, Ann](#); [Ochoa, Regina](#)  
**Subject:** North County Environmental Resources Project PDS 2008-3500-08-015  
**Date:** Thursday, June 4, 2020 9:22:16 PM

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Hello Ann and Regina,

It is my strong desire to attend this hearing in a public forum. A couple of items I wish to highlight:

- I don't believe the virtual meeting is the proper format nor will it be able to accommodate so many attendees. Please verify if possible.
- For those who are unable to log in to Skype due to technological limitations, how can they participate in this meeting? How will they be heard or know what is being discussed?
- If there are residents who are unable to log in due to network or other limitations, will the meeting be held again to ensure they can take part?
- This project has been ongoing for many years – why is it so important to hold this meeting now instead of waiting a few weeks when we may be able to go forward with a regular public meeting?
- Measure A was on the ballot in November because a large number of residents were unhappy with projects being approved and built in our neighborhoods. This is another example of inappropriate zoning and approval of project that has no place in a residential area.

**This proposed project is near my home.** Thank you for you time!

Best regards,  
Rusty Robinson  
North Escondido Resident

**From:** [Sherill Dowdy](#)  
**To:** [Jimenez, Ann](#)  
**Subject:** FW: NCER Project-PDS 2008-3500-08-015  
**Date:** Monday, June 22, 2020 9:10:38 AM

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Dear Ms. Jimenez,

I have been informed that a Zoning Administration Hearing for the current project is being scheduled for June 25, 2020 as a virtual meeting on Skype with public participants having to call in using their cell phone or computer to participate in what may be an day long meeting.

I request that the meeting be postponed until it can be held in the open chambers at the county offices. This will allow better participation by concerned citizens than is possible via internet.

This project application has a long history, summarized as follows:

- A controversial rezoning of the site to High Impact Industrial as part of the last General Plan Update, even though it is surrounded by residential communities.
- The original application for this site was for a Nursery which was then modified to apply for a recycling facility for construction debris and green waste.
- The site plan has been vague and not definitive in terms of its scope, with general statements such as “light” as well as “Medium” recycling facilities with intent to ship only two truckloads per day, but for some unstated reason, work 14 hours per day from 5:00am till 7:00pm.
- The site being defined as well suited for the recycling facility but actually requiring extensive blasting of the side of the mountain as well as filling the operating areas with crushed rock as it does not have load bearing capacity in its current condition.
- The actual crushing of blasted materials will amount to a quantity equivalent to 16 years of shipped product from the operating phase. How will this project be economically viable at its stated operating rate?
- The calculation of noise, dust, traffic impacts, greenhouse gas emissions, water consumption and other environmental impacts have been inadequately addressed.
- The draft EIR was found inadequate in year 2015. After being dormant for four

and a half years, the project was revived and allowed to present its site plan with CEQA Exemption 15183.

- o After receiving more than 500 public comments and having taken six months to address these, the County PDS plans to give us 10 days' notice to review the documents addressing these comments before participating in a virtual meeting.

The list above can be extended further, but the point we make is that given the controversial history of the project and its impacts on the community, a virtual meeting to hold a Zoning Administrator Hearing

seems inappropriate. A virtual meeting might be adequate for a project that is not controversial or has only minor issues that need to be resolved but such a meeting is unsuitable for a project with a long and complex history. Further, virtual meetings require more computer technology skills from participants, faster adaptation to the actual proceedings and content of the meeting on a small screen, sound systems that may not allow participants to distinctly follow what is being said or be able to report a deficiency in visual or audio effects, inability to confer with fellow attendees during an day long meeting. This list can go on too.

As interested public parties, as explained earlier, we have had to wait several times for long periods of time for the next development. Why should we not wait a bit longer until the Covid-19 pandemic is under control and we have the opportunity to participate in a more effective manner in the next step in this project? I request the Zoning Administrator to postpone the Hearing on this project until circumstances allow for a regular conference room meeting with in person participation.

Thank you very much for your consideration.

Sincerely,  
Sherill Johnston  
2498 Bear Rock Glen  
Escondido, CA 92026

**From:** [Aquajet Art](#)  
**To:** [Jimenez, Ann](#)  
**Subject:** North County Environmental Resources Project PDS 2008-3500-08-015  
**Date:** Thursday, June 4, 2020 11:38:50 AM

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Dear Ms. Jimenez,

I am a homeowner on Jesmond Dene Road. My home and my neighborhood are downwind of the proposed Construction Recycling Facility. This area is residential. It is a clean, quiet, peaceful area. I do not want to have a filthy, noisy facility in this neighborhood. There are two elementary schools just down the street from my home, also downwind of this proposed facility. It is irresponsible of San Diego County to rezone this area to allow this type of business to operate here.

Have there been any environmental impact studies done? Concrete dust is dangerous to the health of residents. It will be carried in the air to my home, my neighbors homes, the children at these elementary schools. This type of facility will harm people who are exposed to these dangerous substances. I have lived here since the 1980's and this area has been a great place to live. You are forcing people to leave the area by allowing this operation to be built here. I thought I would live here for the rest of my life, but you are putting my health in jeopardy. I have cancer and my husband has cancer, you are creating a dangerous living situation for us. You are creating a dangerous living situation for the families here. I want to stay here, so do my neighbors. Breathing concrete dust, hearing the constant crushing noise 6 days a week is not a place I want to be. You are forcing us out.

Please listen to the people who will be impacted by this decision. These are the people you represent. Your job is to represent the best interests of the people of this county, not the county's wallet. Please understand that your decision will forever change this area in a very bad way. Your decision will impact the health of the residents, the value of our homes, the condition of our streets from the constant big rig traffic, the entire area will be negatively effected. We bought our homes here so that we wouldn't be close to industrial facilities. This is not the place for industrial waste.

Please listen. Please make a decision based on the best interests of the people you represent. We vote for you so that you will speak for us. This is our "neighborhood", not an industrial area.

Thank you for your time and consideration.

Shirley Strub  
25670 Jesmond Dene Rd.  
Escondido, CA 92026

760-207-8309

Regina Ochoa

[Regina.ochoa@sdcounty.ca.gov](mailto:Regina.ochoa@sdcounty.ca.gov)

Ann Jimenez

[Ann.jimenez@sdcounty.ca.gov](mailto:Ann.jimenez@sdcounty.ca.gov)

San Diego County

Planning and Services Department

5510 Overland Ave

San Diego, CA 92123.

**NCER Project – PDS 2008-3500-08-015**

Dear Ms. Ochoa/Jimenez

I have been informed that a Zoning Administrator Hearing for the current project is being scheduled for June 25, 2020 as a virtual meeting on skype with public participants having to call in using their cell phone or computer to participate in what might be an all-day meeting.

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- The actual crushing of the blasted materials will amount to a quantity equivalent to 16 years of shipped product from the operating phase. How will this project be economically viable at its stated operating rate?

- The calculation of noise, dust, traffic impacts, greenhouse gas emissions, water consumption, and other environmental impacts have been inadequately addressed.
- The draft EIR was found inadequate in year 2015. After being dormant for 4 and a half years, the project was revived and allowed to present its site plan with CEQA exemption 15183.
- After receiving more than 500 public comments and having taken 6 months to address these, County PDS plans to give us 10 days' notice to review their documents addressing these comments before participating in a virtual meeting.

The list above can be extended further but the point we make is that given the controversial history of the project and its impacts on the community, a virtual meeting to hold a Zoning Administrator Hearing seems inappropriate. A virtual meeting might be adequate for a project that is not controversial or has only minor issues that need to be resolved but such a meeting is unsuitable for a project with a long and complex history. Further, virtual meetings require more computer technology skills from participants, faster adaptation to the actual proceedings and content of the meeting on a small screen, sound systems that may not allow participants to distinctly follow what is being said or be able to report a deficiency in visual or audio effects, inability to confer with fellow attendees during an all-day-meeting --- this list can go on too.

