



County of San Diego

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KATHLEEN A. FLANNERY
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April 3, 2019

George Gunnoe
17901 Von Karman Ave, #1050
Irvine, CA 92614

PROJECT NAME: JVR Solar

RECORD ID: PDS2018-GPA-18-010, PDS2018-REZ-18-007, PDS2018-MUP-18-022, PDS2018-ER-18-022-001

PROJECT ADDRESS: Interstate 8 with Old Highway 80, within the Jacumba Community Sponsor Group area in the unincorporated area of San Diego County;

APNS: 614-100-20, 614-100-21, 614-110-04, 660-020-05, 660-020-06, 660-150-04, 660-150-07, 660-150-08, 660-150-10, 660-150-14, 660-150-17, 660-150-18, 660-170-09, 661-010-02, 661-010-15, 661-010-26, 661-010-27, 661-010-30, 661-060-12, 661-060-22, 660-140-06, 660-140-08, 660-150-21, 660-150-16

TRUST ACCOUNT NO.: 2085587-D-05332

Dear Mr. Gunnoe:

Planning & Development Services (PDS) has reviewed your application for a General Plan Amendment, Rezone and Major Use Permit and is providing you with the attached package of information as a guide for further processing your application.

PROJECT DESCRIPTION

Below is the project description that staff has generated from the information provided in the application package and the Application for Environmental Initial Study (AEIS). Please review this project description and verify with staff that the project description is correct:

The applicant is requesting a General Plan Amendment, Rezone and Major Use Permit for a solar facility and energy storage. The project consists of 691 acres of development on 1,345 acre privately-owned property and comprises a 90 megawatt (MW) solar facility including: 297,416 photovoltaic (PV) solar panels on single axis solar trackers; a 1,000-1,500-volt direct current (DC) underground collection system; a 34.5-kilovolt (kV) overhead and underground collection system linking the trackers to an on-site project substation; a 138 kV overhead and underground transmission line that traverses X miles across the project site; a XXX- square-foot switchyard; a 20 MW energy storage facility would be located in 26 6,800 square feet steel containers containing lithium-ion batteries and a 22,500 square-foot on-site private collector substation.

The project would be served by on-site groundwater and imported water from the Jacumba Community Services District. Earthwork will consist of cut and fill of XXXX cubic yards of material. The project site is located south of I-8 with Old Highway 80 running east-west through the southern portion of the site in the Jacumba Community Sponsor area, within unincorporated San Diego County. The site is subject to the General Plan Rural Regional Category, Rural Lands 40 (RL-40) and Specific Plan Area Land Use Designation, and zoned General Rural (S92), Open Space (S80), and Specific Plan (S88). The site is mainly undeveloped with some abandoned structures that propose to be removed. Access would be provided at Old Highway 80 and a secondary access from Carrizo Gorge Road (614-100-20, 614-100-21, 614-110-04, 660-020-05, 660-020-06, 660-150-04, 660-150-07, 660-150-08, 660-150-10, 660-150-14, 660-150-17, 660-150-18, 660-170-09, 661-010-02, 661-010-15, 661-010-26, 661-010-27, 661-010-30, 661-060-12, 661-060-22, 660-140-06, 660-140-08, 660-150-21, 660-150-16)

PROJECT ISSUES

A Project Issue Checklist (Attachment A) has been prepared that details all issues, revisions or processing requirements that must be completed for this project. An update to the Project Issue Checklist provided to you at the Pre-application meeting is included as an Attachment A. **This checklist shall be used by the County and the applicant as a comprehensive list of project issues that must be resolved and revisions that must be completed prior to public review under the California Environmental Quality Act (CEQA), or decision if no circulation of environmental documentation is required pursuant to CEQA.** In response to the Project Issues Checklist, the applicant is expected to include a letter with every submittal made to the Department stating how each item number in the Checklist has been addressed.

MAJOR PROJECT ISSUES

The following project issue(s) were identified during the project scoping and are further discussed in the attachments to this letter. These issue(s) may require substantial redesign of the proposed project or, if not resolved, would result in a recommendation for project denial by PDS. These issue(s) discussed below, were identified based upon information presently available to the County and are subject to change upon submittal of further information and studies:

1. Major Use Permit (MUP) Findings:

A Major Use Permit will also be required. In accordance with Section 7358 of the Zoning Ordinance, it shall be found:

- a. That the location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:
 - Harmony in scale, bulk, coverage and density;
 - The availability of public facilities, services and utilities;
 - The harmful effect, if any, upon desirable neighborhood character;

- The generation of traffic and the capacity and physical character of surrounding streets;
 - The suitability of the site for the type and intensity of use or development which is proposed; and to
 - Any other relevant impact of the proposed use; and
- b. That the impacts, as described in paragraph "a" of this section, and the location of the proposed use will be consistent with the San Diego County General Plan.
- c. That the requirements of the California Environmental Quality Act have been complied with.

Please provide additional, quantitative information that accurately describes the scale, bulk, coverage and intensity of the proposed energy storage facility in relation to existing uses in the area. Please provide draft MUP Findings. Ongoing coordination between County staff and the applicant will be required to adequately address the MUP findings. Staff cannot move forward with a recommendation until all findings are made. In addition, staff has identified several General Plan and community plan policies for which additional information will be needed to determine the project's compliance. Staff cannot move forward with a recommendation of approval until the project is found consistent with all applicable General Plan and community plan policies.

2. Visual Resources:

Based on an initial review, it appears that proposed project may adversely affect visual resources. Views from scenic vistas, scenic highways and County Scenic Routes will need to be analyzed further to determine the extent of any adverse impacts. Visual resources can include narrow or expansive views, views from one site or from a series of sites as along a scenic highway and views above, at eye level, or from below. A Visual Resources Study is required. The report should identify changes/modifications of the project from the original and provide mitigation and design considerations to reduce the visual impacts associated with this project. The recommended mitigation and design considerations should be incorporated into the project design.

3. Cultural Resources:

A cultural resources constraints analysis was completed by Dudek for the proposed project titled "Cultural Resources Constraints Analysis for the Jacumba Valley Ranch Solar Project, San Diego County, California," (November 2017). The constraints analysis consisted of a cultural records search that identified numerous cultural resources within the proposed project area. These resources include individual archaeological sites and the Jacumba Valley Archaeological District (JVAD). The JVAD has been determined eligible for listing in the National Register of Historic Places (NRHP); therefore, it is considered a significant resource under CEQA.

The current design of the proposed project may result in significant impacts to cultural resources. Re-design is recommended to avoid any significant resources that are identified in the required cultural studies. As discussed in the constraints analysis, it should be noted that if any federal permits are required for the project, then Section 106 of the National Historic Preservation Act (NHPA) and consultation with the State Historic Preservation Officer regarding project effects to the district would also apply.

4. Biological Resources:

The project site contains wetlands and jurisdictional waters of the U.S./State, which are subject to the Resource Protection Ordinance (RPO) and permitting requirements of federal and state authorizing agencies as outlined below. The RPO prohibits impacts to RPO significant wetlands and wetland buffers as described in the Attachment. Staff requests that the applicant provide evidence of permits for existing graded, brushed, and/or cleared land.

5. Fire Services Agreement:

This project, along with all other development, has a cumulative impact on the emergency services for this community. Due to the unique nature of the proposed project, additional equipment/staff/training will likely be necessary. To mitigate for this impact, the project will be required to participate in an emergency services agreement with the San Diego County Fire Authority. Please see project issue checklist for additional fire comments.

ESTIMATE OF DISCRETIONARY PROCESSING COSTS AND SCHEDULE

An estimate of discretionary processing time and costs that includes several assumptions has been generated for your project and is included in **Attachment B**. It is estimated that **\$750,000.00-\$950,550.00** of County fees and deposits will be required to get the project through to a hearing. The total estimated time to process the proposed project is **25-35 months**. Attachment B includes the County's standard applicant submittal dates, three EIR iterations, and a submittal occurring within 60 days of the resubmittal of the project. The estimated hearing date for this project is between **Summer 2020 to Winter 2021**. Attachment B includes two schedules; one which includes the County's standard applicant submittal dates, three EIR iterations, and a submittal occurring within 60 days of the resubmittal of the project and a second which includes modified/shortened applicant submittal dates. Please note that the estimated cost and hearing date is based on certain assumptions detailed in the Attachment and could be more or less than the estimate provided. If the cost and schedule assumptions prove to be incorrect, the estimate will be revised. The estimate includes only the costs to get your present application to hearing and does not include additional post discretionary processing costs such as condition satisfaction and building permit fees.

Should your application be approved, there will be additional processing costs in the future (e.g., park fees, drainage fees, building permit fees). To obtain an estimate of

future building permit and plan check fees, parks fees, and Traffic Impact Fees, see <http://www.sdcounty.ca.gov/PDS/bldgforms/index.html#fees>.

Please note that building permits are required to construct, enlarge, alter, repair, move, improve, remove, convert, or demolish a building or structure. Permits are also required for plumbing, electrical, and mechanical work. A permit must be obtained prior to construction and prior to occupancy. Failure to obtain a building permit is a violation of the County of San Diego Ordinances.

The Department's goal is to help facilitate the efficient and timely processing of each application. If, however, a project becomes delayed due to excessive project inactivity or account deficit, Board Policy I-137 will apply; please refer to the Board Policy I-137 at <http://www.co.san-diego.ca.us/cob/docs/policy/I-137.pdf> and the FAQ sheet at <http://www.sdcounty.ca.gov/luegdocs/PDS%20FORMS/Cover%20Sheets/Zoning%20Forms/PDS-907,%20processing%20inactive,%20deficit%20projects.pdf> for the Processing of Inactive and Deficit Projects.

DEFENSE AND INDEMNIFICATION

The Board of Supervisors may require a defense and indemnification agreement from the project owner and/or applicant on a case-by-case basis where significant risk to the County is identified in connection with the processing of a discretionary land use development project. The County will notify applicants of the requirement for a defense and indemnification agreement as early in the project processing as possible. Please see the Defense and Indemnification FAQ sheet (<http://www.sdcounty.ca.gov/pds/zoning/formfields/PDS-209.pdf>) for more information.

DEPARTMENT RECOMMENDATION

Comments and information in this letter, or lack thereof, should not be construed as the Department implying an overall recommendation or decision on your project. Planning & Development Services generally makes a final recommendation or decision to approve or deny a project when all planning analysis and environmental documentation is complete and, if applicable, Planning/Sponsor Group input is received.

DETERMINATION OF COMPLETENESS

Completeness Determination – Section 65943 of the Government Code

PDS has completed its initial review of your application and finds it complete pursuant to Section 65943 of the Government Code.

Completeness Determination – California Environmental Quality Act (CEQA)

Planning & Development Services has completed its review of your AEIS and determined it not to be "complete" as defined by the CEQA. Additionally, it has been determined that there is substantial evidence that your project may have a significant adverse effect on the environment. It will be necessary to prepare and submit a draft EIR to satisfy the requirements of the CEQA.

The County of San Diego's environmental review guidelines require that EIRs be prepared by a consultant from the County's List of Environmental Consultants (available at Planning & Development Services – Zoning Counter). Furthermore, the guidelines require that environmental technical studies be prepared by a California Licensed professional (i.e., engineer, geologist) qualified to complete the study or a consultant from the County's List of Environmental Consultants (available at Planning & Development Services – Zoning Counter).

Attached is a generalized listing of the issues and the rationale for determining that your project may have a significant effect on the environment.

NOTICE: To comply with State law, the applicant/owner must file the Notice of Determination (NOD signed by the lead agency and remit required fees to the County Clerk's Office within five (5) working days of the date of project approval. Payment or sufficient proof of prior payment to the County Clerk is required at the time of filing. The filing of a NOD reduces the period of time the CEQA document can be challenged to **35 days**. However, if the NOD is not filed, this period is extended to **180 days**. The CDFW adjusts fees annually based on inflation. You must pay the amount effective January 1 of the year of the project decision.

Additionally, because your project may have an effect on native biological resources, State law requires the payment of a \$2,280.75 (2018 fees) fee to the California Department of Fish and Wildlife for their review of the Mitigated Negative Declaration (Fish and Wildlife Code §711.4) and a \$50 administrative fee to the County Clerk (\$2,330.75 total). Payment of these fees are required regardless of whether or not the effects on native biological resources are considered to be significant or clearly mitigated. The fee is assessed and due upon filing of the NOD after the final decision for the project. The applicant/Owner is responsible for filing the NOD, signed by the lead agency. Payment may be made with cash or by check/money order made payable to the "San Diego Recorder/Clerk". American Express, Discover, MasterCard, and Visa Debit card payments are also accepted at the County Administration Center with a \$2.50 surcharge per transaction. The fee will be forwarded to the Department of Fish and Wildlife (Administrative Code Section 362, Article XX). For further guidance refer to the Fish & Wildlife Fee Frequently Asked Questions Sheet at:

<http://www.sdcounty.ca.gov/luegdocs/PDS%20PROCEDURES/REGULATORY%20PLANNING/REFERENCE%20DOCUMENTS/Fish%20and%20Game%20Fee%20FAQs.pdf>

RECORDATION OF PERMIT

Pursuant to the San Diego County Zoning Ordinance Section 7019, Permit Decisions for Administrative Permits, Density Bonus Permits, Site Plans, Use Permits, Variances, Reclamation Plans, or any modifications to these permits shall be recorded to provide constructive notice to all purchasers, transferees, or other successors to the interests of the owners named, of the rights and obligations created by this permit. The Recordation form, will be provided immediately after the Decision determination for this project and must be signed, notarized with an all-purpose acknowledgement form and returned to PDS at the initiation of the Condition Satisfaction Process, or as otherwise specified.

Once received, PDS staff shall have the document recorded at the County Recorder's Office.

PROJECT PROCESSING GUIDANCE

Planning & Development Services (PDS) has reviewed your pre-application submittal for a solar facility and energy storage project and is providing you with the attached package of information as a guide for further processing your application. A Project Issues Checklist for all issues, revisions or processing requirements has been prepared for your project and is included in this letter as Attachment A. **This checklist shall be used by the County and the applicant as the checklist of project issues that must be resolved and revisions that must be completed prior to public review under the California Environmental Quality Act (CEQA), or decision if no circulation of environmental documentation is required pursuant to CEQA.** In response to the Project Issues Checklist, the applicant is expected to include a letter with every submittal made to the Department stating how each item number in the Checklist has been addressed.

