

**From:** [Harris, Susan](#)  
**To:** [Mccumsey, Mark@DOT](mailto:Mccumsey, Mark@DOT)  
**Subject:** JVR Energy Park EIR (SCH #2019039044) - Responses to Caltrans Comment Letter  
**Date:** Tuesday, June 29, 2021 10:19:03 AM  
**Attachments:** [A1 Caltrans Comment Letter - Final.pdf](#)  
[A1 Caltrans Response - Final.pdf](#)  
[image001.png](#)

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The Caltrans comment letter on the JVR Energy Park Draft Environmental Impact Report and the responses to Caltrans comments are attached.

Please note the Draft FINAL EIR is available on the County of San Diego's website at:  
<https://www.sandiegocounty.gov/content/sdc/pds/ceqa/MUP-18-022.html>

Sincerely,  
Susan Harris

Susan Harris  
Land Use/Environmental Planner

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

[susan.harris@sdcounty.ca.gov](mailto:susan.harris@sdcounty.ca.gov)

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:** [Mccumsey, Mark@DOT](mailto:Mccumsey, Mark@DOT)  
**To:** [Harris, Susan](#)  
**Cc:** [Eaton, Maurice A@DOT](#); [OPR State Clearinghouse](#)  
**Subject:** JVR Energy Park - I-8 and SR-94 - Jacumba Hot Springs - Caltrans Letter - SCH # - #2019039044  
**Date:** Thursday, December 03, 2020 11:41:12 AM  
**Attachments:** [CT\\_Ltr\\_JVR Energy Park DEIR\\_12-3-2020.pdf](#)

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Hi Susan,  
Please find the attached Caltrans letter re: the JVR Energy Park project.

Let me know if you have any questions,

Thanks,

## Mark McCumsey

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*Making Conservation  
a California Way of Life.*

December 3, 2020

11-SD-8  
PM 73.95  
JVR Energy Park  
DEIR/SCH #2019039044

Ms. Susan Harris  
Project Environmental Coordinator  
San Diego County Planning and Development Services  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123

Dear Ms. Harris:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Draft Environmental Impact Report (DEIR), State Clearinghouse (SCH #2019039044) for the JVR Energy Park located adjacent to Interstate 8 (I-8) near the community of Jacumba Hot Springs. The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development-Intergovernmental Review (LD-IGR) Program reviews land use projects and plans to ensure consistency with Caltrans' mission and state planning priorities.

A1-2

Caltrans has the following comments:

**Environmental**

Caltrans welcomes the opportunity to be a Responsible Agency under the California Environmental Quality Act (CEQA), as we have some discretionary authority of a portion of the project that is in Caltrans' Right-of-Way (R/W) through the form of an encroachment permit process. Please indicate our status as a Responsible Agency for the Final EIR. We look forward to the coordination of our efforts to ensure that Caltrans can adopt the alternative and/or mitigation measure for our R/W. We would appreciate meeting with you to discuss the elements of the DEIR that Caltrans will use for our subsequent environmental compliance.

A1-3

A1-4

Although not currently identified, should any work within the Caltrans' R/W be identified, an encroachment permit(s) will be required for prior to construction. As part of the encroachment permit process, the applicant must provide approved final environmental documents for this project, corresponding technical studies, and necessary regulatory and resource agency permits. Specifically, any CEQA determinations or exemptions. The supporting documents must address all environmental impacts within the Caltrans' R/W and address any impacts from avoidance and/or mitigation measures.

A1-5

Caltrans recommend that this project specifically identifies and assesses potential impacts caused by the project or impacts from mitigation efforts that occur within Caltrans R/W that includes impacts to the natural environment, transportation infrastructure, and appurtenant features including lighting, structures, signs, guardrail, drainage, slopes, etc.). Caltrans is interested in any additional mitigation measures identified in the Final EIR.

A1-6

A1-7

Caltrans recommends all fire prevention activities be maintained, including defensible space from structures, fuels reduction, and utility clearance mandates.

A1-8

### **Traffic Engineering Analysis**

1. This development will only be accessing their proposed project off the existing Carrizo Gorge Road. There are no indications that this project will need access off Interstate 8 for the property closes to the existing Interstate 8 Right of Way. Please note that the State has full Access Control throughout the Interstate 8 corridor and that there is no right of way fence opening or San Diego Gas and Electric (SDG&E) access off Interstate 8.
2. Encroachment Permit applications and plans will need to be submitted for any proposed work on or affecting the Interstate 8 freeway, freeway ramps, or other Caltrans transportation facilities.

A1-9

A1-10

### **Glare Issue**

The proximity of the project site to I-8 raises some concerns regarding potential glare that could pose a potential risk to motorists traveling on I-8. General information was provided to Caltrans describing the reflective characteristics of these types of facilities. The project's potential glare

A1-11

characteristics should be considered as part of the County's Permit approval. Caltrans would want to ensure that all lighting, including reflected sunlight and reflected night lighting, within this project should be placed and/or shielded so as not to be hazardous to vehicles traveling on I-8.

