

**REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH
ORDINANCES/POLICIES**

**FOR PURPOSES OF CONSIDERATION OF
MOOSA CREEK RESTORATION PROJECT
PDS2021-LDGRMJ-30327
APNs: 126-060-84-00, 126-300-54-00**

May 27, 2021

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES NO NOT APPLICABLE/EXEMPT

Discussion:

While the proposed project and off-site improvements are located outside of the boundaries of the Multiple Species Conservation Program, the project site and locations of any off-site improvements do not contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES NO NOT APPLICABLE/EXEMPT

Discussion:

The proposed project and any off-site improvements related to the proposed project are located outside of the boundaries of the Multiple Species Conservation Program. Therefore, conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance is not required.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES NO NOT APPLICABLE/EXEMPT

Discussion:

The project will obtain municipal water by water trucks for dust control measures during grading and may require municipal water usage for temporary irrigation during the maintenance/monitoring phase of the project. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

The project is exempt from the requirements of the San Diego County Groundwater Ordinance Section 67.720. The project will not have a significant adverse impact on groundwater quantity because the total project demand will be less than 20,000 gallons per day and the project complies with the San Diego County Groundwater Ordinance.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Steep Slope section (Section 86.604(e))?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>

Discussion:

Pursuant to Section 86.603 of the Resource Protection Ordinance (RPO), the RPO is not applicable to grading or improvement plans.

V. STORMWATER ORDINANCE (WPO) - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES NO NOT APPLICABLE

Discussion:

The project Storm Water Quality Management Plan and/or Hydromodification Management Study has been reviewed and is found to be complete and in compliance with the WPO.

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES

NO

NOT APPLICABLE

Discussion:

The Project would not expose people to nor generate potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element of the General Plan because no Noise Sensitive Land Uses (NSLUs) are proposed on the Project site. Therefore, no exceedance of standards in the County General Plan would occur.

The County of San Diego Noise Ordinance, Section 36.408, restricts construction activity to the hours of 7 AM to 7 PM on Mondays through Saturdays. Construction is prohibited on Sundays and holidays. In addition, Section 36.409 states that construction noise levels may not exceed an eight-hour average sound level of 75 dBA when measured at the boundary line of the property where the noise source is located or on occupied property where the noise is being received. Section 36.410 contains additional noise limits that apply to impulsive construction noise, such as rock crushing, pile driving, or other such activity; however, no impulsive construction is anticipated at the Project site.

The primary source of noise generated by the Project at noise-sensitive land uses would be related to temporary construction activities, as no permanent operational noise sources would be present. The nearest residences to the north, south, and west are located approximately 40 feet, 60 feet, and 70 feet from the Project boundary of the construction work area. An analysis of construction noise was performed by Eilar Associates (2020) to determine noise levels at residential receiver locations.

Based on calculations conducted for the peak (or worst-case) construction equipment scenario, the Project would not produce noise in excess of the County Noise Ordinance standard of an eight-hour average sound level of 75 A-weighted decibels (dBA) (Eilar Associates 2020). The Project contractor would implement best management practices (BMPs), including maintaining construction equipment in proper working order; avoiding unnecessary idling and back-up alarms; placing stationary equipment or staging in locations as far away as practical from noise-sensitive uses; and establishing a “noise coordinator” who can be responsible for fielding and resolving noise complaints. Therefore, the Project would not generate a substantial temporary or permanent increase in ambient noise levels that would exceed the standards in the County Noise Ordinance. Noise impacts to the proposed project from adjacent land uses are not expected to exceed the property line sound level limits of the County of San Diego Noise Ordinance.