CONSULTANT LIST & MEMORANDUM OF UNDERSTANDING (MOU)

Certain technical studies must be prepared by a consultant from the County's CEQA Consultant List, which can be found on the County of San Diego's website at: <http://www.sdcounty.ca.gov/luegdocs/PDS%20PROCEDURES/REGULATORY%20PLANNING/REFERENCE%20DOCUMENTS/CEQA%20CONSULTANT%20LIST.pdf>. No list is maintained for hydrology and stormwater management planning. With the exception of minor stormwater management plans, only registered engineers registered in the State of California shall be permitted to submit hydrology/drainage studies and only registered engineers or Certified Professionals in Storm Water Quality certified by CPESC, Inc., or an equivalent entity approved by the Director of Public Works, shall be permitted to submit stormwater management plans.

Applicants are responsible for selecting and direct contracting with specific consultants from the County's list to prepare CEQA documents for private projects. Prior to the first submittal of a CEQA document prepared by a listed consultant for a private project, the applicant, consultant, consultant's firm (if applicable) and County shall execute the attached Memorandum(s) of Understanding (MOU). The responsibilities of all parties involved in the preparation of environmental documents for the County (i.e. applicant, individual CEQA consultants/sub-consultants, consulting/sub-consultant firms, and County) are clearly established in the MOU for each requested applicable study. The clear identification of roles and responsibilities for all parties is intended to contribute to improved environmental document quality. The MOU can be found on the Department's website at: <http://www.sdcounty.ca.gov/luegdocs/Templates/Boilerplate%20Templates/MOU.doc>.

GUIDELINES FOR DETERMINING SIGNIFICANCE & REPORT FORMAT AND CONTENT REQUIREMENTS

Technical studies must be prepared using the Guidelines for Determining Significance and Report Format & Content Requirements. The Guidelines and Report Format &

Content Requirements can be found on the Department's website at <http://www.co.san-diego.ca.us/PDS/procguid.html> (listed in alphabetical order).

SUBMITTAL REQUIREMENTS

To assure timely cost-effective processing of your project, all items must be submitted concurrently. The submittal must be made to the PDS Zoning Counter at 5510 Overland Avenue, Suite 110, San Diego, CA 92123. **For fastest service when submitting information requested in this letter, arrive at the PDS Zoning Counter between 8:00 a.m. and 10:00 a.m. Please note that all Public Counters at PDS are closed daily from 11:45 a.m. through 12:30 p.m. Expect longer wait times before and after the lunchtime closure.**

The submittal must include the following items:

1. Submit a copy of this letter.
2. **SUBMIT APPLICATIONS FOR A CERTIFICATE OF COMPLIANCE.** Please contact the zoning counter at 858-694-2262 to verify your submittal requirements and schedule an appointment for the submittal of your application(s). Please make the appointment as soon as possible, as the wait time for appointments fluctuates.
3. **SUBMIT A SEPARATE LETTER ADDRESSING EACH ITEM IN THE ATTACHED PROJECT ISSUE CHECKLIST (Attachment A), BY REFERENCE NUMBER.** This letter is required to detail how every unresolved item has been addressed in the resubmittal package.
4. In addition to the applications noted in #2 above, the following information and/or document(s) with the requested number of copies shall be provided.

Information/Document	# of Copies	CD or Flash Drive with Word and PDF Doc	Document Distribution <i>(For Admin Purposes Only)</i>
Project Issue Checklist Response Letter	3	PDF	Bronwyn Brown (1) Susan Harris (1), LD (1) Business Rule: Project Issue Checklist Response Letter
Amended Project Description	12	PDF	Bronwyn Brown (1) Susan Harris (1), Air Quality Specialist (1), Biologist (1) Cultural Resources Specialist (1), Hazards Specialist (1),

Information/Document	# of Copies	CD or Flash Drive with Word and PDF Doc	Document Distribution <i>(For Admin Purposes Only)</i>
			Fire Marshal (1), Scott Rosecrans, DEH (1) Groundwater Geologist (1), Noise Specialist (1), LD (1), Jacumba CSG (1)
Revised Plot Plan <ul style="list-style-type: none"> • Plans must be folded to 8-1/2 x 11 maximum with the lower right hand corner exposed • If multiple pages, sheets must be stapled together. • Must include Elevations 	8	PDF	Bronwyn Brown (1), Susan Harris (1), Dave Kahler (1), Fire Marshal (1), DEH (1), LD (1) Noise Specialist (1) Jacumba CSG (1) <small>Business Rule: Plot Plan</small>
Revised Conceptual Landscape Plan (if staff determines one is required)	3	PDF	Bronwyn Brown (1), Dave Kahler (1) Jacumba CSG (1) <small>Business Rule: Landscape Plans</small>
Revised Preliminary Grading Plan (with Supporting Information)	8	PDF	Bronwyn Brown (1), Susan Harris (1), Dave Kahler (1) Fire Marshal (1), DEH (1), LD (1) Noise Specialist (1) Jacumba CSG (1) <small>Business Rule: Grading Plan</small>
Revised Planning Analysis	2	1 PDF	Bronwyn Brown (1), Susan Harris (1)
Revised Mountain Empire Subregional Plan	2	1 PDF	Bronwyn Brown (1), Susan Harris (1)

Information/Document	# of Copies	CD or Flash Drive with Word and PDF Doc	Document Distribution <i>(For Admin Purposes Only)</i>
Revised Jacumba Subregional Group Area Mountain Empire Subregional Plan	2	1 PDF	Bronwyn Brown (1), Susan Harris (1)
Draft Major Use Permit Findings	2	1 PDF	Bronwyn Brown (1), Susan Harris (1)
Revised Resource Protection Study	2	1 PDF	Bronwyn Brown (1), Susan Harris (1) Business Rule: Resource-Protection-Study)
Visual Impact Analysis - (Include Photometric Study)	2	1 PDF	Bronwyn Brown (1), Susan Harris (1) Business Rule: Visual-Impact-Report
Agricultural Analysis	2	Word & PDF	Bronwyn Brown (1), Agriculture Specialist (1) Business Rule: Agricultural Study
Air Quality Information/Study	2	Word & PDF	Bronwyn Brown (1), Air Quality Specialist (1) Business Rule: Air Quality Report
Biological Resources Letter Report/Study	2	Word & PDF	Bronwyn Brown (1), Biologist (1) Business Rule: Biological-Resource-Report and/or Biological Resource Easement Map and/or Biology Resource (map)
Open Space, Fence and Sign Exhibit	2	PDF	Bronwyn Brown (1), Biologist (1)
Off-Site Mitigation Information (if applicable)	2	PDF	Bronwyn Brown (1), Biologist (1)
Conceptual Resource Management Plan	2	Word & PDF	Bronwyn Brown (1), Biologist (1)
Conceptual Revegetation Plan (if applicable)	3	PDF	Bronwyn Brown (1), Biologist (1), Dave Kahler (1)

Information/Document	# of Copies	CD or Flash Drive with Word and PDF Doc	Document Distribution <i>(For Admin Purposes Only)</i>
Cultural Resource Report	2	Word & PDF	Bronwyn Brown (1), Cultural Resources Specialist (1) Business Rule: Business Rule: Cultural-Resource-Report
Cultural Resource Report Confidential Appendix	1	1 PDF	Cultural Resources Specialist (1) Business Rule: Arch Survey Confidential
Geologic Investigation Report	2	Word & PDF	Bronwyn Brown (1), Geologist (1) Business Rule: Geology Report
Additional Hazards Information	2	1 PDF	Bronwyn Brown (1), Hazards Specialist (1) Business Rule: Hazardous Materials Information
Fire Protection Plan	3	Word & PDF	Bronwyn Brown (1), Land Development (1) PDS Fire Marshal (1) Business Rule: Fire Protection Plan
Stormwater Quality Management Plan	3	Word & PDF	Bronwyn Brown (1), Land Development (2) Business Rule: Major –SWQMP
Drainage/Flooding Analysis	3	Word & PDF	Bronwyn Brown (1), Land Development (2) Business Rule: Hydrology
Groundwater Investigation	2	Word & PDF	Bronwyn Brown (1), Groundwater Geologist (1) Business Rule: Groundwater Report
Noise Analysis	2	Word & PDF	Bronwyn Brown (1), Noise Specialist (1) Business Rule: Acoustical/Noise Report

Information/Document	# of Copies	CD or Flash Drive with Word and PDF Doc	Document Distribution <i>(For Admin Purposes Only)</i>
Climate Change Analysis/ GHG Information	2	Word & PDF	Bronwyn Brown (1), GHG Specialist (1) Business Rule: Climate Change Analysis
Mineral Resource Information/Analysis	2	Word & PDF	Bronwyn Brown (1), Groundwater Geologist (1)
Traffic Impact Analysis	3	Word & PDF	Bronwyn Brown (1), Land Development (2) Business Rule: Traffic-Impact
Airport Hazards Study	3	Word & PDF	Bronwyn Brown (1) Airport Specialist (1) San Diego County Airport Authority (1)
Solar Photovoltaic Glint and Glare Study	3	Word & PDF	Bronwyn Brown (1) Airport Specialist (1) San Diego County Airport Authority (1)
Completed FAA Form 7460-1 (Copy of form and FAA Determination) (Provide proof of completed Aeronautical Studies from the FAA for the parcels with Wind Turbines)	2	PDF	Bronwyn Brown (1) Airport Specialist (1) Business Rule: FAA FORM 7460-1
Draft Decommissioning Plan	3	Word & PDF	Bronwyn Brown (1), Land Development (1) PDS Fire Marshal (1) Business Rule::
Title Reports (Confirming Legal Access for all legal lots - Provide exhibits delineating legal access. Please provide a color-coded easement plot showing existing easements per the title report. Please show all easements on the plans.)	2	PDF	Bronwyn Brown (1), Land Development (1)
Memorandum(s) of Understanding according to Attachment C	16 Subject Areas (1 Copy each)	PDF	Bronwyn Brown (1) Business Rule: MOU

Information/Document	# of Copies	CD or Flash Drive with Word and PDF Doc	Document Distribution <i>(For Admin Purposes Only)</i>
Market Study	3	PDF	Bronwyn Brown (2) Susan Harris (1)
Site Photographs (including existing structures)	2	PDF	Bronwyn Brown (1) Hazards Specialist (1)
The staff turnaround goal for review of the requested information/document is 30 days.			

5. Deposits:

TRUST ACCOUNT ID#: 2081172-D 05265	
DEPARTMENT	DEPOSIT AMOUNT
PDS	\$50,178.00
DEH	\$1,434.00
TOTAL DEPOSITS:	\$51,612.00

* Refer to the attached "Estimate of Discretionary Processing Time and Cost" for a complete estimate of project costs through hearing /decision.

If you choose not to proceed with the project and you would like to request a refund of any remaining funds in your account, you may contact the Developer Deposit Hotline at 858-694-2320 or via e-mail at DeveloperDeposits_CustomerService@sdcounty.ca.gov. Please note that deposit funds may have been fully expended and a refund may not be processed until all work on the project is complete and the project file is closed.

SUBMITTAL DUE DATE: In order to maintain adequate progress and be consistent with the Estimate of Discretionary Processing Time and Cost (attached), PDS recommends that all of the information requested in this letter be submitted by **May 13, 2019**. If you are unable to submit the requested information by the above date, please contact your PDS Project Manager to submit a due date extension notification. Notification must be submitted in writing and be signed and dated by the project applicant. The notification must include a revised submittal date and a brief rationale for the extension.

The Department's goal is to help facilitate the efficient and timely processing of each application. If, however, a project becomes delayed due to excessive project inactivity or account deficit, Board Policy I-137 will apply; please refer to the Board Policy I-137 at <http://www.co.san-diego.ca.us/cob/docs/policy/I-137.pdf> and the FAQ sheet at <http://www.sdcounty.ca.gov/PDS/docs/907.pdf> for the Processing of Inactive and Deficit Projects.

If you have any questions or need additional information, please contact me at (858) 495-5516 or at Bronwyn.Brown@sdcounty.ca.gov.

Sincerely,

Bronwyn Brown, Project Manager

Project Planning Division

cc:

George Gunnoe and Pat Brown, 17901 Von Karman Ave, #1050 Irvine, CA 92614

David Hochart, 605 Third Street, Encinitas, CA, 92024

email cc:

Bronwyn Brown, Planning Manager, PDS

Susan Harris, Environmental Coordinator, PDS

Ed Sinsay, Project Manager, Land Development, PDS

James Pine, Deputy Fire Marshal, County Fire Authority

Scott Rosecrans, Department of Environmental Health

Nick Koutoufidis, Airport Specialist, PDS

Eric Nelson, Airport Engineer, DPW Airports

Jacumba Community Sponsor Group

SCOPING LETTER MATRIX

Attachment	Item
A	Project Issue Checklist
B	Estimate of Discretionary Processing Time and Cost
C	Memorandums of Understanding
D	Scope for Visual Resources & Aesthetics
E	Scope for Agricultural Resources
F	Scope for Air Quality Analysis
G	Scope of Biological Resources Report/Letter Report
H	Scope for Cultural Resources
I	Paleontological Resources Conditions
J	Scope for Geologic Investigation/Reconnaissance Report
K	Scope for Phase I Environmental Site Assessment
L	Scope for Fire Protection Plan
M	Scope for Groundwater Resources
N	Scope for Mineral Resources
O	Scope for Noise Issues
P	Scope for Climate Change
Q	Federal Aviation Administration (FAA) Notice of Proposed Construction or Alteration

ATTACHMENT A
PROJECT ISSUE CHECKLIST

The Project Issue Checklist that follows details the specific changes and comments that are required to proceed with your project application. This checklist will be used throughout the process to track requests for information and satisfaction of project requirements.

Please note that the resubmittal of requested information must be accompanied by a separate letter addressing each item in the Project Issue Checklist. The letter must explain in detail how the comment was addressed and where (e.g. in what documents, where on the map/plot plan, etc.). County staff will use this letter to verify whether each comment in the checklist has been adequately addressed. If you have any questions about any of the comments in the checklist, please contact your project manager.

ATTACHMENT B
ESTIMATE OF DISCRETIONARY PROCESSING TIME AND COSTS

The attached estimate of discretionary processing time and costs is an estimate of the deposits required to process the application through hearing/decision. Several assumptions were required to supply the cost estimate and schedule at this time in the process. If the assumptions listed on the bottom of the attached estimate prove to be incorrect, your cost estimate will be adjusted. Deposits will be requested in installments as funds are needed to continue processing. Be aware that Section 362 of Article XX of the San Diego County Administrative Code, Schedule B, 5 states that:

The Director of Planning & Development Services may discontinue permit processing and/or recommend denial of the said project based on non-payment of the estimated deposit.