As interested public parties, as explained earlier, we have had to wait several times for long periods of time for the next development. Why should we all not wait a bit longer until the Covid-19 pandemic is under control and we have the opportunity to participate in a more effective manner in the next step in this project? I request the Zoning Administrator to postpone the Hearing on this project until circumstances allow a regular conference room meeting with in-person participation. Thanks very much for your consideration.

Yours truly,

Name

Address, email, Tel.No.

2148 Rockledge Rd.  
Escondido, CA 92026  
760-518-1218

Regin<sup>O</sup>choa  
San Diego County  
Planning and Services Department  
5510 Overland Ave.  
San Diego, Ca. 92123

Sylvia Wacknitz  
2148 Rockhoff Rd.  
Escondido, Ca. 92026  
760-747-4543

June 7, 2020

NCER Project - PDS 2008-3500-08-015

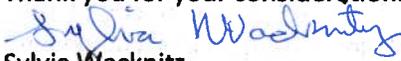
Dear Ms. Ochoa,

I want to thank you for your phone calls and time you have spent listening to me. On your first visit back to your office I hope you will find time to make sure all the materials I have sent to the county have been read, studied and considered. The materials included pictures of the grave sites of the teenagers that were killed on the Mesa Rock Road, all the pictures of the fires at Recycling sites in the county, the pictures of the road and my e-mails.

I am sending this letter to say again that I do not feel this is in the best interest of the people living in the area where the proposed site would be built to have this virtual meeting on June 25, 2020. The decision on this recycling plant effects so many and actually can harm so many people. We should have the right to speak in person. Many people are like me elderly and not up on all the uses of computers and vidual meetings. I was actually told by you that there would be a rehearsal for people to get ready to handle this type of meeting. How could it possibly be fair when it is necessary for people to have to be trained on how to have this meeting? This puts us in a positiion of not having a fair meeting even with the training. What if we are slow learners in the world of computers. We want to face the people who are in favor of this facility and they should see us and hear our comments in person. It has been said this meeting might last all day. How it is possible to have an all day meeting where it is fair for all parties to be heard and seen.

This NCER Project started at least 7 years ago. Why does it have to be rushed now? Give it a little more time so we can all meet together in person.

Thank you for your consideration.

  
Sylvia Wacknitz

Regina Ochoa

[Regina.ochoa@sdcounty.ca.gov](mailto:Regina.ochoa@sdcounty.ca.gov)

Ann Jimenez

[Ann.jimenez@sdcounty.ca.gov](mailto:Ann.jimenez@sdcounty.ca.gov)

San Diego County

Planning and Services Department

5510 Overland Ave

San Diego, CA 92123.

**NCER Project – PDS 2008-3500-08-015**

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Yours truly,

Name

Address, email, Tel.No.

Truc Dang  
2367 Country View Glen  
Escondido, CA92026

**From:** [Sandra Farrell](#)  
**To:** [De La Rosa, Michael](#)  
**Cc:** [Ochoa, Regina](#); [Jimenez, Ann](#); [tovcsg.chair@gmail.com](mailto:tovcsg.chair@gmail.com)  
**Subject:** FW: North County Environmental - hearing June 25th  
**Date:** Friday, June 19, 2020 4:29:52 PM  
**Attachments:** [ATTACHMENT B -US DEPARTMENT OF JUSTICE ACTIONS.pdf](#)  
[ATTACHMENT A.pdf](#)  
[TOCSG comment ltr 6-19-20.pdf](#)

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Dear Mr. De La Rosa,

We would like to submit the attached comment letter and supporting documents for the hearing this June 25 on North County Environmental.

Thank you very much.

Sandra

Sandra Farrell  
Chair Twin Oaks Valley Community Sponsor Group

760-415-3349



# TWIN OAKS VALLEY COMMUNITY SPONSOR GROUP

P.O. Box 455

San Marcos, Ca. 92079

June 19, 2020

Michael De La Rosa  
Zoning Administrator  
San Diego County of Developmental Services  
Delivered via email:

Comments to: North County Environmental Hearing Before the Zoning Administrator

Dear Mr. De La Rosa

The Twin Oaks Valley community sits in a highly topographically constrained area accessed from east to west by Buena Creek Road and Deer Springs Road and from the south by Twin Oaks Valley Road. The I-15 freeway runs along the east side of our planning area.

The Twin Oaks Valley Community Sponsor Group is opposed to the applicant for North County Environmental bypassing the CEQA process and over the years has expressed our concerns regarding the spot zone that was created for this area during the General Plan update in 2011. We are opposed for the following reasons. (Attachment A)

CEQA requires analysis of negative environmental impacts of development projects and plans, and, if feasible, mitigation (avoidance) of significant impacts. We don't see evidence that this project is in compliance with CEQA. Over the years through the various versions of this project the applicant has changed the numbers of truck trips and the hours of operation and how the noise, traffic and visual impacts will be addressed so that it will not impact surrounding residential uses.

Furthermore, based on how the applicant and his firm have operated other similar business operations, i.e. Diamond Environmental. Given past court actions, (Attachment B), we don't have confidence that the applicant will operate this business any differently than he has operated others run by his family.

Finally, we don't believe the County relying on Code Enforcement to ensure County Codes and conditions for this development are followed and will provide the public with adequate protection given the history of Code Enforcement in our area. Complaints to code complaints go unaddressed due to the lack of staff and funding to address problems. In fact, lack of the ability to enforce County Codes and environmental laws may be why this project is being proposed in the County.

We ask for a full CEQA study to uncover any environmental issues that could likely occur in this project. Given our concerns we believe it is a fair and reasonable request.

Sincerely,

Sandra Farrell, Chair

## Sponsor Group Meeting Wednesday, April 21, 2010

- 3) **Attended Planning Commission meeting on April 16. Spoke about community issues Attachment D, handout of remarks previously distributed by e-mail, obtained Merriam Mountain letter and distributed by e-mail. Didn't get Attachment Sandra wanted, requested after left for meeting.**
  
- 6) **Mesa Rock Nursery CEQA Hydrology Study for ADJ HOLDINGS, LLC at 807 E. Mission Rd. San Marcos, CA 92069.**
  1. **Amended Project Description dated March 15, 2010**
  2. **Present text of hydrology study contains errors; PM 14236 is incorrect, rock nursery unknown description.**
  3. **Question of runoff coefficient on previously graded site, and effect of impervious surfaces on runoff coefficient.**
  4. **Presentation of software calculations incomplete.**
  5. **Review of Twin Oaks Hydrologic Map shows ridgeline bisects area, site drainage may affect wetlands.**
  6. **Review of Twin Oaks Slope Analysis shows that much of the area northeasterly of the above mentioned ridgeline is steep slopes.**
  7. **A requested slope analysis is presented in the form of a GIS TIN. Unfortunately, the average reviewer is not familiar with this form of data presentation. It is requested that the slope information be presented in a form that permits comparison with RPO slope ranges. In addition, it is requested that the source of elevation data be given along with the estimated accuracy of the resulting calculations.**
  8. **Review of Twin Oaks Current Land Uses Map shows considerable residential uses in the surrounding area and land used for, or related to, transportation. The conditions of approval on the Parcel Map should be shown on project maps.**
  9. **Nursery businesses generally use and store pesticides, fertilizers and other chemicals on site. These materials can show up in groundwater and runoff. In view of nearby wetlands and old wells on site, careful evaluation of mitigation measures is a must.**

**sfarrell**

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**From:** "sfarrell" <sfarrell@cox.net>  
**To:** "Buell, Diane" <Diane.Buell@sdcounty.ca.gov>  
**Cc:** "Gil Jemmott" <twinoaks.engineering@gmail.com>  
**Sent:** Wednesday, May 26, 2010 8:21 PM  
**Subject:** Fw: Mesa Rock Nursery

Hello Ms Buell,

Thank you very much for taking time to discuss the Mesa Rock Nursery project. As a follow up to our conversation, we took a vote last night on the Mesa Rock Nursery. The vote failed for approval. Due to lack of two regular members, we did not get sufficient votes to approve or deny the project. Of particular concern was the method used to assess hydrology. Hank Palmer said the method used by the applicant was not consistent with the map processing manual under the RPO. One of Palmer's key concerns was the runoff from the building and associated agricultural activities into the drainage areas and into wetlands on the east side of I-15. He felt there was no water quality plan for testing the runoff. Karl Gailey of the Hilltop Group and David Shibley said that the building would allow other uses. It became clear during the meeting that the applicant may be requesting a permit for an agricultural operation but the intent and design of the facility is for an anticipated Industrial use they would like to see implemented through the General Plan Update. Hank Palmer said the site is within the Sphere of Influence of the City of Escondido and the City is unaware of any proposed change from agricultural to an industrial use. Please refer to Hank Palmer's April 26th email to you for additional concerns.

