

From: [Koutoufidis, Nicholas](#)
To: ["Jeffrey Osborne"](#)
Subject: RE: JVR PARK
Date: Sunday, May 30, 2021 4:00:32 PM

Hi Jeff,

Thank you for reaching out and your comments. I have responded to your comments below in bold. Please let me know if you need anything else.

1. What role does the Sponsor Group play in the planning process as far as PDS is concerned? for example, if we accept, reject, or ask for changes, how does that affect the development as far as PDS and their recommendations to the applicant/planning commission? We voted to reject 5-0 as the project was presented, so what does that mean? Does it result in any specific changes and how so?

Pursuant to Board Policy I-1, a Community Sponsor Group (CSG) acts in an advisory capacity to the decision makers in the County land development process. A Project recommendation from a CSG is provided to the decision-making body to provide the community's position to the County. The Board considers the scope of the project, public input, the environmental analysis as well as the CSG recommendation prior to making a decision. Feedback from the CPG on projects during the planning process provides guidance to the County on issues such as community character and effects upon the surrounding area.

2. What is the relationship between the PDS and the Mountain Empire Subregional Plan ("MESRP")? Is PDS staff's job to make sure recommended projects are in-line with the MESRP? How is PDS/the applicant dealing with the clear conflicts regarding the size/scale/placement of this project within a Village boundary and of a type, industrial utility, that completely changes the character of the area? What conditions need to be present to allow for an applicant to get a recommendation from staff if their project is not in line with the Subregional Plan?

The Mountain Empire Subregional Plan is considered part of the County General Plan and addresses issues important to a community and supplements General Plan policies. A Subregional Plan must be consistent with the General Plan in all respects. It is PDS staff's job to ensure that projects are in conformance with the Mountain Empire Subregional Plan. Please see the Land Use and Planning section of the Draft EIR for JVR Energy Park for a Mountain Empire Subregional Plan consistency analysis:
<https://www.sandiegocounty.gov/content/dam/sdc/pds/ceqa/JVR/DEIR/Chapters/JVR%20DEIR%203.1.4%20Land%20Use%20and%20Planning.pdf>. **A project must be consistent with the Subregional Plan to be consistent with the General Plan.**

I am including these specific quotes from the subregional plan in order to make sure we are all looking at the same things, also I want to note I read through the section in the EIR 3.1.4.2 regarding the MESRP and none of these are mentioned.

Mountain Empire Subregional Plan - SD County General Plan

1. **Community Character - GOAL ENCOURAGES THE DEVELOPMENT OF LAND IN A MANNER THAT REINFORCES THE UNIQUE IDENTITY OF THE MOUNTAIN EMPIRE SUBREGION AND ITS COMMUNITIES**

Under Policies and Recommendations for Community Character, “Development proposals within Rural Village Boundaries should avoid the removal of mature trees.” JVR Energy Park is avoiding most of the removal of mature trees to the extent feasible.

2. **Land Use Element - Policies and Recommendations 1. Apply a Rural Village Boundary to each of the following historically significant settlement in this Subregional Area (Jacumba)**

This policy is under a “Residential Goal”. JVR Energy Park is not subject to this policy as it is not proposing housing.

3. **avoid - creation of a landscape foreign to that of surrounding sites.**

This policy is under a “Residential Goal”. JVR Energy Park is not subject to this policy as it is not proposing housing. However, JVR Energy Park’s proposed landscaping will be reviewed by both a County landscape architect and a biologist prior to final approval of a landscape plan.

4. **INDUSTRIAL GOAL - PROVIDE A LAND USE PATTERN WHICH WILL PERMIT THOSE KINDS OF INDUSTRIAL USES THAT WILL NOT DETRACT FROM THE RURAL CHARM AND LIFESTYLE OF THE SUBREGION.**

- a. **New Industrial development should consider all views into the property from public streets, adjacent properties and residences on nearby hills.**

This policy is for proposed industrial projects. JVR Energy Park is not subject to this policy as alternative energy is defined as a civic use pursuant to Section 1350 of the County Zoning Ordinance. Please see p. 2-10 at the following link and refer to Section 1300 for the list of Civic Uses:
<https://www.sandiegocounty.gov/content/dam/sdc/pds/zoning/z1000-REV-03-21.pdf>.