The initial review of your project indicates that there will be an effect on native biological resources. Therefore, State law requires the payment of a fee to the California Department of Fish and Wildlife for their review of the project environmental document (Fish and Wildlife Code §711.4). If this fee is needed, it will be requested and collected at a later time during the process. Payment of the fee is required regardless of whether or not we consider the effect on native biological resources to be significant or clearly mitigated. The Project Manager will remind you to pay this fee immediately prior to public review of the project environmental document.

Should your application be approved, there will be additional processing costs in the future (e.g., Final Map processing costs, park fees, drainage fees, building permit fees). The above estimate includes only the costs to get your present application(s) to hearing/decision and does not include these additional processing costs.

ATTACHMENT C
MEMORANDUMS OF UNDERSTANDING

CONSULTANT LIST & MEMORANDUM OF UNDERSTANDING (MOU)

The County of San Diego's CEQA guidelines require that environmental technical studies be prepared by a consultant from the County's CEQA Consultant List, which can be found on the County of San Diego's website at: <http://www.co.san-diego.ca.us/PDS/procguid.html> (item number 4 under "General Guidance"). No list is maintained for hydrology and stormwater management planning. With the exception of minor stormwater management plans, only registered engineers registered in the State of California shall be permitted to submit hydrology/drainage studies and only registered engineers or Certified Professionals in Storm Water Quality certified by CPESC, Inc., or an equivalent entity approved by the Director of Public Works, shall be permitted to submit stormwater management plans.

Applicants are responsible for selecting and direct contracting with specific consultants from the County's list to prepare CEQA documents for private projects. Prior to the first submittal of a CEQA document prepared by a listed consultant for a private project, the applicant, consultant, consultant's firm (if applicable) and County shall execute the attached Memorandum(s) of Understanding (MOU). The responsibilities of all parties involved in the preparation of environmental documents for the County (i.e. applicant, individual CEQA consultants/sub-consultants, consulting/sub-consultant firms, and County) are clearly established in the MOU for each requested applicable study. The clear identification of roles and responsibilities for all parties is intended to contribute to improved environmental document quality. The MOU can be found at: <http://www.sdcounty.ca.gov/luegdocs/Templates/Boilerplate%20Templates/MOU.doc>.

Copies must be made and signed by the applicant, consultant and firm (if applicable) for each of the following requested subject area technical studies:

- Agricultural Resources
- Air Quality
- Archaeological Resources
- Biological Resources
- Groundwater
- EIR Preparer
- Fire Protection Planning
- Historic Resources
- Land Use Planning
- Mineral Resources
- Noise
- Photometric Studies
- Revegetation Planning
- Transportation & Traffic
- Visual Analysis
- Airport Hazards (Coordinate with Staff)

ATTACHMENT D
SCOPE FOR VISUAL RESOURCES & AESTHETICS

Planning & Development Services has completed review of your project application and has determined that the project may adversely affect visual resources. Visual resources can include narrow or expansive views, can be views from one site or from a series of sites (as along a scenic highway), and can be viewed from above, at eye level, or from below. A particular thing that defines a community or a region's character and identity is also a scenic resource.

The aesthetic value of visual resources is not limited to open space and rural lands, but can also be held in historic structures and districts, architectural design, streetscapes and manufactured landscapes. These valuable aesthetic elements of the human-made environment can be found throughout the unincorporated County, even though it is mostly undeveloped.

The proposed project has the potential to adversely affect visual resources. A Visual Resources Report shall be prepared to assess the impacts that will result from the construction and operation of this project.

Planning & Development Services has completed review of the project design and has determined that the project may impact dark skies or may cause significant glare. A Photometric Study shall therefore be prepared for the project. The study shall follow the County's Report Format and Content Requirements for Dark Skies and Glare (Photometric Study) (available at http://www.sdcounty.ca.gov/PDS/docs/Dark_Skies_Photometric_Study.pdf) and shall analyze impacts according to the County's Guidelines for Determining Significance (available at http://www.sdcounty.ca.gov/PDS/docs/Dark_Skies_Guidelines.pdf).

The report must be prepared by:

- A National Council on Qualifications for the Lighting Professions, Lighting Certified (NCQLP LC) Designer;
- State of California licensed electrical engineer;
- State of California licensed architect; or
- State of California licensed contractor.

The report must follow the format given in the County's Report Format and Content Requirements for Visual Resources, which can be found at: http://www.sdcounty.ca.gov/PDS/docs/Visual_Report_Formats.pdf.

The report must evaluate potentially adverse impacts to the environment according to the County's Guidelines for Determining Significance for Visual Resources, which can be found at: http://www.sdcounty.ca.gov/PDS/docs/Visual_Guidelines.pdf The report must be prepared by a visual resources analyst who is on the County's approved consultant list for completing Visual Resource Reports.

ATTACHMENT E
SCOPE FOR AGRICULTURAL RESOURCES

The project site is primarily undeveloped. The site has been used for agricultural purposes in the past; however such lands now lie fallow. Land designated as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland, as defined by California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) are present on the property. Based on the potential impacts the project may have on agricultural resources, an agricultural resources technical report is required to evaluate the significance of potential impacts. The agricultural analysis must be completed using the County's approved Guidelines for Determining Significance and Report Format and Content Requirements which can be found on the World Wide Web at:

<http://www.sdcounty.ca.gov/PDS/docs/AG-Guidelines.pdf> (Guidelines) and
<http://www.sdcounty.ca.gov/PDS/docs/AG-Report-Format.pdf> (Report Formats).

The attached [Memorandum of Understanding](#) must be executed by the applicant and consultant and subsequently submitted with the first iteration review.

ATTACHMENT F SCOPE FOR AIR QUALITY

Project Specific Information:

The proposed project has the potential to significantly contribute to the violation of an air quality standard or significantly contribute to an existing or projected air quality violation, related to grading and construction activities and operational activities. Therefore, the proposed project is required to discuss the project's potential impacts to air quality by preparing an Air Quality Analysis Report.

General Information:

Based on the potential impacts the proposed project may have on air quality, an Air Quality Analysis Report is required. The County has approved *Guidelines for Determining Significance and Report Format and Content Requirements* dated March 19, 2007 which can be found here: <http://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/docs/AQ-Guidelines.pdf> and here: <http://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/docs/AQ-Report-Format.pdf>. The Report should be prepared pursuant to these guidance documents.

The construction emissions inventory must account for all onsite and offsite construction activities associated with the project, including but not limited to, grading activities, drilling, trenching, helicopters, wire stringing, tracker installation, inverter station installation, gen-tie line construction, substation construction, building construction, paving, landscaping, architectural coatings, and worker, haul truck, and vendor trips, including heavy-duty trucks. Additionally, emissions associated with transport of construction materials, concrete delivery truck trips, water truck trips, including soil import/export, waste export, water import, or any other traffic associated with construction activities, must be included in the analysis. There are existing rural sensitive receptors located in close proximity to the project site. The impact of construction emissions on these receptors from fugitive dust emissions, criteria pollutants, and toxic air contaminants must be addressed in the Report.

Emissions of pollutants of concern from the proposed project may occur from construction/grading activities. In general, emissions from construction activities include:

- Particulate matter less than 10 microns and 2.5 microns (PM₁₀ and PM_{2.5}) from grading and soil disturbance, road improvements, operation of construction equipment, haul trucks, vendor vehicles, and worker commute vehicles;
- PM₁₀ and PM_{2.5} from rock processing equipment including rock breaking activities, operation of feed hoppers, primary and secondary crushers, screens, conveyors, and stockpiles, if applicable;
- PM₁₀ and PM_{2.5} from rock drilling operations for blasting preparation, if applicable;
- Carbon monoxide (CO), volatile organic compounds (VOC), nitrogen oxides (NO_x), sulfur oxides (SO_x), PM₁₀, and PM_{2.5} from explosives detonation for blasting, if applicable;
- Products of combustion, including toxic air contaminants, from operation of construction equipment, wire stringing equipment, helicopters, drilling equipment, haul trucks (e.g., soil and excavated rock import/export), vendor vehicles (e.g., building material delivery,

concrete delivery, water truck trips, blasting material delivery), worker commute vehicles, and stationary sources (such as generators, if any); and

- Products of combustion, including toxic air contaminants, from mobile sources resulting from traffic during construction.

The operational emissions analysis must quantify emissions from mobile sources, area sources, battery components such as onsite coating operations or others, and onsite energy use. The Report must assess emissions from project components that may contribute to operational emissions.

Emissions of pollutants of concern from the proposed project may occur from project operation. In general, emissions from operational activities include:

- Products of combustion, including toxic air contaminants, from helicopters, stationary sources (such as generators, if any), and traffic throughout the project site and beyond;
- Area sources such as landscaping equipment, consumer products, and architectural coatings;
- Onsite energy consumption using natural gas or other fuels; and
- Queuing of vehicles at traffic lights can result in concentration of emissions, known as "hot spots". Given the status of the San Diego Air Basin, principal emissions of concern are CO, VOC, and NO_x. In order to adequately assess emissions during build-out of the area, the analysis should assess level of service impacts along major roadways.

Emissions of pollutants of concern from the proposed project may occur from decommissioning activities. Decommissioning impacts from the solar panels include fugitive dust and exhaust emissions, which would be anticipated to be similar to those generated by construction activities. Emissions from decommissioning activities include respirable particulate matter and combustion emissions from disassembly of the solar panels, removal of the detachable aboveground elements, removal of tracker masts, demolition of on-site buildings, removal or perimeter fencing, and restoration of the site. Respirable particulate matter from construction equipment, haul truck, and worker commute vehicles; products of combustion, including hazardous air pollutants, from construction equipment, haul trucks, worker commute vehicles, and stationary equipment (such as generators, if any).

Additionally, the following issues should be addressed as a part of the air quality analysis:

1. Would the proposed project conflict or obstruct the implementation of the San Diego Regional Air Quality Strategy (RAQs) or applicable portions of the State Implementation Plan (SIP)?
2. Would the proposed project result in emissions that would violate any air quality standard or contribute substantially to an existing or projected air quality violation?
3. Since San Diego County is presently in non-attainment for the federal and/or State ambient air quality standards for ozone (O₃), PM₁₀, and PM_{2.5}, would the proposed project result in a cumulatively considerable net increase of PM₁₀, PM_{2.5}, or exceed quantitative thresholds for O₃ precursors, NO_x, and VOCs? The analysis should also provide a detailed discussion on cumulative impacts, framed in light of past, present, and

reasonable anticipated future projects in the project area. This should include a discussion on other projects contribution of PM₁₀, PM_{2.5}, and O₃ precursors.

4. Would the proposed project operational and construction activities expose sensitive receptors (residences, schools, hospitals, resident care facilities, or day-care centers) to substantial pollutant concentrations? This analysis should discuss the proximity of any surrounding or proposed sensitive receptors to any known point source pollutant emissions and if applicable, a screening-level health risk assessment for diesel-fired PM₁₀.
5. Would the proposed project have the potential to generate offensive odors? The analysis should discuss the potential sources of odorous emissions from the proposed project and if the project operations will cause an odor nuisance to the nearby public.

Any proposed dust control measures or project design features that may be incorporated to minimize criteria pollutant emissions should be described in the project description.

The attached [Memorandum of Understanding](#) must be executed by the applicant and consultant and subsequently submitted with the first iteration review.

ATTACHMENT G
SCOPE FOR BIOLOGICAL RESOURCES REPORT/LETTER REPORT

PROJECT SPECIFIC INFORMATION: The Jacumba Valley Ranch (JVR) Solar project proposes to construct an approximately 100-MW photovoltaic solar electrical generation facility on an approximately 1,289-acre project site in Jacumba. The site is located in the East County Multiple Species Conservation Program (MSCP) area. The project site is predominantly outside of the designated Focused Conservation Area.

The applicant provided a Biological Analysis Memorandum dated November, 10, 2017. Vegetation mapping and analysis determined that there are a number of habitat types on site, such as scrub and chaparral vegetation communities, wetland and riparian habitats, urban/developed lands, and fields/pastures. Project impacts to sensitive habitats will require mitigation. Sensitive plant and wildlife species have been identified on and/or near the project site. As the project moves forward, the project will need to survey for and assess the potential for impact to sensitive species. As discussed in the Memorandum, the project site contains wetlands and jurisdictional waters, which are subject to the Resource Protection Ordinance and permitting requirements of federal and state authorizing agencies as outlined below.

Staff requests that the applicant provide evidence of permits for existing graded, brushed, and/or cleared land. The applicant may demonstrate this by providing evidence of permits for previous grading or clearing activity and/or a written letter from a fire marshal. If evidence of legal clearing/grading is not provided, please include in the report a forensic analysis of habitats that would likely have predated the existing disturbance/ development. Please provide historical background on project site with historic aerials and elaborate on previous disturbance activities.

Please provide a full Biological Resources Report that includes biological surveys and assessment, groundwater-dependent vegetation impacts assessment, and specific information pertaining to proposed on and/or off-site mitigation. All on-site and off-site impacts as well as permanent and temporary impacts, including any fuel modification zones, need be shown/reported.

GENERAL INFORMATION: A full Biological Resource Report must be prepared in accordance with the County's Report Format and Content Requirements Biological Resources, which can be found at http://www.sdcounty.ca.gov/PDS/docs/Biological_Report_Format.pdf. The report will provide a qualitative and quantitative analysis of all on and off-site biological impacts (both direct and indirect) related to all phases of the project and include resource mapping with the most current project plan and any proposed open space and limited building zone easements. The County staff biologist reviewing the Biological Resource Report will hold an onsite meeting with the biology consultant for field verification after the first iteration report is submitted. At the discretion of the County staff biologist, the field meeting may be waived with a written explanation.

Staff has prepared and attached a comprehensive list of sensitive species that may exist on the project site. Directed and/or protocol surveys are required for species shown in **boldface** type

in the list. The biology report shall address the potential for each sensitive species to occur on the project site (table format). For further guidance please see the Report Format and Content Guidelines.

PDS has also determined that the report shall include ***focused survey(s) -or- site assessment*** (as appropriate) for the following rare and endangered species: **rare plants, burrowing owl, tri-colored blackbird, Quino checkerspot butterfly, unarmored three-spine stickleback, Peninsular bighorn sheep, and golden eagle**. The focused survey(s) must be done by biologist(s) with demonstrable knowledge in field detection of the subject species (focused surveys for Federally listed species shall be in compliance with USFWS protocol, when such protocol exists, and must be done by a USFWS permitted biologist -- contact the USFWS at (760) 431-9440). If no protocol has been established, the methods of the directed search shall be described in the report. At a minimum, focused surveys must consist of walking transects across all areas with potential habitat for the species. The point locations and inferred territories of these species shall be included on the biological resources map. Focused surveys reports may be attached to the biological survey report in appendix form, but survey results must be evaluated in the biological survey report.