Karl Gailey said the building was flexible to accommodate other uses and listed a variety of uses that were not agricultural. Both Mr. Shibley and Mr Larson said the project was allowed under the current zoning and a by-right use. They also said that the project would be designed so as not to be visible from I-15 although Mr. Shibley did say that it may be visible to a few homes on the east side of I-15.

The implementation of the landscape plan will be critical if this project is allowed to go forward. A previous landscape plan I saw from the applicant used non-natives such as California pepper. In light of the applicant setting aside areas for biological open space the landscape plan should use California natives. Depending upon the type agricultural activity on the site noise may be a problem. The Surrounding hillsides may help bounce sound around created on site and thereby amplify the on-site noise. This may not be an issue due to the proximity of I-15 but there are residences nearby and the sound may become an issue.

Although the Sponsor Group has supported agriculture in the past. Some of the installations, such as the Gourmet Mushroom, are clearly out of scale with the community. In addition, some large scale operations have become bad neighbors to nearby residences. The increased traffic from many employees coming and going all hours of the night, heavy equipment and semi trucks on residential truck traffic all hours of the night, water pollution from runoff, and unsightly views have created a lot of anger in the community and really hurt property values. Residents along Cassou complained for many years about the Altman's operation.

I ask that you consider our concerns and make sure the applicant doesn't create either an eyesore or another bad neighbor situation for our community.

Thank you very much.

Sincerely,  
Sandra Farrell  
Acting Chair  
Twin Oaks Community Sponsor Group

Ph: 760-415-3349

# PROPERTY SPECIFIC REQUEST

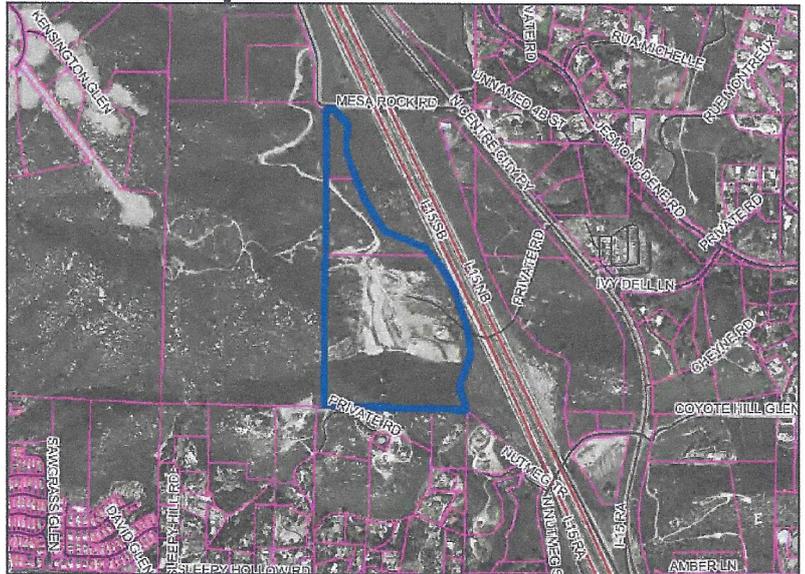
## NC51 [2005 Commercial / Industrial Referral Twin Oaks #2]

<b>Property Specific Request:</b> Change land use designation from High Impact Industrial to SR4	
Requested by: Twin Oaks Valley Sponsor Group <sup>1</sup> and City of Escondido <sup>2</sup>	
Community Recommendation	SR4
Opposition Expected <sup>3</sup>	Yes
Spot Designation/Zone	No
EIR Recirculation Needed	No
Change to GPU Objectives Needed	No
Level of Change	Minor

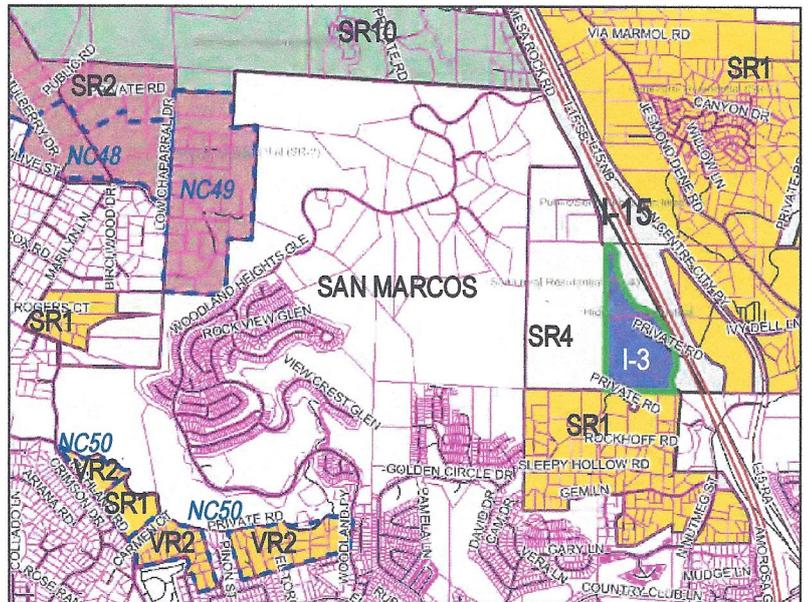
**Note:**

- 1- Twin Oaks Valley Community letter dated October 18, 2010
- 2- In a September 27, 2010 meeting City of Escondido expressed their opposition to the I-3 designation.
- 3- Anticipate property owners will be opposed to loss of Industrial designation

<b>Property Description</b>	
<b>Property Owner:</b> A.D.J. Holdings LLC	
<b>Size:</b> 45.2 acres 3 parcels	
<b>Location/Description:</b> West of Interstate 15 and south of Mesa Rock Road; Inside County Water Authority boundary	
<b>Prevalence of Constraints (See following page):</b> ● – high; ◐ – partially; ○ - none	
●	Steep slope (greater than 25%)
○	Floodplain
○	Wetlands
◐	Habitat Value
○	Agricultural Lands
●	Fire Hazard Severity Zones



Aerial



PC/Staff Recommendation

<b>Land Use</b>	
<i>General Plan</i>	
<b>Scenario</b>	<b>Designation</b>
Existing General Plan	1 du / 1,2,4 ac 1 du / 4,8,20 ac
PC/Staff Recommendation	I-3
Referral	I-3
Hybrid	
Draft Land Use	SR4
Environmentally Superior	
<i>Zoning</i>	
Existing — RR; 1-acre minimum lot size A70; 2-acre minimum lot size	
Proposed — M54	

**Discussion**

These three parcels are a 2005 Commercial / Industrial Referral where the Board of Supervisors directed staff to apply a High Impact Industrial (I-3) designation, with a restriction to only allow recycling. The Twin Oaks Valley Sponsor Group supports changing the density of this area from High Impact Industrial (I-3) to SR4 because they consider the site is inappropriate given access to past residential areas as well as the site being adjacent to residential uses. Nearly the entire area contains steep slopes and is located within the Very High Hazard Fire Hazard Severity Zone.