A1-11  
contd.

A1-12

### **Traffic Control Plan/Hauling**

Caltrans has discretionary authority with respect to transportation facilities under its jurisdiction and may, upon application and if good cause appears, issue a special permit to operate or move a vehicle or combination of vehicles or special mobile equipment of a size or weight of vehicle or load exceeding the maximum limitations specified in the California Vehicle Code.

A1-13

The Caltrans Transportation Permits Branch is responsible for the issuance of these special transportation permits for oversize/overweight vehicles on the State Highway System. Additional information is provided online at:  
<http://www.dot.ca.gov/trafficops/permits/index.html>

A Traffic Control Plan is to be submitted to Caltrans District 11, including the interchange at I-8/ Carrizo Gorge Road, at least 30 days prior to the start of any construction. Traffic shall not be unreasonably delayed. The plan shall also outline suggested detours to use during closures, including routes and signage.

A1-14

Potential impacts to the highway facilities (I-8 and SR-94) and traveling public from the detour, demolition and other construction activities should be discussed and addressed before work begins.

A1-15

If you have any questions, please contact Mark McCumsey at (619) 985-4957 or by email at [mark.mccumsey@dot.ca.gov](mailto:mark.mccumsey@dot.ca.gov).

A1-16

Sincerely,

**electronically signed by**

MAURICE EATON, Branch Chief  
Local Development and Intergovernmental Review Branch

### Response to Comment Letter A1

#### California Department of Transportation (Caltrans)

- A1-1** This email cover letter is an introductory comment indicating that the Caltrans is submitting comments on the JVR Energy Park Draft EIR. The comment does not raise an issue regarding the adequacy of the analysis contained within the Draft EIR; therefore, no further response is required.
- A1-2** The commenter provides an introductory comment indicating that Caltrans is submitting comments on the JVR Energy Park Draft EIR and describing Caltrans' mission and purpose for its comments on the Draft EIR. The comment does not raise an issue regarding the adequacy of the analysis contained within the Draft EIR; therefore, no further response is required.
- A1-3** The commenter states that it is a Responsible Agency under CEQA because it has discretionary authority for a portion of the Project in the Caltrans right-of-way through the encroachment permit process. The comment does not raise an issue regarding the adequacy of the analysis contained within the Draft EIR; therefore, no further response is required.
- A1-4** The commenter requests that Caltrans be designated as a Responsible Agency in the Final EIR. The commenter also states that Caltrans is looking forward to coordination to ensure that “Caltrans can adopt the alternative and/or mitigation for Caltrans right-of-way.” The commenter requests a meeting with the County to discuss the elements of the Draft EIR that Caltrans will use for its subsequent environmental compliance. In response, no work is proposed in the Caltrans right-of-way. However, Section 3.1.7 Transportation of the Draft EIR discusses construction-related traffic. Project Design Feature **PDF-TR-1**, as described in Section 3.1.7.7 of the Draft EIR, requires that the applicant shall implement a Traffic Control Plan (TCP). One of the measures identified in **PDF-TR-1** is “Coordination with Caltrans to secure the necessary encroachment and trip permits necessary for specialized haul trucks.” The County will meet with Caltrans regarding any necessary encroachment and trip permits to confer about elements of the Draft EIR that Caltrans may incorporate into its environmental compliance. The Final EIR identifies Caltrans as a Responsible Agency.
- A1-5** The commenter states that “although not currently identified, should any work within the Caltrans R/W be identified, an encroachment permit(s) will be required prior to construction.” The commenter also states that the applicant must provide approved final environmental documents for this project, corresponding technical studies, and

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necessary regulatory and resource agency permits which address all environmental impacts and address any impacts from avoidance and/or mitigation measures within the Caltrans right-of-way. In response, no work associated with the Proposed Project or its mitigation measures is proposed within the Caltrans right of way. Thus, the Final EIR for the Project does not analyze impacts of work within the Caltrans right-of-way because no such impacts have been identified. In regard to permits for specialized haul trucks, please refer to Response to Comment A1-4.

**A1-6** The commenter recommends that the Project specifically identify and assess potential impacts caused by the Project or impacts that occur from mitigation measures within the Caltrans right-of-way, including impacts to the natural environment, transportation infrastructure, and appurtenant features including lighting, structures, signs, guardrail, drainage, slopes, etc. In response, no work associated with the Proposed Project or its mitigation measures is proposed within the Caltrans right of way. Thus, no impacts have been identified.

**A1-7** The commenter expresses interest in any additional mitigation measures identified in the Final EIR. In response, there are no additional mitigation measures in the Final EIR or revisions to mitigation measures that would impact the Caltrans right-of-way.