The report must also propose applicable and feasible mitigation measures. Examples are listed in Appendix A of the Report Format and Content Guidelines.

Proposed Off-site Mitigation – If off-site mitigation is proposed to mitigate for significant biological impacts, please provide a statement indicating where the off-site mitigation will be located. If the off-site mitigation will be obtained in a mitigation bank, please provide the name of the bank along with evidence that such credits can be allocated for this project. If the off-site mitigation will be through the purchase and preservation of other off-site land, please provide sufficient information for staff to evaluate the off-site resources and the means to preserve the resources in perpetuity.

RPO – The project site contains one or more natural drainages that may qualify as a wetland under the San Diego County Resource Protection Ordinance (RPO). The Resource Protection Ordinance prohibits impacts to wetlands and wetland buffers. The project site may also contain RPO Sensitive Habitat Lands that contain unique biological resources. The RPO requires avoidance of these resources. These natural features are a significant constraint for land uses on the project site and may affect project design. The biological information requested below is required for staff to determine project compliance with the RPO.

Wetlands Survey – A wetlands survey must be completed using the wetlands definition in the County's Resource Protection Ordinance (RPO). The County's definition of wetlands varies from the federal U.S. Army Corps of Engineers' definition. All RPO wetlands shall be mapped on the Biological Resources Map using aerial photographs and a field site visit. Should there be a disagreement over the extent of wetlands, staff may require further surveys using the U.S. Army Corps of Engineers standards and guidance for conducting wetland delineations.

The RPO requires buffers on all RPO wetlands. The biological resources map shall designate an appropriate wetland buffer width of 50-200 feet, depending on the biological resources

present. The RPO prohibits impacts to wetlands and wetland buffers. Any part of the site that is a wetland and/or a wetland buffer must be placed into a dedicated Biological Open Space Easement. All Biological Open Space Easements shall be protected from future fire-clearing through the dedication of a Limited Building Zone Easement. This easement is 100 feet wide and extends outward from the Biological Open Space Easement boundary. The Limited Building Zone Easement prohibits the construction of houses, barns, or other habitable structures that would require fire clearing into the Biological Open Space. Once the wetland(s), wetland buffer(s) and limited building zone easement(s) are mapped, redesign of the proposed project may be required.

Jurisdictional Resources – PDS staff has determined that the project may disturb wetlands, lakes, streams, and/or waters of the U. S. that may require notification to the Regional Water Quality Control Board (RWQCB), California Department of Fish and Wildlife (CDFW), and/or the Army Corps of Engineers (ACOE). PDS recommends that you contact the above agencies about the permitting requirements for potential disturbances to wetlands, lakes, streams, and/or waters of the U. S. If such permitting requirements are incorporated into the project at this time, it may prevent future delays or changes in the project design. RWQCB general information and submittal information can be obtained through the RWQCB website https://www.waterboards.ca.gov/rwqcb9/water_issues/programs/401_certification/index.html or by contacting the general information number @ (619) 521-1990. CDFW general information and submittal information can be obtained through the CDFW website <https://www.wildlife.ca.gov/Conservation/LSA> or by contacting the CDFW South Coast Regional Office @ (858) 636-3160. Information for consultation and formal submittal of the 404 Permit application required by the ACOE can be obtained through their website at: <http://www.spl.usace.army.mil/regulatory/> or through the general information number at (858) 674-5387. When a formal wetland delineation is requested, the ACOE 1987 Wetland Delineation Manual and supplement “Guidelines for Jurisdictional Determinations for Waters of the United States in the Arid Southwest” should be used.

Please be aware that the County will not issue any permit authorizing land disturbance (e.g., grading permits) which may disturb wetlands, lakes, streams, and/or waters of the U.S. until all required permits/agreements from these agencies have been obtained or are determined to be not required.

Open Space Easements – If biological open space is proposed, please submit a project-scale Open Space Map. The Open Space Map must show what biological resources are being protected and include a table showing the area (in acres) of land preserved according to vegetation type. All Biological Open Space Easements shall be protected from future fire-clearing through the dedication of a Limited Building Zone Easement. This easement is 100 feet wide and extends outward from the Biological Open Space Easement boundary. The Limited Building Zone Easement prohibits the construction of houses, barns, or other habitable structures that would require fire clearing into the Biological Open Space.

All existing and proposed open space easements (biological resource & limited building zones) must be clearly shown on the plans/map and on the preliminary grading plan.

In association with any proposed open space easements, temporary and/or permanent fencing and permanent signs may be required to protect the easements. These conditions are meant to protect from inadvertent disturbance of all open space easement(s) that do not allow grading, brushing or clearing. The open space fencing/signage plan for the proposed biological open space easement must be clearly shown on the preliminary grading plan and on the Open Space Map.

Indirect Impacts – Indirect impacts may be the result of secondary effects from direct impacts or those impacts that over time cause the degradation of a resource by changing its function, health or quality. Unlike direct impacts that are typically one-time effects, indirect impacts often continue in the long term and may actually increase.

Indirect impacts commonly result from a project's "edge effects." Edge effects from development may extend several hundred feet into adjacent open space areas, causing significant changes in species composition, diversity and abundance in those nearby lands. Projects can have a wide variety of indirect impacts depending on the nature of the project, the type of resources present, and the type and degree of edge effects. Certain restrictions may be required when the project proposes significant noise within close proximity to existing or proposed open space.

Migratory Bird Treaty Act – The site appears to have mature native and/or ornamental trees which may be used for nesting by migratory birds. Any grading, brushing or clearing conducted during the migratory bird breeding season, February 1 – August 31, has a potential to impact nesting or breeding birds in violation of the Migratory Bird Treaty Act. The applicant may submit evidence that nesting or breeding migratory birds will not be affected by the grading, brushing or clearing to these agencies: California Department of Fish and Wildlife, 3883 Ruffin Rd., San Diego, CA 92123, (858) 467-4201, <http://www.dfg.ca.gov/>; and United States Fish and Wildlife Service, 6010 Hidden Valley Rd, Carlsbad, CA 92011-4219, (760) 431-9440, <http://www.fws.gov/>.

The attached [Memorandum of Understanding](#) must be executed by the applicant and consultant and subsequently submitted with the first iteration review.

Comprehensive List of Sensitive Species

Plant	Animal	Latin Name	Common Name	Directed Survey Required
X		<i>Androsace elongata acuta</i>	California rosace	
X		<i>Astragalus douglasii perstrictus</i>	Jacumba Milkvetch	X
X		<i>Ayenia compacta</i>	Ayenia	X
X		<i>Berberis fremontii</i>	Fremont barberry	

X	<i>Bursera microphylla</i>	Elephant tree	X
X	<i>Caulanthus simulans</i>	Payson's jewelflower	
X	<i>Chaenactis carphoclina peirsonii</i>	Peirson's pincushion flower	X
X	<i>Clarkia delicata</i>	Campo clarkia	X
X	<i>Cryptantha holoptera</i>	Winged cryptantha	
X	<i>Cynanchum utahense</i>	Utah vine milkweed	
X	<i>Delphinium parishii subglobosum</i>	Desert larkspur	
X	<i>Eucnide rupestris</i>	Rock nettle	X
X	<i>Geraea viscida</i>	Sticky geraea	X
X	<i>Gilia caruifolia</i>	Caraway leaved gilia	
X	<i>Harpagonella palmeri</i>	Palmer's grappling hook	
X	<i>Hemizonia floribunda</i>	Tecate tarplant	X
X	<i>Herissantia crispa</i>	Curly herissantia	X
X	<i>Heuchera brevistaminea</i>	Mt. Laguna alumroot	X
X	<i>Hulsea mexicana</i>	Mexican hulsea	X
X	<i>Hulsea californica</i>	California hulsea	X
X	<i>Ipomopsis tenuifolia</i>	Slender leaved ipomopsis	X
X	<i>Lathyrus splendens</i>	Pride of California	
X	<i>Lepidium flavum felipense</i>	Borrego peppergrass	X
X	<i>Linanthus bellus</i>	Desert beauty	X
X	<i>Lotus haydonii</i>	Pygmy lotus	X
X	<i>Lupinus excubitus medius</i>	Mtn. Springs bush lupine	X
X	<i>Lyrocarpa coulteri palmeri</i>	Palmer's lyrepod	
X	<i>Machaeranthera asteroides var. lagunensis</i>	Mount Laguna aster	
X	<i>Matelea parvifolia</i>	Climbing spearleaf	X
X	<i>Mentzelia hirsutissima</i>	Hairy stickleaf	X
X	<i>Mimulus aridus</i>	Desert monkey flower	
X	<i>Mirabilis tenuiloba</i>	Slender lobed four o'clock	
X	<i>Penstemon thurberi</i>	Thurber's beardtongue	
X	<i>Pentachaeta aurea</i>	Golden-rayed pentachaeta	
X	<i>Proboscidea althaeifolia</i>	Desert unicorn plant	
X	<i>Quercus engelmannii</i>	Engelmann oak	
X	<i>Ribes canthariforme</i>	Morena currant	X
X	<i>Selaginella eremophila</i>	Desert spike moss	X
X	<i>Senecio aphanactis</i>	Rayless ragwort	X
X	<i>Senna covesii</i>	Cove's cassia	X
X	<i>Streptanthus campestris</i>	Southern jewelflower	X
X	<i>Tetracoccus dioicus</i>	Parry's tetracoccus	
	X <i>Accipiter cooperi</i>	Cooper's hawk	X
	X <i>Accipiter striatus</i>	Sharp-shinned hawk	X
	X <i>Agelaius tricolor</i>	Tricolored blackbird	X
	X <i>Aimophila ruficeps canescens</i>	Rufous-crowned sparrow	X
	X <i>Amphispiza belli belli</i>	Bell's sage sparrow	X
	X <i>Antrozous pallidus</i>	Pallid bat	
	X <i>Aquila chrysaetos</i>	Golden eagle	X
	X <i>Ardea herodias</i>	Great blue heron	

X	<i>Athene cunicularia hypugea</i>	Burrowing owl	X
X	<i>Bassariscus astutus</i>	Ringtail	
X	<i>Buteo lineatus</i>	Red-shouldered hawk	X
X	<i>Cathartes aura</i>	Turkey vulture	X
X	<i>Chaetodipus californicus femoralis</i>	Dulzura California pocket mouse	
X	<i>Chaetodipus fallax fallax</i>	Northwestern San Diego pocket mouse	
X	<i>Chaetodipus fallax pallidus</i>	Pallid San Diego pocket mouse	
X	<i>Charina trivirgata roseofusca</i>	Coastal rosy boa	
X	<i>Cnemidophorus tigris multiscutatus</i>	Coastal western whiptail	
X	<i>Coleonyx switaki</i>	Barefoot gecko	
X	<i>Corynorhinus townsendii</i>	Townsend's big-eared bat	
X	<i>Crotalus ruber ruber</i>	Northern red diamond rattlesnake	
X	<i>Danaus plexippus</i>	Monarch butterfly	
X	<i>Dendroica petechia brewsteri</i>	Yellow warbler	
X	<i>Diadophis punctatus similis</i>	San Diego ringneck snake	
X	<i>Euderma maculatum</i>	Spotted bat	
X	<i>Eumops perotis californicus</i>	Greater western mastiff bat	
X	<i>Euphydryas editha quino</i>	Quino checkerspot butterfly	X
X	<i>Falco mexicanus</i>	Prairie falcon	X
X	<i>Felis concolor</i>	Mountain lion	
X	<i>Gasterosteus aculeatus williamsoni</i>	Unarmored three-spine stickleback -- introduced in San Felipe C.	
X	<i>Grus canadensis</i>	Sandhill crane (Now very rare)	
X	<i>Haliaeetus leucocephalus</i>	Bald eagle (Winter)	X
X	<i>Larus californicus</i>	California gull (Non-breeding)	
X	<i>Lasiurus blossevillii</i>	Western red bat	
X	<i>Lepus californicus bennettii</i>	San Diego black-tailed jackrabbit	
X	<i>Macrotus californicus</i>	California leaf-nosed bat	
X	<i>Melanerpes lewis</i>	Lewis' woodpecker (Winter)	X
X	<i>Myotis ciliolabrum</i>	Small-footed myotis	
X	<i>Myotis evotis</i>	Long eared myotis	
X	<i>Myotis thysanodes</i>	Fringed myotis	
X	<i>Myotis volans</i>	Long legged myotis	
X	<i>Myotis yumanensis</i>	Yuma myotis	
X	<i>Neotoma lepida intermedia</i>	San Diego desert woodrat	
X	<i>Nyctinomops macrotis</i>	Big free-tailed bat	
X	<i>Nyctinomops femorosaccus</i>	Pocketed free-tailed bat	
X	<i>Odocoileus hemionus</i>	Southern mule deer	
X	<i>Onychomys torridus ramona</i>	Southern grasshopper mouse	
X	<i>Oreortyx pictus eremophila</i>	Mountain quail	
X	<i>Ovis canadensis nelsoni</i>	Peninsular bighorn sheep	X
X	<i>Pandion haliaetus</i>	Osprey (Rarely breeds)	X
X	<i>Perognathus longimembris internationalis</i>	Jacumba little pocket mouse	
X	<i>Phrynosoma coronatum blainvillei</i>	San Diego horned lizard	
X	<i>Piranga rubra</i>	Summer tanager	
X	<i>Progne subis</i>	Purple Martin	X

	X	<i>Pseudocopaeodes eunus eunus</i>	Alkali skipper	X
	X	<i>Salvadora hexalepis virgultea</i>	Coast patch-nosed snake	
	X	<i>Sauromalus obesus</i>	Chuckwalla	
	X	<i>Sceloporus graciosus vandenburgianus</i>	Southern sagebrush lizard	
	X	<i>Sialia mexicana</i>	Western bluebird	
	X	<i>Taxidea taxus</i>	American badger	
	X	<i>Thamnophis hammondi</i>	Two stripe garter snake	X
	X	<i>Thamnophis sirtalis novum</i>	South Coast garter snake	
	X	<i>Toxostoma lecontei lecontei</i>	Leconte's thrasher	

ATTACHMENT H
SCOPE FOR CULTURAL RESOURCES

CULTURAL SURVEY

Project Specific Information:

A cultural resources constraints analysis was completed by Dudek for the proposed project titled "Cultural Resources Constraints Analysis for the Jacumba Valley Ranch Solar Project, San Diego County, California," (November 2017). The constraints analysis consisted of a cultural records search that identified numerous cultural resources within the proposed project area. These resources include individual archaeological sites and the Jacumba Valley Archaeological District (JVAD). The JVAD has been determined eligible for listing in the National Register of Historic Places (NRHP); therefore, it is considered a significant resource under CEQA.