COUNTY OF SAN DIEGO
DEPARTMENT OF PLANNING AND DEVELOPMENT
SERVICES: Zoning
COMMUNITY PLANNING OR SPONSOR GROUP
PROJECT RECOMMENDATION

PROJECT NAME: \_\_

ADJ Holdings SAJE Complex to North County Environmental Services, : 25568 Mesa Rock Road.

PROJECT CASE NUMBER(s): PDS2008-3500-08-015 (STP08-015) Site Plan I-15 Review (APN 187-100-37)

PLANNING / SPONSOR GROUP NAME: Twin Oaks Valley Community Sponsor Group

Results of Planning / Sponsor Group Review

Meeting Date: \_\_April 17, 2013

- A. Comments made by the group and the members of the public on the proposed project.
1. Concerns raised about how truck traffic, especially trucks with trailers, could make the sharp turns needed to transition from Center City Parkway to Mesa Rock Road.

B. Advisory Vote: The Group [ ] Did or [X] Did Not make a formal recommendation, approval or denial on the project at this time because they had not received the documents needed to review the project that are currently being reviewed by the County.

If a formal recommendation was made, please check the appropriate box below:

MOTION:

- [ ] Approve without conditions
[ ] Approve with recommended conditions
[ ] Deny
[ ] Continue

VOTE: \_\_\_\_ Yes \_\_\_\_ No \_\_\_\_ Abstain

C. Recommended conditions of approval:

Four horizontal lines for writing recommended conditions of approval.

Reported by: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_



# TWIN OAKS VALLEY COMMUNITY SPONSOR GROUP

P.O. Box 455

San Marcos, Ca. 92079

October 9, 2014

Maggie Loy  
County of San Diego  
Planning and Development Services  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123

**RE: North County Environmental Resources PDS2008-3500-080-015; PDS2013-BC-13-0019; PDS2008-3910-08-08-012  
NOP Comments**

Dear Maggie Loy,

The Twin Oaks Valley Community Sponsor Group would like to thank you for the opportunity to comment on this Notice of Preparation. As the County is aware, there has been a lot of Community involvement with this project and our Group has been following this project from its beginnings. We ask that the EIR for the North County Environmental Resources (NCER) consider the following:

1. During the General Plan update the Twin Oaks Valley Community Sponsor Group was opposed to the rezone of this site to High Intensity Industrial because the site is close to residential uses and is in an aesthetically important area along the I-15 corridor. We felt the change to High Impact Industrial was a Spot Zoning as defined by *“The granting to a particular parcel of land a classification concerning its use that differs from the classification of other land in the immediate area.”* We were concerned because it appeared to be an *arbitrary, capricious, and unreasonable treatment of a limited area for the benefit of a single property owner.*
2. We ask that the EIR address the impacts of the zoning change and to provide clear legal justification for the zoning change so the public can be assured the zoning, which allows for this project, is appropriate, and the change to High Impact Industrial was done legally.
3. The EIR should evaluate at least three project alternatives that consider placing the project in existing industrial parks where these activities are allowed. Escondido, Vista and San Marcos have industrial parks zoned for the use that is being proposed

on this site. These industrial parks have been designed to accommodate the traffic, odors, noise, waste water treatment and other issues that will occur from this type of activity. In addition, due to the economic problems of the last six years, some of these parks have many large vacant buildings.

### **Air Quality:**

- a. The EIR needs to study impacts from activities being planned for the site as well as cumulative impacts, both off site and on site of vehicular traffic that will be used to run the industrial operations. Activities such as rock crushing and unloading of material may have significant negative impact on residents. In addition, the large trucks being used to transport material to and from the site will add pollutants both from diesel exhaust and from the material being transported.
- b. Also, wind currents in the area may spread pollutants far beyond the site, negatively impacting nearby residents. The EIR should include a wind and microclimate study to look at how air borne particles from the site and from trucks being used for the operation, could impact adjacent residential properties.
- c. Many of the people who live near the site, such as those living in the Deer Springs Mobile Home Park, are elderly and likely have respiratory health issues that will be exacerbated by the airborne pollutants created by this project. The EIR should provide data identifying the different pollutants from the project, list how it may impact nearby residents and other businesses, and provide adequate mitigation to eliminate project impacts.
- d. Finally, the EIR should define what methods will be use to ensure mitigation measures are being followed. The community is experiencing problems with uncovered loads, dust, noise and speeding from trucks traveling to and from the quarry located on North Twin Oaks Valley Road. No enforcement measures are being used by the County. The public needs to be assured that there is sufficient mitigation and enforcement measures in place for the NCER project to prevent problems the community now experiences from the quarry, which is another form of high-impact industrial activity. The EIR needs to identify who will enforce these measures and prove they can do so. The EIR should study the use of a bond or other financial mechanism to pay for independent enforcement.

Will the trucks be covered when they are arriving and leaving the site? (legally they are supposed to but we need the EIR to tell us how it will be enforced).

### **Noise:**

- a. The Twin Oaks Valley Community Sponsor Group is very concerned with the hours of operation, and why they are so long? They are from 5 am to 7 pm Monday thru Saturday. Since most business start at 7 am and close around 4:00 or 5:00 pm and the truck scales do not even open until 7 am, we are concerned independent truckers bringing material into the site will use the early hours to bypass weigh scales, and other legal requirements designed to protect the public. The EIR needs to explain this issue in detail and answer the following: What type of business will they be conducting at such an early hour? What type of noise will this generate? We are concerned this will be a real hardship for the neighbors near this project, or residential neighborhoods that will get truck traffic from this project. Will residents near the site

be listening to large trucks idling as they are staging before 5 am to enter the site? There is a noise ordinance that needs to be adhered to. It starts at 7 am.

- b. The EIR needs to address how the project will be able to adhere to the Noise Ordinance with the type of demolition such as rock crushing, blasting, etc., that they will be conducting. If the project cannot follow the noise ordinance the EIR needs to identify why it can't.
- c. The EIR should identify what the containers used for transportation of material will be made of. Will they be metal containers? The neighbors will be exposed to the constant "clanging" every time something is dumped into the containers.
- d. The EIR should consider mitigation measures such as building a sound wall and/or using rubberized road surface to help reduce noise created by the project.

### **Environmental Hazards:**

Another concern is how hazardous waste will be handled. We have been told at past meetings that workers at the project site will be visually inspecting each load as it enters. However, this is no guarantee that hazardous materials will be missed. Who is to say that the hazardous materials are not going to be placed in the center of the load where they will not be detected. What happens if they are then detected after the load has been dumped and the dumping party has left the site? The EIR needs to identify how this will be addressed and what checks and balances will be used to ensure compliance.

### **Fire Plan:**

The NOP states that C&D mulch can stay on site for 90 days. Our fear is for a mulch fire on site. Last year there were several mulch fires around the county and they burned for days. The EIR needs to include a discussion of how will the Fire Plan address and provide detailed mitigation measures. If one of the mitigation measures involves the use of water to keep the mulch pile cool so that it won't ignite, then the EIR should identify the amount of water needed and how that will be acquired given the ongoing drought status.

### **Water:**

The project stands to use a tremendous amount of water. We are in a severe drought with no relief in sight. The EIR needs to study if there will be water available and how its use for this project may reduce the amount of water for other agricultural and residential uses.

### **Traffic:**

According to the NOP, the project is only allowed two outbound trucks per day. The EIR needs to identify if this will be a single truck load or a truck with multiple beds, each carrying a load.