**A1-8** The commenter recommends that the Project maintain fire prevention activities including defensible space from structures, fuels reduction, and utility clearance mandates. In response, Section 2.12 Wildfire of the Draft EIR contains the analysis of wildfire and fire hazards applicable to the Project. Section 2.12.6 Mitigation Measures of the Draft EIR identifies the fire prevention activities designed to mitigate potential wildfire risks to be less than significant. The comment does not raise an issue regarding the adequacy of the analysis contained within the Draft EIR; therefore, no further response is required.

**A1-9** The commenter states that the Project will only be accessible via the existing Carrizo Gorge Road. The commenter also states that there are no indications that the Project will need access off Interstate 8. The comment further notes that the State has full access control throughout the Interstate 8 corridor and there is no right-of-way fence opening or San Diego Gas and Electric access off Interstate 8. In response, access to the Proposed Project would be from Carrizo Gorge Road and Old Highway 80. The comment does not raise an issue regarding the adequacy of the analysis contained within the Draft EIR; therefore, no further response is required.

**A1-10** The commenter states encroachment applications and plans will need to be submitted for any proposed work on or affecting the Interstate 8 freeways, freeway ramps or other Caltrans transportation facilities. In response, please refer to Responses to Comments A1-4, A1-5, and A1-6.

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- A1-11** The commenter states the proximity of the Proposed Project site to I-8 raises some concerns from potential glare that could pose a potential risk to motorists travelling on I-8. The commenter also states general information was provided to Caltrans. The commenter states the Proposed Project’s potential glare characteristics should be considered as part of the County’s permit approval. In response, a Glare Study was prepared for the Proposed Project and is included as Appendix A to the Visual Resources Report (Appendix B of the EIR). The Glare Study included an analysis of the proposed solar operations in regard to air operations, and to evaluate and document any occurrences of glare that would potentially cause distractions to ground-based viewers, including motorists. Proposed solar operations were analyzed from Key Observation Points (KOPs), which included Interstate 8. The Glare Study concluded that any potential glare would be redirected above and away from sensitive viewers, including motorists on Interstate 8.
- A1-12** The commenter states that Caltrans would want to ensure that all lighting, including reflected sunlight and reflected night light, within this Project should be placed and/or shielded so as not to be hazardous to vehicles traveling on Interstate 8. In response, the Draft EIR identifies that the solar panels would be uniformly dark in color, non-reflective, and designed to be highly absorptive of all light that strikes their glass surface. In regard to glare from the PV panels, please refer to Response to Comment A1-11. In terms of reflected night light, the Project does not propose any night lighting except for lighting at site access points, which will comply with San Diego County Light Pollution Code standards. (Draft EIR, Section 2.1.3.5.) During construction, temporary lighting will comply with the lamp type and shielding requirements for Class II lighting based on Section 51.204 of the County Light Pollution Code. (Draft EIR, Section 2.1.3.5.) The Proposed Project lighting is consistent with the County Light Pollution Code, the Proposed Project is not anticipated to create impacts associated with night light visible to vehicles traveling on Interstate 8.
- A1-13** The commenter states that Caltrans has discretionary authority with respect to transportation facilities under its jurisdiction and may, upon application and if good cause appears, issue a special permit to operate or move vehicles or specialized mobile equipment of a size or weight of vehicle or load exceeding the maximum limitations set in the California Vehicle Code. The commenter further states that the Caltrans Transportation Permits Branch is responsible for these special transportation permits for oversize/overweight vehicles and includes the link for additional information. In response, this comment provides information regarding Caltrans discretionary authority and permitting for oversize/overweight vehicles. This comment does not raise an issue regarding the adequacy of the Draft EIR; therefore, no further response is required.



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- A1-14** The commenter states that a Traffic Control Plan must be submitted to Caltrans District 11, including the interchange at Interstate 8 and Carrizo Gorge Road, at least 30 days prior to the start of any construction. The commenter also states that traffic shall not cause unreasonable delays and that the Plan shall outline suggested detours to use during closures, including routes and signage. In response, Project Design Feature PDF-TR-1 requires a Transportation Control Plan as described in Section 3.1.7.7 of the Draft EIR. The PDF already provides that the Plan must be submitted to Caltrans at least 30 days prior to construction.
- A1-15** The commenter states that potential impacts to highway facilities, including Interstate 8 and State Route 94, and to the traveling public from detours, demolition, and other construction activities should be discussed with Caltrans before work begins. In response, please refer to Responses to Comment A1-14 and A1-5.
- A1-16** The commenter provides the contact information for the Caltrans representative to whom questions should be directed. The comment does not raise an issue regarding the adequacy of the analysis contained within the Draft EIR; therefore, no further response is required.