Major Project Issue: The current design of the proposed project may result in unmitigable significant impacts to cultural resources. Re-design is recommended to avoid any significant resources that are identified in the required cultural studies. As discussed in the constraints analysis, it should be noted that if any federal permits are required for the project, then Section 106 of the National Historic Preservation Act (NHPA) and consultation with the State Historic Preservation Officer regarding project effects to the district would also apply.

Cultural Study Information:

A field survey (including off-site improvements) for the presence of archaeological or tribal cultural resources and/or an evaluation of the site as a historic resource must be conducted in accordance with the Resource Protection Ordinance (RPO), Section 21083.2 of the Public Resources Code (CEQA), and the San Diego County CEQA Guidelines. The survey must provide evidence in the form of a letter from the South Coastal Information Center (SCIC) that an institutional record searches has been conducted. In addition, a field survey and/or evaluation by a County approved archaeologist must be conducted. The report must follow the required report format as outlined in the Report Format and Content Guidelines. Please complete all appropriate DPR Series 123 forms and submit them to the South Coastal Information Center and PDS. A Kumeyaay Native American monitor is required during the survey for archaeological resources. The study must include a discussion of the absence or presence of tribal cultural resources and must include a Sacred Lands check with the Native American Heritage Commission (NAHC). The study must provide the results of outreach with listed tribes provided by the NAHC.

Guidelines for Determining Significance and Report Format and Content Guidelines can be obtained from the County website at:

<http://www.sdcounty.ca.gov/dplu/Resource/3~procguid/3~procguid.html#arch>

If no cultural resources are identified, a brief letter report will be satisfactory documentation of the survey.

If the survey is positive for resources, scientific evidence must be provided to substantiate (a) the resources' significance, and (b) the boundaries of the resource(s). If the resources extend off-site, these must be shown on the map and discussed. The report must address both CEQA and County RPO significance criteria for each resource as outlined in the Guidelines for Determining Significance. The report must address the direct construction impacts to resources (both on- and off-site) and make a determination as to impact severity. Any resource(s) that will be exposed to indirect impacts from the project should be addressed as well.

All project specific archaeological/cultural site location maps and figures must be submitted under a separate confidential appendix that clearly states that the contents are not for public review.

Native American Consultation: When the project is submitted, County staff will conduct outreach with the Native American communities for the purpose of AB-52 consultations. The intent of Native American consultation is to allow tribes an opportunity to participate in local land use decisions at an early planning stage for the purpose of protecting, or mitigating impacts to Native American cultural resources. Your presence at consultation meetings with the tribes may be requested to address their issues and concerns.

ARCHAEOLOGICAL SIGNIFICANCE TESTING

Project Specific Information: Depending on the results of the archaeological survey, significance testing may be necessary. If resources are present, avoidance must be considered as the first option. If avoidance is not feasible, then significance testing must be conducted.

General Information: If the project design will impact cultural resources, a County approved archaeologist must conduct scientific testing to determine the significance, boundaries, and area (square meters/yards) of the resource(s). A Kumeyaay Native American monitor must be present during the significance testing phase. All testing must be screened through a 1/8 inch mesh or finer screen unless the use of larger mesh has been approved by Planning & Development Services. Any faunal that is identified must be evaluated by a faunal professional. Testing shall be approved by Planning & Development Services prior to commencing fieldwork.

The project is subject to the RPO. If the cultural resources do not meet the definition of a significant prehistoric and/or historic site as defined in the RPO but do meet CEQA significance criteria, mitigation in the form of avoidance (preservation) should be considered first. However if avoidance is infeasible, then data recovery should be considered as mitigation. If the cultural resources do meet the definition of a significant prehistoric and/or historic site as defined in the RPO, avoidance is required. Dedication of open space over the resource would be required. The open space easement should be identified as an "Environmentally Sensitive Area" (ESA) open space on the plans. Depending on project characteristics, a preservation plan may be required.

PRESERVATION PLAN*Archaeological Resources*

If significance testing produces evidence that indicates resources are to be protected pursuant to the RPO, or if preservation is the form of mitigation selected for CEQA significant sites, the project should be redesigned, if necessary, to avoid impacts and preserve the resource(s). The report should address the need to cap the resource(s) with soil, gravel, jute landscape matting, and/or leaf compost to protect the site from indirect impacts. Open space easements or other measures should also be considered to prevent future impacts to resources.

HISTORIC RESOURCES

If the historic resource evaluation determines that a site is significant pursuant to CEQA, RPO, or the County's Guidelines for Determining Significance, the report must include a preservation plan. Adaptive reuse, open space easements, facade easements, and other conservation easements should be considered as mitigation. Specific performance criteria and/or easements should be proposed to guide future landowners.

Disposition of Cultural Materials

The report shall include both the curation and repatriation of artifacts as options. Any human remains identified is subject to Public Resources Code §5097.98, CEQA §15064.5, Health & Safety Code §7050.5, and the County's RPO. Disposition of human remains and associated grave goods will be determined during consultation with the Most Likely Descendant.

The attached [Memorandum of Understanding](#) must be executed by the applicant and consultant and subsequently submitted with the first iteration review.

ATTACHMENT I
PALEONTOLOGICAL RESOURCES CONDITIONS

GRADING PERMIT: *(Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits).*

PALEO#1. PALEO GRADING MONITORING

INTENT: In order to mitigate for potential impacts to paleontological resources, a monitoring program during grading, trenching or other excavation into undisturbed rock layers beneath the soil horizons and a fossil recovery program, if significant paleontological resources are encountered, shall be implemented pursuant to the [County of San Diego Guidelines for Determining Significance for Paleontological Resources](#). **DESCRIPTION OF REQUIREMENT:** A Qualified Paleontologist shall be contracted to perform paleontological resource monitoring and a fossil recovery program if significant paleontological resources are encountered during all grading, trenching, or other excavation into undisturbed rock layers beneath the soil horizons. The monitoring program shall include the following:

- a. A Qualified Paleontologist ("Project Paleontologist") shall perform the monitoring duties pursuant to the most current version of the [County of San Diego Guidelines for Determining Significance for Paleontological Resources](#), and this permit. The contract or letter of acceptance provided to the County shall include an agreement that the grading/ trenching/excavation monitoring will be completed, and a [Memorandum of Understanding \(MOU\)](#) between the Project Paleontologist and the County of San Diego shall be executed. The contract or letter of acceptance shall include a cost estimate for the monitoring work and reporting.
- b. The cost of the monitoring shall be added to the grading bonds or bonded separately.

DOCUMENTATION: The applicant shall provide a copy of the Grading Monitoring Contract or letter of acceptance, cost estimate, and [MOU](#) to the [PDS, PPD]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. **TIMING:** Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits. **MONITORING:** The [PDS, PPD] shall review the contract or letter of acceptance, [MOU](#) and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [PDS, LDR], for inclusion in the grading bond cost estimate and grading bonds and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

OCCUPANCY: (Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).

PALEO#2. PALEO RESOURCES REPORT

INTENT: In order to ensure that the Grading Monitoring occurred during the grading, trenching or other excavation phase of the project, a final report shall be prepared. **DESCRIPTION OF REQUIREMENT:** A final Paleontological Resources Mitigation Report that documents the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program shall be prepared. The report shall include the following:

- a. If no paleontological resources were discovered, submit a Negative letter report, which states that the monitoring has been completed and that no paleontological resources were discovered.
- b. If resources were discovered and recovered during grading, a detailed report shall be prepared by the Project Paleontologist. The report shall comply with the [County of San Diego's Guidelines for Determining Significance for Paleontological Resources](#). The report shall identify which accredited institution has agreed to accept the curated fossils and include proof of the Transfer of Paleontological Resources, in the form of a letter, from the director of the paleontology department of the accredited institution to the Director of PDS verifying that the curated fossils from the project site have been received by the institution.

DOCUMENTATION: The Project Paleontologist shall prepare the final report and submit it to the [PDS, PPD] for approval. If resources were discovered then the following shall be completed:

- a. Transfer the cataloged fossil remains and copies of relevant field notes, maps, stratigraphic sections, and photographs to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display; and
- b. The applicant shall submit two hard copies of the final Paleontological Resources Mitigation Report to the [PDS, PPD] for final approval of the mitigation, and submit an electronic copy of the complete report in Microsoft Word on an USB disk. In addition, submit one copy of the report to the San Diego Natural History Museum and one copy to the institution that received the fossils.

TIMING: Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be prepared. **MONITORING:** The [PDS, PPD] shall review the final report for compliance with this condition and the report format guidelines. Upon acceptance of the report, [PDS, PPD] shall inform [PDS, LDR] and [DPW, PDCI], that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then [PDS, PPD] shall inform [PDS, FISCAL] to release the bond back to the applicant.

GRADING/IMPROVEMENT PLAN NOTES - PALEONTOLOGICAL:**(PALEONTOLOGICAL RESOURCES)**

DURING CONSTRUCTION: *(The following actions shall occur throughout the duration of the grading construction).*

(PALEONTOLOGICAL RESOURCES)**PALEO-GR#1 PALEONTOLOGICAL MONITORING**

INTENT: In order to comply with Mitigation Monitoring and Reporting Program pursuant to [REDACTED], a Paleontological Resources Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the grading monitoring program. The Project Paleontologist shall monitor during the original cutting of previously undisturbed deposits for the project, both on and off site, the Qualified Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist. The grading monitoring program shall comply with the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources](#). **DOCUMENTATION:** The applicant shall have the contracted Project Paleontologist attend the preconstruction meeting to explain the monitoring requirements. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDC] shall attend the preconstruction conference and confirm the attendance of the approved Project Paleontologist.

DURING CONSTRUCTION: *(The following actions shall occur throughout the duration of the grading construction).*

(PALEONTOLOGICAL RESOURCES)**PALEO-GR#2 PALEONTOLOGICAL MONITORING**

INTENT: In order to comply with Mitigation Monitoring and Reporting Program pursuant to [REDACTED], and the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources](#), a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall monitor during the original cutting of previously undisturbed deposits for the project, both on and off site. The Qualified Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist. The grading monitoring program shall comply with the following requirements during grading:

- a. If paleontological resources are encountered during grading/excavation, the following shall be completed:

1. The Paleontological Resources Monitor shall have the authority to direct, divert, or halt any grading/excavation activity until such time that the sensitivity of the resource can be determined and the appropriate salvage implemented.
 2. The Monitor shall immediately contact the Project Paleontologist.
 3. The Project Paleontologist shall contact the Planning & Development Services immediately.
 4. The Project Paleontologist shall determine if the discovered resource is significant. If it is not significant, grading and/or excavation may resume.
- b. If the paleontological resource is significant or potentially significant, the Project Paleontologist or Paleontological Resources Monitor, under the supervision of the Project Paleontologist, shall complete the following tasks in the field:
1. Salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits;
 2. Record stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including a detailed description of all paleontological localities within the project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, if feasible, and photographic documentation of the geologic setting; and
 3. Transport the collected specimens to a laboratory for processing (cleaning, curation, cataloging, etc.).

DOCUMENTATION: The applicant shall implement the grading monitoring program pursuant to this condition. **TIMING:** The following actions shall occur throughout the duration of the grading construction. **MONITORING:** The [DPW, PDCI] shall make sure that the Project Paleontologist is on-site performing the monitoring duties of this condition. The [DPW, PDCI] shall contact the [PDS, PPD] if the Project Paleontologist or applicant fails to comply with this condition.

ROUGH GRADING: *(Prior to rough grading approval and issuance of any building permit).*

(PALEONTOLOGICAL RESOURCES)

PALEO-GR#3 PALEONTOLOGICAL MONITORING

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to [REDACTED], and the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources](#), a Grading Monitoring Program shall be implemented. **DESCRIPTION OF**

REQUIREMENT: The Project Paleontologist shall prepare one of the following letters upon completion of the grading activities that require monitoring:

- a. If no paleontological resources were discovered, submit a “No Fossils Found” letter from the grading contractor to the [PDS, PPD] stating that the monitoring has been completed and that no fossils were discovered, and including the names and signatures from the fossil monitors. The letter shall be in the format of Attachment E of the County of San Diego Guidelines for Determining Significance for Paleontological Resources.
- b. If Paleontological Resources were encountered during grading, a letter shall be prepared stating that the field grading monitoring activities have been completed, and that resources have been encountered. The letter shall detail the anticipated time schedule for completion of the curation phase of the monitoring.

DOCUMENTATION: The applicant shall submit the letter report to the [PDS, PPD] for review and approval. **TIMING:** Upon completion of all grading activities, and prior to Rough Grading Final Inspection ([Grading Ordinance SEC 87.421.a.2](#)), the letter report shall be completed. **MONITORING:** The [PDS, PPD] shall review the final negative letter report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

FINAL GRADING RELEASE: *(Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).*

(PALEONTOLOGICAL RESOURCES)

PALEO-GR#4 PALEONTOLOGICAL MONITORING

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to [REDACTED], and the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources](#),

a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program if resources were encountered during grading. The report shall include the following:

- a. If paleontological resources were discovered, the following tasks shall be completed by or under the supervision of the Project Paleontologist:
 1. Prepare collected fossil remains for curation, to include cleaning the fossils by removing the enclosing rock material, stabilizing fragile specimens using glues and other hardeners, if necessary, and repairing broken specimens;
 2. Curate, catalog and identify all fossil remains to the lowest taxon possible, inventory specimens, assigning catalog numbers, and enter the appropriate specimen and locality data into a collection database;

3. Submit a detailed report prepared by the Project Paleontologist in the format provided in Appendix D of the County of San Diego's Guidelines for Determining Significance for Paleontological Resources. The report shall identify which accredited institution has agreed to accept the curated fossils. Submit two hard copies of the final Paleontological Resources Mitigation Report to the Director of PDS for final approval of the mitigation, and submit an electronic copy of the complete report in Microsoft Word on an USB drive. In addition, submit one copy of the report to the San Diego Natural History Museum and one copy to the institution that received the fossils.
 4. Transfer the cataloged fossil remains and copies of relevant field notes, maps, stratigraphic sections, and photographs to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display, and submit Proof of Transfer of Paleontological Resources, in the form of a letter, from the director of the paleontology department of the accredited institution to the Director of PDS verifying that the curated fossils from the project site have been received by the institution.
- b. If no resources were discovered, a brief letter to that effect and stating that the grading monitoring activities have been completed, shall be sent to the Director of Planning and Land Use by the Project Paleontologist.