### **Other Issues:**

We are concerned that this project won't be economically feasible. The EIR needs to provide a long-range business plan for the project so the public is assured taxpayers won't be on the hook should the project fail, leaving behind a site that requires millions to clean up.

The EIR should also address how the proposed project could damage property values and adjacent properties that are zoned residential. The devaluation of property value will cause a decline in the comparison value or “comps” for people who are trying to sell their property who may not even live next to the site. The EIR needs to study industrial activities of this type that have impacted neighborhoods in the past so the public can be assured the neighborhood will not become blighted. The EIR should also study how this project will impact the Community Character.

The project applicant is notorious for not getting the appropriate licenses. The Community is aware of this and is quite skeptical that he will adhere to the rules and conditions he needs to follow. The Community is also concerned with “piece-mealing” where the applicant understates his project to get approval and then after approval increases his capacity.

Thank you for listening to our concerns regarding this Notice of Preparation.

Sincerely,

Sandra Farrell  
Chair, Twin Oaks Valley Community Sponsor Group  
Karen Binns  
Vice Chair, Twin Oaks Valley Community Sponsor Group

Cc: Beth Ehsan



# TWIN OAKS VALLEY COMMUNITY SPONSOR GROUP

P.O. Box 455

San Marcos, Ca. 92079

September 23, 2019

David Sibbet  
County of San Diego  
Planning and Development Services  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123

**RE: North County Environmental Resources PDS2008-3500-080-015; PDS2013-BC-13-0019; PDS2008-3910-08-08-012  
Comments to the Intent To Adopt Findings.**

Dear Mr. Sibbet,

In 2014 the Twin Oaks Valley Community Sponsor Group provided comments to a Notice of Preparation for and EIR. We were surprised to find in our mailbox on the 12th, just in time to make our agenda the month, the County's Intent to Adopt Findings. Due to the complexity of the documents and the significant quality of documents we request a 45 day review period. Given this project has been in process for seven years a fifteen more days for the public to review the documents and formulate meaningful comments is not too much to ask. Below are a few questions we have:

1. Why did the County not address or respond to our previous comment letters? We provided comments to the 2012 scoping letter and our response for the 2014 NOP. We have been waiting for the EIR to be released in hopes it would address the concerns we raised. I have included it and would appreciate a response by the time of the public meeting.
2. What occurred between 2014 and a week or so ago that made it possible for this project to qualify for a 15183 exemption? Using the 15183 process via a General Plan Update wrapper to prevent adequate public review of a project, one that is clearly vastly different from what borders it is not what the 15183 process was intended for. The determination for exempt this project for an EIR seems odd. We are confused why five years later the County finds the project doesn't need an EIR.

During the General Plan update the Twin Oaks Valley Community Sponsor Group was opposed to the rezone of this site to High Intensity Industrial because the site is close to

residential uses and is in an aesthetically important area along the I-15 corridor. We felt the change to High Impact Industrial was a Spot Zoning as defined by “*The granting to a particular parcel of land a classification concerning its use that differs from the classification of other land in the immediate area.*” We were concerned because it appeared to be an *arbitrary, capricious, and unreasonable treatment of a limited area for the benefit of a single property owner.*

We are very concerned this is what is happening in this case.

I 15, between Escondido and 76, is one of the last segments that still has the rugged beauty that makes it a gateway to San Diego. It is critical that the site be development with sensitivity. It is not suitable for high impact industrial use.

We have not had sufficient time to review them and understand the County’s actions. We hope you can shed some light on the matter at Tuesday’s public meeting.

Thank you for listening to our concerns.

Sincerely,

Sandra Farrell  
Chair, Twin Oaks Valley Community Sponsor Group  
Karen Binns  
Vice Chair, Twin Oaks Valley Community Sponsor Group



County of San Diego, Planning & Development Services  
**COMMUNITY PLANNING OR SPONSOR  
GROUP PROJECT RECOMMENDATION**  
ZONING DIVISION

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Record ID(s): \_\_\_\_\_

Project Name: \_\_\_\_\_

Planning/Sponsor Group: \_\_\_\_\_

Results of Planning/Sponsor Group Review

Meeting Date: \_\_\_\_\_

**A. Comments made by the group on the proposed project.**

**B. Advisory Vote:** The Group  **Did**  **Did Not** make a formal recommendation, approval or denial on the project at this time.

If a formal recommendation was made, please check the appropriate box below:

- MOTION:**
- Approve without conditions
  - Approve with recommended conditions
  - Deny
  - Continue

**VOTE:** \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_ Vacant/Absent

**C. Recommended conditions of approval:**

Reported by: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_

**Please email recommendations to BOTH EMAILS;**  
Project Manager listed in email (in this format): [Firstname.Lastname@sdcounty.ca.gov](mailto:Firstname.Lastname@sdcounty.ca.gov) and to  
[CommunityGroups.LUEG@sdcounty.ca.gov](mailto:CommunityGroups.LUEG@sdcounty.ca.gov)

5510 OVERLAND AVE, SUITE 110, SAN DIEGO, CA 92123 • (858) 565-5981 • (888) 267-8770

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





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THE UNITED STATES ATTORNEYS OFFICE  
SOUTHERN DISTRICT *of* CALIFORNIA

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**Department of Justice**

U.S. Attorney's Office

Southern District of California

FOR IMMEDIATE RELEASE

Thursday, April 11, 2019

**San Marcos Companies and Executives Charged with  
Tampering with Emission Control Devices on Diesel Truck  
Fleet**

**Assistant U.S. Attorney Melanie K. Pierson (619) 546-7976**

**NEWS RELEASE SUMMARY – April 11, 2019**

**SAN DIEGO** – A federal grand jury in San Diego today returned a six-count indictment charging three San Marcos companies, two managers and a technician with various felonies related to tampering with emission control devices on heavy-duty diesel trucks.

Diamond Environmental Services LP, Diamond Maintenance Services, LLC and Diamond Solid Waste, Inc. (collectively "Diamond") of San Marcos, California, plus owner and manager Arie Eric De Jong III, manager Warren Van Dam and technician Jorge Leyva Rodriguez of ECM Diesel Programming were charged with conspiring to manipulate the electronic control module (ECM) on Diamond's fleet of heavy duty diesel trucks. The alleged manipulation was designed to disable the monitoring system that would otherwise cause the truck to effectively become non-operational if the diesel emissions filter became too dirty with diesel particulates.

Since model year 2008, EPA regulations required all heavy-duty diesel trucks to be equipped with a computerized system of electronics and sensors that monitored all emission-related engine systems and components. If a malfunction or problem occurred within the emission system - for example, the diesel particulate filter, or DPF, became dirty with soot that needed to be "regenerated" or burned off - the monitoring system would cause a Malfunction Indicator/Check Engine Light to be illuminated in the truck's cabin. If the hardware emission system problem was not resolved, the monitoring system could limit the top speed of the truck to as low as five miles per hour (an effect commonly referred to as "limp mode" or "power reduced mode"), providing an incentive for the truck's operator to repair the truck.

The indictment alleges that the defendants agreed to reprogram the ECMs to avoid the costs associated with the need to regenerate the diesel particulate filters (DPFs) on the heavy-duty diesel trucks in the fleets operated by defendant Diamond Environmental Services, LP and Diamond Solid Waste Services, Inc., and maintained by Diamond Maintenance Services, LLC. According to the indictment, employees removed the ECMs from trucks in their fleet and shipped them out of California to be reprogrammed, and, in addition, defendant Jorge Martin Leyva Rodriguez travelled from Mexico to Diamond locations in San Marcos and San Diego to reprogram the ECMs.