5. **Old Highway 80 through Boulevard and Jacumba is an identified Scenic Highway in the County General Plan Conservation and Open Space Element. (pg27)**

Please see p. 2.1-68 of the Aesthetics section of the Draft EIR at the following link for JVR Energy Park for a scenic highway analysis:
<https://www.sandiegocounty.gov/content/dam/sdc/pds/ceqa/JVR/DEIR/Chapters/JVR%20DEIR%202.1%20Aesthetics.pdf>

6. **Community Representation and Benefit Discussions - it has come to my attention, as mentioned in the meeting, that someone named Bill Pape is somehow representing the community of Jacumba Hot Springs to the applicant? I am confused? He does not even live in the community, he lives in Yuma, AZ, nor does he have any public role in our community. Community members have mentioned him getting personal gifts from developers in the past and I am a bit suspicious of his role in this process. Why is he allowed to represent the community? What is PDS official position on community benefits and who represents the community in those discussions or how they are supposed to happen?**

The County has not coordinated with Mr.Pape on the project. The County recognizes

Community Planning Groups and Community Sponsor Groups as representatives of a community. The County does not have an official position on community benefits made a private developer. A private developer may choose to provide additional benefits than required by the County as part of their project as they see fit. The developer should work with the community to provide benefits to the nearby residents.

7. The development does not even have a Final EIR out yet and the developer is already in late stage discussions to sell the power from the development to a regulated utility SDCP:

<https://www.sandiegouniontribune.com/business/story/2021-05-17/sdcp-rollout>

Is there something we don't know about this? How can the developer sign contracts with other government regulated agencies before even releasing a Final EIR or obtaining any official form of approval?

The County is the lead agency for the approval of private solar projects within the unincorporated county, which cannot be constructed without the County's approval. The Board of Supervisors will consider and certify the EIR if the Board votes to approve the project. The approval of a power purchase agreement by San Diego Community Power (SDCP) is a finance mechanism for the sale of the power generated by projects, and the County is not a party to that agreement. Since the County is not a party to the agreement, I recommend reaching out to SDCP for any further questions on the Power Purchase Agreement.

8. Heat Island Effect - I gathered at the meeting the PDS does not think the heat island effect is real? or substantiated by evidence? I am not sure if I got that right, but just wanted to include this article in Nature magazine:

<https://www.nature.com/articles/srep35070>

Can you please again help me better understand PDS response to this scientific and published study that was referenced by the State Parks?

A solar farm project can produce a photovoltaic heat island effect that is similar to an "urban heat island effect", which occurs when cities replace natural land cover with dense concentrations of pavement, buildings, and other surfaces that absorb or retain heat and contribute to higher temperatures as compared to undeveloped areas. The study in Nature Magazine found air temperatures within the solar facilities studied were greater than the ambient temperature environment, although it differed in whether there was a heating effect that persisted overnight. Given that there are no significance thresholds for the photovoltaic heat island effect and given the limited number of studies regarding this effect, there is no evidence any possible minor warming increase in ambient temperature from the a solar farm will significantly impact human health or the environment.

9. Is there a possibility of PDS requesting the applicant re-size their project to fit within our concerns and goals as a community and the MESRP (Community Character, Economic Consequences, Heat Island, Airport Safety, etc.) in order to get an official recommendation from staff? What would influence that decision and how is that decision made in regards to PDS and their recommendation of this project to the planning commission?

PDS staff thoroughly reviews and analyzes a project thoroughly in terms of scale, bulk and coverage of the facilities, availability of services, effects upon community character, generation of traffic and the capacity and physical character of surrounding streets, the suitability of the site for the type of proposed use, and any other relevant impact of the use prior to making a recommendation to the Planning Commission and/or Board of Supervisors. PDS staff also reviews public comments and the Jacumba Community Sponsor Group's comments on any particular project. At the Planning Commission and Board of Supervisors public hearing, the public may make comments to the appropriate hearing body to request changes to a project.

Nicholas Koutoufidis, MBA

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PDS Website <http://www.sdcountry.ca.gov/pds/index.html>

PDS Mapping Service <http://gis.co.san-diego.ca.us/>

From: Jeffrey Osborne <jeff@jacumbahotsprings.com>

Sent: Thursday, May 20, 2021 12:34 PM

To: Koutoufidis, Nicholas <Nicholas.Koutoufidis@sdcounty.ca.gov>; Harris, Susan <Susan.Harris@sdcounty.ca.gov>

Subject: JVR PARK

Hey Nic/Susan, I have a few questions, I forgot to ask some of these more specific questions at the planning meeting on Tuesday evening...it was running a bit long... some came up after.

I am just trying to have better understanding of all of our roles and responsibilities. I am new to the planning process and as I have mentioned I have aspirations for developments as an applicant in the Jacumba area myself, and just want to get a grasp on how this works as well as be an informed community representative on matters such as the JVR Park.

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Thank you, for taking the time to read this and hopefully being able to provide informative answers.

Jeff Osborne