DOCUMENTATION: The applicant shall submit the letter report to the [PDS, PPD] for review and approval. **TIMING:** Prior to the occupancy of any structure or use of the premises, and prior to Final Grading Release ([Grading Ordinance Sec. 87.421.a.3](#)), for [REDACTED], the final report shall be completed. **MONITORING:** The [PDS, PPD] shall review the final report for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

ATTACHMENT J
DRAFT SCOPE FOR GEOLOGIC INVESTIGATION/RECONNAISSANCE REPORT

The project is located on or within 500 feet of a “Landslide Susceptibility Area.” Therefore, a Geologic Reconnaissance Report shall be prepared to evaluate any potential to expose people or structures to potential geologic hazards concerning risks of landslides (including rockfall). The report shall be prepared using the County’s approved Guidelines for Determining Significance for Geologic Hazards and conform to report guidelines in the California Board of Geologists and Geophysicists Guidelines for Engineering Geologic Reports. The guidelines can be downloaded at the following web address: http://www.sandiegocounty.gov/dplu/docs/Geologic_Hazards_Guidelines.pdf **The report shall be prepared by a California Certified Engineering Geologist.**

At a minimum, the Geologic Reconnaissance Report should include a review of topographic maps, geologic and soil engineering maps and reports (if available), stereoscopic aerial photograph review, and other published and non-published references. Aerial photographs can be useful in identifying potential landslide features. Several sets of stereoscopic aerial photographs that pre-date project site area development taken at different times of the year are particularly useful in identifying subtle geomorphic features. A field visit will likely be necessary to fill in information in questionable areas, to address the potential risk of rockfall to the project site, and to observe surface features and details that could not be determined from other data sources.

Although engineering design recommendations are generally not a required component of a Geologic Reconnaissance Report, feasible measures to mitigate potential impacts from landslides (including rockfall) to levels below significance and environmental design considerations (where appropriate), should be discussed. Suspected geologic problems that cannot be evaluated except through in-depth investigation should be clearly described in the report. If the Geologic Reconnaissance Report recommends further investigation, a Geologic Investigation must be prepared. The specific requirements to be included in a Geologic Investigation will be determined by the County on a project-by-project basis.

The project site is located within a “Potential Liquefaction Area.” As a first screening, the depth to groundwater should be determined for the project site. If the highest historical groundwater level for the project site is determined to be deeper than 50 feet below the existing ground surface or proposed finished grade (whichever is deeper), no further assessment of potential liquefaction is required.

For projects where the highest groundwater level for the project site is determined to be less than 50 feet, further screening of potential liquefaction is required and a Geologic Reconnaissance Report shall be prepared using the County’s approved Guidelines for Determining Significance for Geologic Hazards and follow guidelines in the California Geologic Survey’s ***Guidelines for Evaluation and Mitigating Seismic Hazards in California, Special Publication 117, Chapter 6 – Analysis and Mitigation of Liquefaction Hazards***. These guidelines can be downloaded from the California Department of Conservation’s Geologic Survey website: <http://gmw.consrv.ca.gov/shmp/webdocs/sp117.pdf>. **The report shall be prepared by a California Certified Engineering Geologist.**

Although engineering design recommendations are generally not a required component of a Geologic Reconnaissance Report, feasible measures to mitigate potential impacts from liquefaction to levels below significance and environmental design considerations (where appropriate), should be discussed. Suspected geologic problems that cannot be evaluated except through in-depth investigation should be clearly described in the report. If the Geologic Reconnaissance Report recommends further investigation, a Geologic Investigation must be prepared. The specific requirements to be included in a Geologic Investigation will be determined by the County on a project-by-project basis.

ATTACHMENT K SCOPE FOR PHASE I ENVIRONMENTAL SITE ASSESSMENT

Project Specific Information: The applicant submitted a Major Pre Application which proposes the development of a 100-megawatt photovoltaic (PV) solar farm with 20-megawatt battery storage. The project would be located south of Interstate 8 and (mostly) northeast of Old Highway 80 in the Jacumba area of Mountain Empire, within the unincorporated area of the County of San Diego. The proposed project involves the construction, use, and maintenance of PV solar panels mounted on a collection of single-axis tracking systems. The development footprint is approximately 571 acres of the 1,289-acre property. Energy would be stored on-site within lithium ion batteries which are contained within a steel container measuring 40 feet x 8.5 feet x 9.5 feet. Additional components include a 6-foot high chain link fence with barbed wire, landscaping, and groundwater wells for landscape watering and maintenance of the PV system. The property where the facility is proposed includes vacant, undisturbed land as well agricultural.

Project Scope for Hazardous Materials: Based on the information provided, the applicant would be required to prepare a Hazardous Materials Business Plan (HMBP) shall be prepared. This will be a condition of the project, and would be required prior to occupancy. The HMBP would be reviewed by the County's Department of Environmental Health Department. For more information regarding HMBP, see the following link:

<http://www.sandiegocounty.gov/content/sdc/deh/hazmat/hazmat.html>

Agriculture and Possible Hazardous Materials Onsite

A review of the project site by a County Hazards Specialist indicates that the site may have been subject to a release of hazardous substances that could represent a hazard to the public or the environment.

Specifically, a review of aerial photos of the project site and a search of government agency hazardous materials databases indicates:

- *Historic agricultural use*
- *Potential storage of chemicals*

Based on these observations, a **Phase I Environmental Site Assessment (ESA)** must be completed for the subject parcel. If a Phase I ESA or other site assessment was completed previously (within the last three years), submittal of that study may satisfy this requirement.

If the submitted Phase I ESA indicates that potentially hazardous conditions exist onsite, further soil testing associated with a Limited Phase II ESA will be required to identify whether site conditions represent a human health or environmental hazard.

The Phase I and/or II shall be completed in accordance with the American Society for Testing and Materials (ASTM) Standard Practice for Phase I and II ESA Processes and the 2004 DEH SAM Manual (http://www.sdcountry.ca.gov/deh/water/sam_manual.html). Section 4.VI of the SAM Manual provides a Site Assessment Checklist for the completion of a Phase I ESA.

Note: All reports that include geologic, hydrogeologic, contaminant flow, or contaminant migration interpretation must be prepared by, or under the direct supervision of, a California Registered Geologist, Certified Hydrogeologist, Certified Engineering Geologist, or Registered Civil Engineer. This professional must take full responsibility for the content of the report by signing and/or stamping it with his/her professional seal.

Should soil testing identify contamination in excess of regulatory screening levels, the project will be required to remediate the site under the oversight of San Diego County Department of Environmental Health (DEH) Voluntary Assistance Program (VAP). See http://www.sandiegocounty.gov/content/dam/sdc/deh/water/docs/sam_vap_brochure1.pdf for more information regarding participation in the Voluntary Assistance Program.

Asbestos/Lead Surveys

The project description indicated that there are buildings on the property which were ancillary to the agricultural operation, and would be demolished as part of the project. More information is needed about these structures to determine if an asbestos and/or lead survey is required. Depending on the date of construction and/or material used, the structures may have been built prior to the ban on the use of lead-based paint and asbestos-containing materials, and therefore the structures may contain these substances. If hazardous building materials could be disturbed during project development (e.g. from building demolition), surveys are required to determine the location, presence and quantities of these materials. Proper handling and treatment or disposal of hazardous building materials is essential to minimize risks during site development. Please provide more information regarding the structures (e.g., photographic evidence, site visit). Depending on the results, the project may be conditioned for the submittal of surveys prior to demolition.

The attached [Memorandum of Understanding](#) must be executed by the applicant and consultant and subsequently submitted with the first iteration review.

ATTACHMENT L SCOPE FOR FIRE PROTECTION PLAN

A Fire Protection Plan—Full Report shall be provided and be formatted per the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements—Wildland Fire and Fire Protection. The report should include discussion of how the project will comply with section 605.11.4 of the County Consolidated Fire Code. For your reference, section 605.11.4 is provided below with comments.

Sec. 605.11.4 Ground-mounted photovoltaic arrays. *Ground-mounted photovoltaic array installations shall meet the requirements of sections 605.11.4.1 through 605.11.4.4.*

Sec. 605.11.4.1 Fire apparatus access roads. *Fire apparatus access roads to ground-mounted photovoltaic arrays, associated equipment structures and operations/maintenance buildings shall comply with section 503.*

- Access roads shall extend to within 150 of all portions of buildings and equipment shelters and within 300 feet of all portions of the arrays.
- Add additional north-south fire apparatus access roads such that there is not more than approximately 1,000 feet between intersecting access roads.

Sec. 605.11.4.1.1 Perimeter fire apparatus access roadway. *Ground-mounted photovoltaic arrays 10 acres or larger in size shall provide a fire apparatus access roadway around the perimeter of the project. The perimeter fire apparatus access roadway shall comply with section 503.*

- The perimeter access road shall be 24 feet in width, and there shall be pedestrian/man gates approximately every 750 feet along perimeter fences to enable firing operations.

Sec. 605.11.4.2 Fuel modification. *Combustible vegetation within the array and to a distance of 30 feet from the array and associated equipment shall be reduced to a height of no more than 6 inches. The fuel modification zone may be increased when required by the fire code official or as recommend by a fire protection plan.*

Operation/maintenance buildings shall be provided with fuel modification zones that comply with section 4907.2.

Sec. 605.11.4.3 Water supply. *Water supply for fire protection and suppression shall be provided for equipment structures and operations/maintenance buildings as required by section 507.*

- Multiple water storage tanks will be required. The size and locations will be determined when a more detailed plan is submitted.

Sec. 605.11.4.4 Identification. *Ground-mounted photovoltaic arrays with multiple equipment structures shall include a means of readily identifying each equipment structure. The fire code official may require a lighted directory map of the project to be installed on-site near the entrance to the facility for projects of 10 or more acres in size.*

TECHNICAL REPORT

As an appendix to the fire protection plan, a detailed technical report prepared by a qualified engineer, specialist, or fire safety specialty organization needs to be submitted for the proposed project. The technical report needs to address—but is not limited to—the following items:

- Hazards of the proposed facilities to emergency responders.
- Discussion on how to properly de-energize equipment.
- Signage recommendations (provide figures for each):
 - At each disconnecting means depicting what equipment it de-energizes.
 - Each inverter structure is to be numbered and signed (To be visible from at least 1,000 feet)
 - Lighted directory at the main entrances depicting the overall site plan and the locations of each numbered inverter structure (show location on plot plan).
- Recommended training for emergency personnel. Training will be provided prior to commissioning and on an as requested basis.

IMPACT TO EMERGENCY SERVICES

This project, along with all other development, has a cumulative impact on the emergency services for this community. To mitigate for this impact, the project will be conditioned to enter into a Developer Agreement with the SDCFA.

Please call or email me if you have any questions or need clarification – (858) 495-5434 or James.Pine@sdcounty.ca.gov.

The attached [Memorandum of Understanding](#) must be executed by the applicant and consultant and subsequently submitted with the first iteration review.

ATTACHMENT M
SCOPE FOR GROUNDWATER RESOURCES

Additional information is needed to refine the groundwater resource investigation requirements for this project. In order to fully scope the groundwater investigation requirements for this project, the following information is required:

1. Detailed Water Demand: Provide a detailed description of the water demand (both construction demand and ongoing demand) for the project. All categories of water use must be identified along with backup assumptions and justification of amounts estimated. For reference, please refer to the final project description and groundwater investigation documentation for the Jacumba Solar (MUP-14-041) and Jacumba Community Services District Groundwater Resource Investigation Report for the level of detail necessary for water demand estimates.
2. On-Site Groundwater Wells: Indicate any onsite wells that will be used for the Project. Also, please indicate whether any wells are proposed to be drilled and potential locations for new wells. Include the amount of groundwater proposed from each well and what types of use it is proposed to serve (construction demand vs. ongoing demand).

GROUNDWATER INVESTIGATION

Project Specific Information: The following is the Planning and Development Services' (PDS) groundwater investigation preliminary scoping requirements for Jacumba Valley Ranch Solar Project (Project). The Project is planning to develop approximately 571 acres of photovoltaic solar farm on 1,289 acres of privately owned property. The Project is located on private lands in the community of Jacumba, California within unincorporated San Diego County. It should be understood that the groundwater investigation will be an iterative process, and may require additional groundwater scoping by the County beyond this initial scoping letter. Additional scoping will be in regard to any potential additional wells to be drilled, aquifer testing of individual wells, and incorporation of any additional groundwater investigation requirements should the project find it does not have adequate on-site groundwater resources to meet the project's groundwater demand. A number of working meetings between the County Groundwater Geologist and the applicant's hydrogeologist(s) may be necessary to discuss ongoing groundwater investigation findings and any potential additional investigation needed.

Existing On-site Groundwater Use: The Project is located on land that has historically been used for agriculture. A detailed account of historical pumping at the Project location shall be reported in the Project Groundwater Investigation. Refer to the groundwater investigation for Jacumba Solar (MUP-14-041) to aid in existing and historical groundwater demand.

Proposed On-site Groundwater Use: The project description indicates the project will obtain groundwater from existing wells that are located on-site. The project description does not indicate the water demand during construction, nor the ongoing demand post-construction. A

detailed account of on-site groundwater uses and quantities are to be included in the project description, as well as the Groundwater Investigation Report. The difference between historic and proposed groundwater quantities shall be reported to evaluate changes in demand.

General Project Information: The project is proposing to use groundwater. Based on the potential impacts the project may have on groundwater resources, a groundwater investigation is required to evaluate the significance of potential impacts. The groundwater investigation report must be completed using the County's approved Guidelines for Determining Significance and Report Format and Content Requirements which can be found on the World Wide Web at <http://www.sdcounty.ca.gov/dplu/docs/GRWTR-Guidelines.pdf> (Guidelines) <http://www.sdcounty.ca.gov/dplu/docs/GRWTR-Report-Format.pdf> (Report Formats).

The project is also subject to the Groundwater Ordinance. The investigation must meet the requirements of the SAN DIEGO COUNTY GROUNDWATER ORDINANCE NO. 9826 (NEW SERIES). This document is available at

<http://www.sdcounty.ca.gov/dplu/docs/GROUNDWATER-ORD.pdf>

The project is considered to be a water intensive use as defined within the County Groundwater Ordinance. Therefore, the finding within Section 67.722.B is required to be made "that groundwater resources are adequate to meet the groundwater demands both of the project and the groundwater basin if the basin were developed to the maximum density and intensity permitted by the General Plan." Therefore, a cumulative, or basin-wide, groundwater investigation is required for the proposed project. The proposed project cannot be recommended for approval unless the groundwater investigation can demonstrate to the satisfaction of PDS that the required findings within Section 67.722.B of the Groundwater Ordinance can be made.