The indictment alleges that, in order to keep trucks operating with DPFs that had not been cleaned by regeneration, employees punched holes through the honeycomb cores of the DPFs on some of the heavy-duty diesel trucks to allow the free flow of air through this portion of the emission system, without filtration. It is further alleged that in order to conceal the fact that the emissions systems on some of the heavy-duty diesel trucks were not operating properly, employees prepared false opacity (smog) test results for such trucks, using an entirely different truck to achieve passing results. According to the indictment, when the co-conspirators learned that action by the authorities was imminent, defendant Rodriguez returned to the Diamond facilities to reprogram the software of the ECMs on the truck fleet in order to conceal the 2016 alterations. Defendants Diamond Environmental Services, LP, Arie Eric De Jong III and Jorge Levya Rodriguez are charged with evidence tampering, based on the later alterations to the ECMs.

“We are all the victims of environmental crime,” said U.S. Attorney Robert Brewer. “We aren’t going to allow companies to take shortcuts and pollute the environment.” Brewer praised prosecutor Melanie Pierson and investigators from the FBI and the U.S. Environmental Protection Agency, Criminal Investigation Division, for protecting the public.

San Diego FBI Acting Special Agent in Charge Suzanne Turner noted, “Today’s indictments underscore the FBI’s continued commitment to our law enforcement partners in combatting environmental crime in San Diego County. The alleged activity impacts every citizen and visitor to San Diego by contributing to declining air quality and increasing public exposure to airborne pollutants. The FBI will continue to work diligently to protect the citizens of San Diego County from entities engaged in illegal business practices which result in environmental harm.”

“The defendants have been charged with conspiring to violate the Clean Air Act and tampering with the emissions control equipment on their commercial diesel trucks,” said Special Agent-in-Charge Jay M. Green of EPA’s criminal enforcement program in California. “The alleged crimes would increase air pollution linked to respiratory illnesses and environmental degradation. Today’s indictment serves as a reminder that EPA and our partners are steadfast in our commitment to protect human health and the environment.”

## **DEFENDANTS**

## **Criminal Case No. 18cr5382-GPC**

Diamond Environmental Services, LP	Organized: 1997	San Marcos, California
Diamond Maintenance Services, LLC	Organized: 2004	San Marcos, California

Diamond Solid Waste Services, Inc. California	Incorporated: 2010	San Marcos,
Arie Eric De Jong III	Age: 52	San Marcos, California
Warren L. Van Dam	Age: 52	San Marcos, California
Jorge Leyva-Rodriguez	Age: 51	El Centro, California

## **SUMMARY OF CHARGES**

### **Count 1**

Conspiracy to Tamper with Monitoring Devices, 18 U.S.C. § 371

Maximum penalty: Five years in prison, fine of \$250,000 (\$500,000 for an organization)

### **Count 2-4** (charging Diamond Environmental Services, LP and De Jong)

Tampering with Monitoring Device, 42 U.S.C. §7413

Maximum Penalty: Two years in custody and/or \$250,000 fine (\$500,000 fine for an organization)

### **Count 5** (charging Diamond Environmental Services, LP; De Jong, Van Dam and Leyva-Rodriguez)

Tampering with Monitoring Device, 42 U.S.C. §7413

Maximum Penalty: Two years in custody and/or \$250,000 fine (\$500,000 fine for an organization)

### **Count 6** (charging Diamond Environmental Services, LP; De Jong and Leyva-Rodriguez)

Evidence Tampering, 18 U.S.C. §1512(c)(1)

Maximum Penalty: Twenty years and/or \$250,000 fine

## **AGENCIES**

Federal Bureau of Investigation

U.S. Environmental Protection Agency, Criminal Investigation Division

\*The charges and allegations contained in an indictment or complaint are merely accusations, and the defendants are considered innocent unless and until proven guilty.

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### **Topic(s):**

Environment

### **Component(s):**

USAO - California, Southern

### **Press Release Number:**

CAS19-0411-Diamond

Updated April 11, 2019



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THE UNITED STATES ATTORNEY'S OFFICE  
SOUTHERN DISTRICT *of* CALIFORNIA

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**Department of Justice**

U.S. Attorney's Office

Southern District of California

FOR IMMEDIATE RELEASE

Friday, September 22, 2017

**Compliance Officer Convicted of Perjury in Investigation  
of Illegal Dumping**

**NEWS RELEASE SUMMARY – September 21, 2017**

**Assistant U.S. Attorney Melanie K. Pierson (619) 546-7976**

**SAN DIEGO** – Ronald Fabor, the Operations Safety and Compliance Manager of Diamond Environmental Services, was convicted by a federal jury yesterday of two counts of perjury relating to his testimony before a grand jury.

The grand jury investigation involved allegations that Diamond had unlawfully discharged trucked portable toilet waste into municipal sewer systems at their facilities in violation of federal law. The trial jury found that Fabor falsely testified that the first time he learned that individuals at Diamond were dumping sewage into the municipal sewers (rather than taking it to the designated locations) was the date that federal search warrants were executed at the Diamond locations in San Diego and San Marcos. The jury also convicted Fabor of falsely testifying that he had never personally observed Diamond trucks connected by hoses to the illegal sewer connections at the Diamond facilities.

Fabor was ordered to appear on January 8, 2018, at 9:00 am before the U.S. District Judge Roger T. Benitez for sentencing.

In a related case (17cr1305-BEN), on June 1, 2017, Diamond Environmental Services LP pled guilty to mail fraud, for defrauding various municipalities of revenue relating to the fees for disposal avoided by the unlawful discharges. On that same date, diamond owner Eric De Jong pled guilty to conspiring to violate the Clean Water Act for his role in the dumping. Earlier, on May 24, 2017, Diamond Chief Operating Officer Warren Van Dam had also pled guilty to

participating in the same conspiracy. Diamond, De Jong and Van Dam are scheduled to be sentenced by U.S. District Court Judge Benitez on November 13, 2017, at 9:00 am

“Mr. Fabor delivered false testimony to a grand jury about illegal pollution that put public health and safety at risk,” said Jay M. Green, Special Agent-in-Charge of EPA’s criminal enforcement program in California. “Providing honest testimony is a fundamental necessity of our legal system and is critical to EPA’s ability to protect public health and the environment.”

**DEFENDANT**

Criminal Case No 17cr1064-BEN

Ronald B. Fabor  
San Marcos, California

Age: 55

**SUMMARY OF CHARGES**

Perjury, 18 U.S.C. § 1621  
Maximum penalty: 5 years’ prison and/or a fine of \$250,000

**AGENCIES**

Federal Bureau of Investigation  
U.S. Environmental Protection Agency, Criminal Investigation Division

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**Topic(s):**

Environment

**Component(s):**

USAO - California, Southern

**Press Release Number:**

CAS17-0921-Fabor

Updated September 22, 2017

**FILED**

JUN 12 2018

**UNITED STATES DISTRICT COURT**  
SOUTHERN DISTRICT OF CALIFORNIA

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY *WLL* DEPUTY

UNITED STATES OF AMERICA  
V.  
ARIE ERIC DE JONG, III (2)

**JUDGMENT IN A CRIMINAL CASE**  
(For Offenses Committed On or After November 1, 1987)

Case Number: 17CR1305-BEN

KNUT S. JOHNSON  
Defendant's Attorney

REGISTRATION NO. 62951298

-

THE DEFENDANT:

pleaded guilty to count(s) 1 OF THE INFORMATION.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Count Number(s)</u>
18 USC 371	CONSPIRACY	1

The defendant is sentenced as provided in pages 2 through 6 of this judgment.  
The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on count(s) \_\_\_\_\_

Count(s) \_\_\_\_\_ dismissed on the motion of the United States.

Assessment : \$100.00 FORTHWITH.

JVTA Assessment\*: \$

\*Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

No fine  Forfeiture pursuant to order filed \_\_\_\_\_, included herein.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

May 23, 2018  
Date of Imposition of Sentence

*[Signature]*  
HON. ROGER T. BENITEZ  
UNITED STATES DISTRICT JUDGE

AO 245B (CASD Rev. 02/18) Judgment in a Criminal Case

DEFENDANT: ARIE ERIC DE JONG, III (2)  
CASE NUMBER: 17CR1305-BEN

Judgment - Page 2 of 6

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of: FIVE (5) MONTHS.

- Sentence imposed pursuant to Title 8 USC Section 1326(b).
- The court makes the following recommendations to the Bureau of Prisons:

- The defendant is remanded to the custody of the United States Marshal.
- The defendant shall surrender to the United States Marshal for this district:
  - at \_\_\_\_\_ A.M. on \_\_\_\_\_
  - as notified by the United States Marshal.

- The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
  - on or before 5:00PM ON JULY 6, 2018.
  - as notified by the United States Marshal.
  - as notified by the Probation or Pretrial Services Office.

**RETURN**

I have executed this judgment as follows:

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_

at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

AO 245B (CASD Rev. 02/18) Judgment in a Criminal Case

DEFENDANT: ARIE ERIC DE JONG, III (2)  
CASE NUMBER: 17CR1305-BEN

Judgment - Page 3 of 6

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of: **THREE (3) YEARS.**

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons unless removed from the United States.

The defendant shall not commit another federal, state or local crime.

*For offenses committed on or after September 13, 1994:*

The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the court. Testing requirements will not exceed submission of more than 4 drug tests per month during the term of supervision, unless otherwise ordered by court.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. *(Check, if applicable.)*
- The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- The defendant shall cooperate in the collection of a DNA sample from the defendant, pursuant to section 3 of the DNA Analysis Backlog Elimination Act of 2000, pursuant to 18 USC section 3583(a)(7) and 3583(d).
- The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. *(Check if applicable.)*
- The defendant shall participate in an approved program for domestic violence. *(Check if applicable.)*

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court. The defendant shall also comply with any special conditions imposed.

### STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: ARIE ERIC DE JONG, III (2)  
CASE NUMBER: 17CR1305-BEN

Judgment - Page 4 of 6

### SPECIAL CONDITIONS OF SUPERVISION

1. Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
2. Submit your person, property, residence, office or vehicle to a search, conducted by a United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
3. Provide complete disclosure of personal and business financial records to the probation officer as requested.
4. Notify the Collections Unit, United States Attorney's Office, of any interest in property obtained, directly or indirectly, including any interest obtained under any other name, or entity, including a trust, partnership or corporation until the fine or restitution is paid in full.
5. Notify the Collections Unit, United States Attorney's Office, before transferring any interest in property owned, directly or indirectly, including any interest held or owned under any other name, or entity, including a trust, partnership or corporation.

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DEFENDANT: ARIE ERIC DE JONG, III (2)  
CASE NUMBER: 17CR1305-BEN

Judgment - Page 5 of 6

**FINE**

The defendant shall pay a fine in the amount of \$15,000.00 unto the United States of America.

This sum shall be paid  Immediately.

The Court has determined that the defendant does not have the ability to pay interest. It is ordered that:

The interest requirement is waived

DEFENDANT: ARIE ERIC DE JONG, III (2)  
CASE NUMBER: 17CR1305-BEN

Judgment - Page 6 of 6

**RESTITUTION**

The defendant shall pay restitution in the amount of \$2,254,593.27 unto the United States of America.

Jointly and severally with all other defendants:

Encina Wastewater Authority \$637,102.32  
Attn: Accounting Department  
6200 Avenida Encinas  
Carlsbad, California 92011

City of San Diego \$979,490.95  
Metropolitan Industrial Wastewater Control Program  
9192 Topaz Way  
San Diego, California 92123-1119

Orange County Sanitation District \$330,000  
10844 Ellis Avenue  
Fountain Valley, California 92708

Eastern Municipal Water District \$176,000  
2270 Trumble Road  
Perris, California 92570

Los Angeles County Sanitation District \$132,000  
1955 Workman Mill Road  
Whittier, California 90607-4998

The Court has determined that the defendant does not have the ability to pay interest. It is ordered that:

The interest requirement is waived

**From:** [Val McGlincy](#)  
**To:** [Jimenez, Ann](#)  
**Subject:** North County Environmental Resources Project PDS 2008-3500-08-015  
**Date:** Thursday, June 4, 2020 2:43:12 PM

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Hello Ms Jimenez,

I am a resident in Jesmond Dene area of Escondido and I'm extremely concerned over the possibility of a TOXIC Recycling Plant being proposed so close to peaceful neighborhoods. I've been alerted that a June 25 meeting has been scheduled amidst the COVID-19 restrictions that would only allow concerned residents to attend via "Skype". This is unfair to so many that are NOT technically savvy, therefore unable to take part in something that is so crucial to our neighborhoods. Please reschedule this meeting to a later date that allows residents to physically take part. My Husband and I have lived in our home off Jesmond Dene Rd since 1986 and love the peaceful, rural feel while being close to the city and it's resources. We raised our son and daughter here and felt blessed to have such a great safe neighborhood to roam around and have fun. When my husband & I retire in a few years we may tire of the maintaining the nearly 1 acre property we live on and fear that a TOXIC recycling plant will devalue our house and detour possible home buyers.

IF THIS RECYCLING PLANT MUST BE CONSIDERED, I URGE YOU TO PLEASE RESCHEDULE THE MEETING WHEN RESIDENTS MAY ATTEND!

Respectfully,  
Valerie McGlincy

Sent from my iPad

**From:** [verna sundquist](#)  
**To:** [Jimenez, Ann](#)  
**Subject:** North county Recycling plant health hazard  
**Date:** Sunday, June 21, 2020 9:03:59 PM

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No environmental impact study was done. Had it been done this would not have been allowed in residential area so close to two Elementary schools that are affected by westerly winds. There is a blatant disregard for the air and noise pollution this plant will produce. Urge you to consider all the health risks and stop the construction of this plant. The owner of this company has had numerous violations. Please review them.

Verna Sundquist  
Escpndido resident

Sent from my iPad

**From:** [Vicki Broughton](#)  
**To:** [Jimenez, Ann](#)  
**Subject:** Fwd: NCER Recycling Plant VIRTUAL HEARING  
**Date:** Thursday, June 18, 2020 10:22:49 AM

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----- Forwarded Message -----

**Subject:** NCER Recycling Plant VIRTUAL HEARING

**Date:** Thu, 18 Jun 2020 10:17:15 -0700

**From:** Vicki Broughton <[vmbroughton@cox.net](mailto:vmbroughton@cox.net)>

**To:** [Regina.Ochoa@sdcountry.ca.gov](mailto:Regina.Ochoa@sdcountry.ca.gov)

I am writing to express my dismay that there will be a **virtual** meeting regarding the very controversial and widely opposed NCER Recycling Plant. I acknowledge that in these pandemic times an **in-person** meeting would not be advisable either. However a virtual meeting will not convey the full extent of the outrage and opposition. Whether intentional or not, this gives an advantage to the developer proposing the project. We have waited over eight years already, expressing **NUMEROUS** times in writing and in public meetings all of the reasons that this is the wrong location for the project. I would like to see face to face ( not on my computer screen) the people who will be making the decision on this project

I know that we have had difficulty with our internet for months, due likely to the high traffic during these self distancing times. To expect that all of those who would wish to participate in this event would even be able to is questionable.

Please convey my opposition to moving forward with a virtual meeting and my suggestion to postpone until an in-person public meeting is possible.