Groundwater Investigation Requirements: Below is a list of items which must be analyzed in the investigation as described in detail in the Guidelines for Determining Significance and Report Format Guidelines and Content Requirements for Groundwater Resources.

50% Reduction of Groundwater in Storage: Groundwater recharge must be evaluated for the project site and for the basin. The tributary watershed(s) to be included in the analysis should be presented in advance for PDS review. Please refer to Jacumba Solar (MUP-14-041) groundwater investigation to aid in this process. Estimates of groundwater storage capacity must be estimated for each hydrogeologic unit at the project site and within the project's watershed. Evaluate the long-term groundwater availability for the project's basin which takes into consideration groundwater recharge, estimated groundwater in storage, and groundwater demand under each of the following scenarios:

- (1) Existing groundwater demand.
- (2) Existing groundwater demand plus the project water demand.
- (3) Existing groundwater demand plus the project water demand and the water demand of all other reasonably foreseeable projects.
- (4) All water uses including those at the maximum build-out of the basin under the current County General Plan.

The evaluation shall indicate whether groundwater in storage will be reduced to a level of 50% or less as a result of potential groundwater extraction at maximum build-out over at least a 30

year period from July 1987 to the present. If storage lowers to more than 50% of calculated groundwater storage at any time, the project would not be recommended for approval.

Well Testing: All wells that will be utilized for this project need to be identified, drilled, and tested as part of the groundwater investigation. It is recommended that the wells be identified as soon as possible. Each well will be tested to evaluate its long-term capacity and to evaluate potential well interference on other well users and/or groundwater dependent habitat (if any is present within the vicinity of the proposed well test locations). The results from each well test will be used to determine whether adequate water exists within the well analyzed without significant well interference/impacts to habitat, or whether additional wells will be required to be drilled and tested. A meeting will be required between the applicant's hydrogeologist(s) and the County Groundwater Geologist to discuss the well testing requirements including production rate for each test, step-drawdown and constant rate well test requirements, on-site monitoring wells to be included during the well test, and development of a list of off-site well users to contact to request voluntary monitoring of their wells during the on-site well testing.

Note: If previous well testing was conducted on proposed well(s), the information can be submitted for County review for consideration in lieu of a new well testing.

Water Quality: The Project description does not address groundwater as a source for potable water. If the Project includes groundwater for potable uses, then water quality shall be considered. As an initial screening of water quality at the site, any new production wells to be utilized for potable water at the site shall be sampled for:

- Gross alpha particles by Standard Method 7110C
- Uranium by EPA Method 908.0/Standard Method 7500-U B
- TDS
- Nitrate
- Total and Fecal Coliform

Water samples should be collected after at least two well bore volumes have been purged from each well. Please follow standard sampling procedures as detailed in Section 4.2.1 and 4.2.2 of the Report Format Requirements. Collect the samples in laboratory certified bottles, place samples in a cooler with ice which must be maintained at a temperature of 4 degrees C, and ensure that samples are analyzed within laboratory holding times. It should be noted on the chain-of-custody that the samples are for drinking water.

Note: If well(s) for potential potable use have recently been tested, existing water quality data may be submitted for review by County staff for consideration in lieu of new sampling.

Well Test Plan: Prior to performing any well test, a well test plan must be prepared and submitted to the County Groundwater Geologist for approval. The well test plan must be prepared by an approved County CEQA Consultant for Groundwater Resources. Additionally, all field work associated must be under the direct supervision of the approved County CEQA Consultant. Submittal and approval of this plan will ensure that the well tests are conducted in compliance with the necessary requirements for the project. For items to include in the plan, please refer to

Section 1.0, Well Test Plan in Attachment A of the Report Format Guidelines and Content Requirements for Groundwater Resources.

Groundwater Investigation Report: The report shall follow the items outlined in the County Report Formats. Section 3 and 4 of the report shall include impacts analysis for 50% Reduction in Storage, long-term well yield, potential offsite well interference, groundwater dependent vegetation, and water quality (if potable water is required for this project).

Section 5 shall provide a summary of project groundwater impacts and mitigation. A Groundwater Mitigation and Monitoring Program (GMMP) is recommended based on the findings of the groundwater investigation. If well testing conducted indicates that significant impacts to groundwater dependent habitat or offsite well users are possible due to onsite pumping, thresholds for water level declines in monitoring well(s) may be recommended to ensure that significant declines in groundwater levels do not extend to groundwater dependent habitat. Should the water level thresholds be met, the GMMP must include mitigation measures that include a reduction or cessation in on-site pumping until water levels in the monitoring wells rise above the thresholds.

WELL DESTRUCTION PERMIT

Project Specific Information: Groundwater wells are present on the project site.

General Information: Planning and Development Services (PDS) has determined that the project site will require a Well Destruction Permit for any wells not be used as part of this project. To apply for a well destruction permit, please contact the Department of Environmental Health (DEH) Land and Water Quality Division at (858) 565-5173. DEH can also provide the current fee that is required to be collected for the permit. The permit must be obtained by a C57 Licensed Contractor who is listed on the DEH approved Well Driller's List at: http://www.sdcounty.ca.gov/deh/water/docs/lu_well_drillers_4-24-08.pdf

A formal letter from the DEH must be submitted to PDS identifying either that the permit has been approved OR is in the process of approval. In addition, prior to the approval of any grading, improvement plans or prior to the recordation of the Final Map, whichever comes first, proof of completion of the well destruction will be conditioned within this permit.

The Memorandum of Understanding must be executed by the applicant and consultant and subsequently submitted with the first iteration review.

ATTACHMENT N
SCOPE FOR MINERAL RESOURCES

The lands within the project site have not been classified by the California Department of Conservation – Division of Mines and Geology (Update of Mineral Land Classification: Aggregate Materials in the Western San Diego Production-Consumption Region, 1997); but the site is underlain by Quaternary alluvium. Based on the site's geologic environment and onsite and offsite land uses, the mineral resources beneath the site may be of value to the region and the residents of the state.

A Mineral Resource Investigation Report shall be prepared to investigate mineral resources on and within 1,300 feet of the site to determine if they are significant, if their access would be permanently lost, and whether the loss would be considered significant under CEQA. The report shall be prepared using the County's approved Guidelines for Determining Significance and Report Format and Content Requirements for Mineral Resources which can be found on the World Wide Web at http://www.sdcounty.ca.gov/PDS/docs/Mineral_Resources_Guidelines.pdf (Guidelines) and http://www.sdcounty.ca.gov/PDS/docs/Mineral_Resources_Report_Formats.pdf (Report Formats).

The attached [Memorandum of Understanding](#) must be executed by the applicant and consultant and subsequently submitted with the first iteration review.

ATTACHMENT O
SCOPE FOR NOISE ANALYSIS

Project Specific Information:

The project is known as the Jacumba Valley Ranch Solar Project comprised of a photovoltaic (PV) electric generation facility. The project is located on approximately 1,289 acres within the Mountain Empire Subregional Plan area.

The project site has surrounding off-site rural residences in proximity to the project site and thus may be impacted by noise from the project operations. These associated noise sources must demonstrate that noise exposure levels to these noise sensitive receptors are in conformance with the applicable sound limits of the Noise Element of the General Plan and County noise guidelines. The project site are zoned S80, S88, and S92 which are subject to the most restrictive sound level limit of 45 dBA during the daytime hours and 50 dBA during the nighttime hours pursuant to the County Noise Ordinance Section 36.404. Permanent noise generating equipment and activities involve (but are not limited to) PV trackers, inverter and transformer stations, substations, energy storage operations, and O&M building activities. Temporary construction equipment operations are subject to Sections 36.408, 409, and 410. Temporary operations and temporary activities consisting of heavy equipment operations, grading and site prep, staging area activities, and off-site improvements must also demonstrate County Noise Ordinance compliance.

Based on the above information, an acoustical (noise) study for this project is required. The analysis shall follow the County's Guidelines for Determining Significance for Noise available online at <http://www.sdcounty.ca.gov/PDS/docs/Noise-Guidelines.pdf> and the Report Format and Content Requirements for noise available online at <http://www.sdcounty.ca.gov/PDS/docs/Noise-Report-Format.pdf>.




Noise Element:

Noise exposure criteria are incorporated into land use planning to reduce future conflicts between noise and land use. This is achieved by specifying acceptable noise exposure ranges for various land uses throughout the County. The County uses the Noise Compatibility Guidelines listed in Table N-1 (Noise Compatibility Guidelines) to determine the compatibility of land use when evaluating proposed development projects.

The Noise Compatibility Guidelines indicate ranges of compatibility and are intended to be flexible enough to apply to a range of projects and environments. For example, a commercial project would be evaluated differently than a residential project in a rural area or a mixed-use project in a more densely developed area of the County.

A land use located in an area identified as "acceptable" indicates that standard construction methods would attenuate exterior noise to an acceptable indoor noise level and that people can carry out outdoor activities with minimal noise interference. Land uses that fall into the "conditionally acceptable" noise environment should have an acoustical study that considers the type of noise source, the sensitivity of the noise receptor, and the degree to which the noise source may interfere with sleep, speech, or other activities characteristic of the land use. For land uses indicated as "conditionally acceptable," structures must be able to attenuate the exterior noise to the indoor noise level as indicated in the Noise Standards listed in Table N-2

(Noise Standards). For land uses where the exterior noise levels fall within the “unacceptable” range, new construction generally should not be undertaken. Please see the following tables below.

Table N-1 Noise Compatibility Guidelines		Exterior Noise Level (CNEL)						
Land Use Category			55	60	65	70	75	80
A	Residential—single family residences, mobile homes, senior housing, convalescent homes							
B	Residential—multi-family residences, mixed-use (commercial/residential)							
C	Transient lodging—motels, hotels, resorts							
D*	Schools, churches, hospitals, nursing homes, child care facilities							
E*	Passive recreational parks, nature preserves, contemplative spaces, cemeteries							
F*	Active parks, golf courses, athletic fields, outdoor spectator sports, water recreation							
G*	Office/professional, government, medical/dental, commercial, retail, laboratories							
H*	Industrial, manufacturing, utilities, agriculture, mining, stables, ranching, warehouse, maintenance/repair							
 ACCEPTABLE—Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal construction, without any special noise insulation requirements.								
 CONDITIONALLY ACCEPTABLE—New construction or development should be undertaken only after a detailed noise analysis is conducted to determine if noise reduction measures are necessary to achieve acceptable levels for land use. Criteria for determining exterior and interior noise levels are listed in Table N-2, Noise Standards. If a project cannot mitigate noise to a level deemed Acceptable, the appropriate county decision-maker must determine that mitigation has been provided to the greatest extent practicable or that extraordinary circumstances exist.								
 UNACCEPTABLE—New construction or development shall not be undertaken.								

* Denotes facilities used for part of the day; therefore, an hourly standard would be used rather than CNEL (refer to Table N-2).

Note: For projects located within an Airport Influence Area of an adopted Airport Land Use Compatibility Plan (ALUCP), additional Noise Compatibility Criteria restrictions may apply as specified in the ALUCP.

Excerpts from Table N-2 within the County Noise Element

1. The exterior noise level (as defined in Item 3) standard for Category A shall be 60 CNEL, and the interior noise level standard for indoor habitable rooms shall be 45 CNEL.
2. The exterior noise level standard for Categories B and C shall be 65 CNEL, and the interior noise level standard for indoor habitable rooms shall be 45 CNEL.

3. The exterior noise level standard for Categories D and G shall be 65 CNEL and the interior noise level standard shall be 50 dBA Leq (one hour average).
4. For single-family detached dwelling units, "exterior noise level" is defined as the noise level measured at an outdoor living area which adjoins and is on the same lot as the dwelling, and which contains at least the following minimum net lot area:
 - (i) for lots less than 4,000 square feet in area, the exterior area shall include 400 square feet,
 - (ii) for lots between 4,000 square feet to 10 acres in area, the exterior area shall include 10 percent of the lot area;
 - (iii) for lots over 10 acres in area, the exterior area shall include 1 acre.
5. For all other residential land uses, "exterior noise level" is defined as noise measured at exterior areas which are provided for private or group usable open space purposes. "Private Usable Open Space" is defined as usable open space intended for use of occupants of one dwelling unit, normally including yards, decks, and balconies. When the noise limit for Private Usable Open Space cannot be met, then a Group Usable Open Space that meets the exterior noise level standard shall be provided. "Group Usable Open Space" is defined as usable open space intended for common use by occupants of a development, either privately owned and maintained or dedicated to a public agency, normally including swimming pools, recreation courts, patios, open landscaped areas, and greenbelts with pedestrian walkways and equestrian and bicycle trails, but not including off-street parking and loading areas or driveways.
6. For non-residential noise sensitive land uses, exterior noise level is defined as noise measured at the exterior area provided for public use.
7. For noise sensitive land uses where people normally do not sleep at night, the exterior and interior noise standard may be measured using either CNEL or the one-hour average noise level determined at the loudest hour during the period when the facility is normally occupied.
8. The exterior noise standard does not apply for land uses where no exterior use area is proposed or necessary, such as a library.
9. For Categories E and F the exterior noise level standard shall not exceed the limit defined as "Acceptable" in Table N-1 or an equivalent one-hour noise standard.

Noise Ordinances:

A preliminary review of the project information provided indicates that there is insufficient information to determine whether permanent equipment and operations on-site will exceed sound level limits of the San Diego County Noise Ordinance (Section 36.404). The County Noise

Ordinance does not permit noise levels that impact adjoining properties or exceed County Noise Standards. The project site as well as adjacent land uses are zoned S80, S88, and S92 which allows a one-hour average sound level of 50 decibels (dBA) from 7 a.m. to 10 p.m. and 45 decibels (dBA) from 10 p.m. to 7 a.m. In order for the Department to make a determination on the project's conformance with County noise standards, the applicant must demonstrate that the hourly average sound levels do not exceed either threshold at the property line, as the most stringent Ordinance condition for the project.

The sound level limit at a location on a boundary between two zones is the arithmetic mean of the respective limits for the two zones.