Respectfully,

Vicki Broughton

2191 Rockhoff Rd

**From:** [Maryanne Culkin](#)  
**To:** [FGG, Public Comment](#)  
**Cc:** [Ochoa, Regina](#); [Jimenez, Ann](#)  
**Subject:** You are MIA regarding Mesa Rock Rd Recycling Plant  
**Date:** Thursday, June 18, 2020 11:37:06 AM

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**Attn:** Supervisors Gaspar and Desmond

I have been active in opposing **NCER Project – PDS 2008-3500-08-015, also known as CDI Waste Recycling Plant on Mesa Rock Rd., Escondido. Now I learn that the June 25, 2020 Zoning** Administrator Hearing will be an all day Skype meeting due to Corona Virus. Sorry, My husband is 84 years old, I'm 75 and believe me it is easier for us to drive to the County Building for an in-person meeting than to learn how to do Skype and be on it all day.

I want to see what is going on, not just hear it.

This is totally unacceptable, and furthermore, where are you Ms. Gaspar and Mr. Desmond in representing your constituents in this matter? I have written to Ms. Gaspar's office after I attended the last county meeting in Hidden Meadows last year. No word!

As a 24 year resident of Emerald Heights in Escondido and member of our Homeowners Assn. (HOA) I'd like to recap my concerns about this recycling plant in a residential area:

The EH HOA is less than 1/2 mile from the proposed project, 690 homes, 2300 residents. The residents of our development are opposed to the proposed Re- Zoning proposal and trash recycling plant.

The proposed recycling plant will produce:

- 1 – dust and air-born pollutants generated from the industrial activities, can be blown into the nearby homes that can create/cause respiratory and health issues
- 2 – odors from the green waste operation
- 3 - noise from the concrete crushing operation, heavy equipment operation, backup alarms, etc.
- 4 - traffic congestion - heavy truck traffic from the delivery and sell of the recycled products in the middle of residential populated area...

We don't understand why the county would consider rezoning this property for a recycling plant in this area, especially with their experience of the Copper Creek Trash Transfer and Recycling Facility in San Elijo Hills. Billion \$s of public money – for a failed plan and now a vacant plant. This plant is less than 5 miles from this project. Just a suggestion, why doesn't the county sell the plant to the developer of this proposal - Mr DeJong? Or for him to purchase a property that is already zoned for industrial use.

County and City planners develop zoning plans in their jurisdictions, approved by the voters, so not to cause these types of impacts by future development.

So why – is the county even considering a zoning change from residential/commercial to heavy industrial (another version of a dump) in the middle of residential/commercial zoned property?

If this project gets approved it will make for a good reason to vote out our current supervisors involved in this venture.  
Thank you.

Maryanne Culkin  
2255 Rock View Glen  
Escondido, CA 92026  
760 744-7775

**From:** [Todd Frank](#)  
**To:** [Ochoa, Regina](#); [Jimenez, Ann](#)  
**Cc:** [ashley.smith@sdcountry.ca.gov](mailto:ashley.smith@sdcountry.ca.gov); [Neufeld, Darin](#)  
**Subject:** Zoning Administrator Meeting June 25th, North County Environmental Resources Project PDS 2008-3500-08-015  
**Date:** Wednesday, June 3, 2020 12:28:33 PM

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Good Afternoon,

I've just become aware of the pending zoning administrator meeting scheduled for June 25<sup>th</sup> regarding the above project. It is my understanding that this is to be a virtual meeting conducted via Skype. I believe this practice will make it more difficult for those in opposition to the project to make their views known to the decision-making body.

I understand there have been other virtual meetings as of late that your organization counts as successes; how many of those events included projects that generated hundreds of responses in opposition from the local community? For that matter, from a technological viewpoint, how many interested parties can log in to the meeting to monitor what occurs? How will you know if local residents are unable to log in to the meeting? Many of the residents in this area are older and technologically challenged - while they could easily travel to a public meeting in Kearny Mesa, they may not be able to participate on June 25th. How are their voices to be heard? If there are a large number of residents who are unable to participate due to technological difficulties, will there be another meeting?

I have partaken in virtual meetings and conference calls many times. One of the largest challenges is, unlike in-person meetings, participants may not know if their comments are understood. Discussions are disjointed, participants talk over each other, audio is garbled and understanding is hampered because a large percentage of everyone's communications are conveyed non-verbally. While Skype may be workable for a small project with little or no opposition, it is wholly inappropriate for a public meeting with potentially hundreds of participants.

For PDS this is just another project, the meeting is another formality and holding it virtually is a way to move the process along. For those of us who live near the project (I have an unobstructed view) it is a very important step and a critical issue. This project had its specious beginning in 2005. After fifteen years is it critical that the zoning administrator meeting be held amid the COVID-19 pandemic induced restrictions? The answer is, obviously, no. While the applicant will assuredly be able to communicate, those in opposition will be hindered in their efforts.

To be responsive and responsible to local taxpaying residents, this meeting should be delayed until it can be conducted in the traditional manner.

I Appreciate Your Time,

Todd Frank

25677 Rue de Lac, Escondido

**From:** [seebachm2@aol.com](mailto:seebachm2@aol.com)  
**To:** [Ochoa, Regina](#); [Jimenez, Ann](#)  
**Subject:** Zoning Hearing NCER Project – PDS 2008-3500-08-015  
**Date:** Wednesday, June 10, 2020 3:49:57 PM

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Dear Ms. Ochoa/Jimenez

I have been informed that a Zoning Administrator Hearing for the current project is being scheduled for June 25, 2020 as a virtual meeting on skype with public participants having to call in using their cell phone or computer to participate in what might be an all-day meeting.

I request that this meeting be postponed until it can be held in the open chambers at the county offices. This will allow better participation by concerned citizens than is possible via internet.

This project application has a long history, summarized as follows:

A controversial rezoning of the site to High Impact Industrial as part of the last General Plan Update even though it is surrounded by residential communities.

The original application for this site was for a Nursery which was then modified to apply for a recycling facility for construction debris and green waste.

The site plan has been vague and not definitive in terms of its scope – with general statement such as “Light” as well as “Medium” recycling facilities with intent to ship only 2 truckloads per day but, for some unstated reason, work 14 hours/day from 5:00AM till 7:00PM

The site being defined as well suited for the recycling facility but actually requiring extensive blasting of the side of a mountain as well as filling the operating areas with crushed rock as it does not have load bearing capacity in its current condition.

The actual crushing of the blasted materials will amount to a quantity equivalent to 16 years of shipped product from the operating phase. How will this project be economically viable at its stated operating rate?

The calculation of noise, dust, traffic impacts, greenhouse gas emissions, water consumption, and other environmental impacts have been inadequately addressed.

The draft EIR was found inadequate in year 2015. After being dormant for 4 and a half years, the project was revived and allowed to present its site plan with CEQA exemption 15183.

After receiving more than 500 public comments and having taken 6 months to address these, County PDS plans to give us 10 days’ notice to review their documents addressing these comments before participating in a virtual meeting.

The list above can be extended further but the point we make is that given the controversial history of the project and its impacts on the community, a virtual meeting to hold a Zoning Administrator Hearing seems inappropriate. A virtual meeting might be adequate for a project that is not controversial or has only minor issues that need to be resolved but such a meeting is unsuitable for a project with a long and complex history.

Further, virtual meetings require more computer technology skills from participants, faster adaptation to the actual proceedings and content of the meeting on a small screen, sound systems that may not allow participants to distinctly follow what is being said or be able to report a deficiency in visual or audio effects,

inability to confer with fellow attendees during an all-day-meeting --- this list can go on too.

As interested public parties, as explained earlier, we have had to wait several times for long periods of time for the next development. Why should we all not wait a bit longer until the Covid-19 pandemic is under control and we have the opportunity to participate in a more effective manner in the next step in this project? I request the Zoning Administrator to postpone the Hearing on this project until circumstances allow a regular conference room meeting with in-person participation. Thanks very much for your consideration.

Yours truly,

M Seebach  
8975 Lawrence Welk Dr  
Escondido, CA 92026