S88 zones are Specific Planning Areas which allow different uses. The sound level limits in Table 36.404 above that apply in an S88 zone depend on the use being made of the property. The limits in Table 36.404, subsection (1) apply to property with a residential, agricultural or civic use. The limits in subsection (3) apply to property with a commercial use. The limits in subsection (5) apply to property with an industrial use that would only be allowed in an M50, M52 or M54 zone. The limits in subsection (6) apply to all property with an extractive use or a use that would only be allowed in an M56 or M58 zone.

A preliminary review of the project information provided indicates that there is insufficient information to determine whether temporary construction equipment and operations on-site will exceed sound level limits of the San Diego County Noise Ordinance (Sections 36.408 and 36.409):

Section 36.408

Except for emergency work, it shall be unlawful for any person to operate or cause to be operated, construction equipment:

- (a) Between 7 p.m. and 7 a.m.
- (b) On a Sunday or a holiday. For purposes of this section, a holiday means January 1st, the last Monday in May, July 4th, the first Monday in September, December 25th and any day appointed by the President as a special national holiday or the Governor of the State as a special State holiday. A person may, however, operate construction equipment on a Sunday or holiday between the hours of 10 a.m. and 5 p.m. at the person's residence or for the purpose of constructing a residence for himself or herself, provided that the operation of construction equipment is not carried out for financial consideration or other consideration of any kind and does not violate the limitations in sections 36.409 and 36.410.

Section 36.409

Except for emergency work, it shall be unlawful for any person to operate construction equipment or cause construction equipment to be operated, that exceeds an average sound level of 75 decibels for an eight-hour period, between 7 a.m. and 7 p.m., when measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is being received. Amended by Ord. No. 9962 (N.S.), effective 1-9-09.

Section 36.410

A preliminary review of the project information provided by the AEIS indicates that there is insufficient information to determine whether impulsive construction equipment operations on-site will exceed sound level limits of the San Diego County Noise Ordinance):

- (a) Except for emergency work or work on a public road project, no person shall produce or cause to be produced an impulsive noise that exceeds the maximum sound level shown in [Table 36.410A](#), when measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is received, for 25 percent of the minutes in the measurement period, as described in subsection (c) below. The maximum sound level depends on the use being made of the occupied property. The uses in [Table 36.410A](#) are as described in the County Zoning Ordinance.

**TABLE 36.410A.
MAXIMUM SOUND LEVEL (IMPULSIVE) MEASURED AT OCCUPIED PROPERTY IN
DECIBELS (dBA)**

OCCUPIED PROPERTY USE	DECIBELS (dBA)
Residential, village zoning or civic use	82
Agricultural, commercial or industrial use	85

- (b) Except for emergency work, no person working on a public road project shall produce or cause to be produced an impulsive noise that exceeds the maximum sound level shown in [Table 36.410B](#), when measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is received, for 25 percent of the minutes in the measurement period, as described in subsection (c) below. The maximum sound level depends on the use being made of the occupied property. The uses in [Table 36.410B](#) are as described in the County Zoning Ordinance.

**TABLE 36.410B
MAXIMUM SOUND LEVEL (IMPULSIVE) MEASURED AT OCCUPIED PROPERTY IN
DECIBELS (dBA) FOR PUBLIC ROAD PROJECTS**

OCCUPIED PROPERTY USE	dB(A)
Residential, village zoning or civic use	85
Agricultural, commercial or industrial use	90

- (c) The minimum measurement period for any measurements conducted under this section shall be one hour. During the measurement period a measurement shall be conducted every minute from a fixed location on an occupied property. The measurements shall measure the maximum sound level during each minute of the measurement period. If the

sound level caused by construction equipment or the producer of the impulsive noise exceeds the maximum sound level for any portion of any minute, it will be deemed that the maximum sound level was exceeded during that minute.

(Added by Ord. No. 9962 (N.S.), effective 1-9-09)

To determine conformance to the County Noise Ordinance, a noise study is required and it is essential that this component of this analysis include the following information:

Permanent Noise Sources:

- (1). Manufacturers Spec Sheet and/or field measurements for all noise producing equipment on-site that identifies the ARI standard and/or decibel (dBA) per range. It is important to note that all noise producing sources must be included.
- (2). Field measurements and/or noise source data for all noise producing operations and activities on-site that identifies a decibel (dBA) per range. It is important to note that all noise producing sources must be included.
- (3). Additional plot plans that identifies the site location of all noise sources in relation to property lines. Discuss the worst-case noise source to property line distances (in feet). It is essential to address all potential noise sources on-site and to include a discussion related to openings within all surrounding walls or fences, such as driveways, fencing and gates.
- (4). Hours of operation and activity level at each hour.
- (5). Demonstrate that the proposed project noise generating equipment comprised of (but not limited to) PV trackers, inverter and transformer stations, substations, energy storage operations, and O&M building activities comply with the property line sound level limits per County noise standards.
- (6). Include any recommended design features and mitigation measures if required to demonstrate compliance with the County Noise Ordinance, Section 36.404.

Temporary Construction Equipment Operations:

- (7). Manufacturers Spec Sheet and/or field measurements for all construction equipment that identifies a decibel (dBA) per range. It is important to note that all noise producing sources must be included.
- (8). Additional plot plans that identifies the site location of all construction equipment noise sources in relation to property lines. It is essential to address all potential construction equipment noise sources on-site.

- (9). Identify all existing occupied property/structures adjacent to the boundary of the project site.
- (10). Include the schedule of the grading activities, phasing and preparation of the project site.
- (11). Include the potential staging area locations and noise assessment. Discuss project related noise generating activities associated with off-site improvements.
- (12). Address the associated cut and fill of materials, and specify whether the operations of general construction equipment and/or impulsive construction equipment are proposed (e.g. drill rigs, rock crushers, hoe rams, etc).
- (13). Address the proposed helicopter operations and when these will be used during the phase of the project. Clearing discuss why helicopters are proposed, and determine potential locations of take-off, landing, and flight path. Include a noise assessment associated with these operations.
- (14). Include any recommended design features and/or temporary construction/demolition mitigation measures if required to demonstrate compliance with County Noise Ordinance, Section 36.409.

General information: A noise analysis is needed to determine whether or not noise levels exceed San Diego County standards. Noise analysis shall occur when the project is adjacent to heavily traveled roads, railroad tracks, airports, or heavy industrial operations. Noise analysis may also be required for a project that generate high levels of noise either through activities directly associated with the proposal or major increases in traffic generated by the proposal (direct and cumulative impacts).

If the noise impacts are associated with traffic movements, airports, or other transportation activities, a noise analysis shall utilize field measurements and projected transportation noise levels to determine the potential for impacts to present and future residents of the project. The noise analysis must conform to the Noise Element of the San Diego County General Plan.

If the noise impacts are associated with activities on the site, such as rock crushing or some other proposed activity, the noise analysis shall include estimates of noise generation potential from the site utilizing measurements from similar activities that are already in existence. The noise analysis must conform to the San Diego County Noise Ordinance.

The attached [Memorandum of Understanding](#) must be executed by the applicant and consultant and subsequently submitted with the first iteration review.

ATTACHMENT P
SCOPE FOR GREENHOUSE GAS ANALYSIS

Project Specific Information:

The proposed project has the potential to generate greenhouse gas (GHG) emissions, related to construction and operation of the proposed activities. Therefore, the project is required to discuss its potential impacts to GHG by preparing a Climate Change Analysis Report.

General Information:

Based on the potential impacts the project may have on global climate change, a Climate Change Analysis Report is required.

The annual 900 metric tons (MT) of carbon dioxide-equivalent (CO₂e) screening level is used which is referenced in the California Air Pollution Control Officers Association (CAPCOA) California Environmental Quality Act (CEQA) and Climate Change white paper dated January 2008 which can be found at <http://www.capcoa.org/wp-content/uploads/downloads/2010/05/CAPCOA-White-Paper.pdf>. A review of the project indicates that the size-based screening criteria would not apply to the project and additional analysis is necessary to determine if the project has the potential to exceed the screening level. If the proposed project exceeds the 900 MTCO₂e per year screening level, the applicant should consult with County staff to determine the appropriate threshold for the project and if further analysis and identification of project design features or potential mitigation measures is required.

Emissions of pollutants of concern from the proposed project may occur from construction and operational activities. In general, GHG emissions from construction activities include the use of construction equipment, drilling equipment, trenching equipment, helicopters, explosives detonation, wire stringing, tracker installation, inverter station installation, gen-tie line construction, substation construction, building construction, landscaping, haul trucks (e.g., soil and excavated rock import/export), vendor vehicles (e.g., building material delivery, concrete delivery, water truck trips, blasting material delivery), worker commute vehicles, and stationary equipment (such as generators, if any). GHG emissions from operational activities include helicopters and traffic throughout project site and beyond, other mobile sources, area sources, energy use, water consumption, solid waste generation, and vegetation removal. The analysis must assess emissions from project components that may contribute to construction and operational emissions. GHG emissions from decommissioning activities are similar to those generated by construction activities, which include the use of construction equipment, haul truck, worker commute vehicles, and stationary equipment (such as generators, if any).

Additionally, the following issues should be addressed as part of the climate change analysis:

1. Would the proposed project generate GHG emissions that could contribute substantially to global climate change?
2. Would implementation of the proposed project interfere with the GHG reduction goals in California (e.g., Assembly Bill 32, Senate Bill 32)?

Any proposed project design elements that may be incorporated to minimize GHG emissions should be described in the project description.

The attached [Memorandum of Understanding](#) must be executed by the applicant and consultant and subsequently submitted with the first iteration review.

ATTACHMENT Q
FEDERAL AVIATION ADMINISTRATION (FAA)
NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION

The proposed project is located within the FAA Notification Surface due to its proximity to Jacumba airport, which requires that notice be filed with the FAA. You are required to fill out and submit FAA Form 7460-1 Notice of Proposed Construction or Alteration to the FAA. The form is available at <http://forms.faa.gov/forms/faq7460-1.pdf> and a copy attached for your reference. The form may be submitted electronically via the Obstruction Evaluation website: www.oa.faa.gov and the status of submitted forms may also be tracked via that website. Alternatively, you may file FAA form 7460-1 via US Postal Mail to:

Express Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Service, AJR-32
2601 Meacham Boulevard
Fort Worth, TX 76137-0520

Federal Aviation Administration
Western-Pacific Region
P.O. Box 92007
Los Angeles, CA 90009

When the FAA receives the Form, they will acknowledge receipt of the notice filed by the applicant. The FAA will then send the applicant the outcome of the initial screening either indicating that the proposed development project is not an obstruction and would not be a hazard to air navigation; or that the proposed development project is an obstruction unless reduced to a specified height.

General Information:

All applicants proposing any construction or alterations that may affect navigable airspace must file a Notice of Proposed Construction or Alteration (Form 7460-1) with the FAA. Part 77 requires that any applicant who intends to perform any of the following construction or alterations must notify the FAA:

1. Any construction or alteration exceeding 200 feet in height above ground level.
2. Any construction or alteration of structures, antennas, trees, mobile objects, and temporary objects such as construction cranes that:
 - A) Are within a horizontal distance of 20,000 feet from a public use or military airport and exceed a 100:1 surface from any point on the runway to each airport with at least one runway more than 3,200 feet.
 - B) Are within a horizontal distance of 10,000 feet from a public use or military airport and exceed a 50:1 surface from any point on the runway to each airport with at least one runway no more than 3,200 feet.
 - C) Are within a horizontal distance of 5,000 feet of a public use heliport and exceed a 25:1 surface.

3. Any highway, railroad or other traverse way where the prescribed adjusted height would exceed that above noted criteria.
4. When requested by the FAA.
5. Any construction or alteration located on a public use airport or heliport regardless of height or location.

This proposed project is located within the FAA's 100:1 notification surface. The FAA uses the 100:1 notification surface to help identify projects that may interfere with airport operations. A project exceeding the 100:1 notification surface is not necessarily incompatible, but rather requires that the FAA be notified, so they can conduct an aeronautical study. Based upon the information provided by the applicant to the FAA, the FAA will determine if the project would be an airspace obstruction or hazard.

REQUIREMENT FOR SUBMITTAL OF AN APPLICATION FOR A CONSISTENCY DETERMINATION WITH THE SAN DIEGO REGIONAL AIRPORT AUTHORITY

Major Project Issue:

The project is located within the Airport Influence Area (AIA) of the Jacumba airport. The project is located within Zone 1 - Zone 6 of the Airport's Airport Land Use Compatibility Plan (ALUCP). Solar Panels are not compatible within the Runway Protection Zone (RPZ), Safety Zone 1 of the ALUCP. Zone 2 has a lot coverage maximum of 50% and Zone 4 has a lot coverage maximum of 70%. It is not clear if the project proposes to encroach into that zone. As such, it is not known at this time if an airport hazards assessment is required. **The plot plan must depict to scale the safety zones over the affected properties. Please identify the lot coverage percentage of the solar panels in these zones to determine compliance with this regulation.** This is stated on the application form, and georeferenced downloadable GIS files are available on our website for a project sponsor to do that, with the link in our form: http://www.san.org/Portals/0/Documents/Land%20Use%20Compatibility/2017-11-17_ALUC_Application_Determination_Consistency.pdf

Major Project Issue:

Solar panels could be a glare and glint hazard for aircraft in flight. The project must demonstrate that glare will not impact airspace safety. Recommendations for meeting this standard are described in Section 3.1.2 of the Federal Aviation Administration (FAA) Solar Guide. For off-airport projects, local governments, solar developers, and other stakeholders in the vicinity of an airport have the responsibility to inform the FAA about proposed projects so that the agency can determine if the project, specifically if large, presents any safety or navigational problems. **A photovoltaic glint and glare study will be required. It is recommended that the applicant work directly with the County of San Diego Airport Staff with respect to the glint and glare study and subsequently attain the necessary Federal Aviation Administration (FAA) and State Division of Aeronautics approvals.**

An application for a determination of consistency with the Airport Land Use Compatibility Plan (ALUCP) for said airport is required to be submitted to the San Diego County Regional Airport Authority (SDCRAA). See http://www.san.org/airport_authority/splash.asp for more information. The SDCRAA is charged with this responsibility based on California Law. The County is responsible for filing the application. **Please submit a copy of a grant deed for the**

project and a project site plan/map with floor plans and dimensioned elevations for inclusion with this application. Since the project is located within an FAA Height Notification Surface, the application will be filed upon receipt of the outcome of the FAA evaluation. The application will be submitted at the time of the issuance of this letter, or shortly thereafter. However, for projects which are anticipated to undergo significant revisions, the application filing may be delayed until the design is closer to final form.

The SDCRAA will hold a public hearing if the FAA determines the project to be hazard to air navigation because it would thus also be inconsistent with the applicable ALUCP.