



TWIN OAKS VALLEY COMMUNITY SPONSOR GROUP

P.O. Box 455

San Marcos, Ca. 92079

September 23, 2019

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

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

Dear Mr. Sibbet,

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

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

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

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

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

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

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

Thank you for listening to our concerns.

Sincerely,

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



TWIN OAKS VALLEY COMMUNITY SPONSOR GROUP

P.O. Box 455

San Marcos, Ca. 92079

October 9, 2014

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

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

Dear Maggie Loy,

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

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

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

Air Quality:

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

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

Noise:

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

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

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

Environmental Hazards:

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

Fire Plan:

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

Water:

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

Traffic:

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

Other Issues:

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

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

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

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

Sincerely,

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

Cc: Beth Ehsan



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

PROJECT NAME: __

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

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

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

Results of Planning / Sponsor Group Review

Meeting Date: __April 17, 2013

- A. Comments made by the group and the members of the public on the proposed project.
1. Concerns raised about how truck traffic, especially trucks with tailers, could make the sharp turns needed to transition from Center City Parkway to Mesa Rock Road.
B. Advisory Vote: The Group [] Did or X Did Not make a formal recommendation, approval or denial on the project at this time because they had not received the documents needed to review the project that are currently being reviewed by the County.

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

MOTION:

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

VOTE: ____ Yes ____ No ____ Abstain

C. Recommended conditions of approval:

Five horizontal lines for writing recommended conditions of approval.

Reported by: _____ Position: _____ Date: _____

Attachment B

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

PDS-534 PDS-534 (01/12)

5510 Overland Avenue, San Diego, CA 92123 • (858) 565-5981 • 1-888-267-8770 • www.sdcounty.ca.gov/pds/

Sponsor Group Meeting Wednesday, April 21, 2010

- 3) **Attended Planning Commission meeting on April 16. Spoke about community issues Attachment D, handout of remarks previously distributed by e-mail, obtained Merriam Mountain letter and distributed by e-mail. Didn't get Attachment Sandra wanted, requested after left for meeting.**

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

slfarrell

From: "Henry Palmer" <hpalmer3@dslextreme.com>
To: <slfarrell@cox.net>
Sent: Monday, April 12, 2010 9:10 AM
Attach: Steep Slope Exhibit.pdf; PLOT PLAN 04 Layout1 (1).pdf; PLOT PLAN 01 Layout1 (1).pdf; PLOT PLAN 02 Layout1 (1).pdf; PLOT PLAN 03 Layout1 (1).pdf
Subject: Fw: CEQA HYDROLOGY STUDY - MESA ROCK

Hi, Sandra

As you may remember, I volunteered to look at the hydrology map and was not satisfied that the hydrology analysis reflected current plans and asked for a list of documents that were going to be submitted to the county.

- There is only one entrance so I asked if the plans had been approved by the Fire Dept. This item is of interest because impervious surfaces will be added and improvements such as clearing will be required alongside the road. These actions both increase runoff.
- The county hydrology manual recommends that when software is used, the software variables be set forth in a section called "Presentation of Product". That saves the reviewer from digging them out of computer runoffs.
- Nurseries use pesticides and fertilizers and BMPs must provide mitigation. In addition, the water quality control board will be requiring testing of runoff from nurseries, farms, stables, etc. I asked for info on this subject.
- An incorrect parcel number was given. I like to look at the parcel map which create parcels because they contain the conditions of approval. I spent \$4 for nothing!
- I asked for a plot plan to get a better idea of what is being proposed.
- In addition, I have been in contact with Carl Stiehl trying to find out why the county is recommending that these parcels be rezoned as high impact industrial which would allow M54, M56 and M58. Read them in the Zoning Ordinance and weep! I also have contacted Escondido Planning because the area is a county island in there sphere. They knew nothing about it.

Hank

----- Original Message -----

From: Gary Larson
To: Henry Palmer
Cc: Rick Gittings ; Shibley1@cox.net
Sent: Friday, April 09, 2010 10:11 AM
Subject: RE: CEQA HYDROLOGY STUDY - MESA ROCK

Henry,

1. Encroachment Open Space Map attached.
2. We are contacting the engineer concerning hydrologic variables.
3. Mitigation measures will be applied at the appropriate time.
4. There is no parcel map associated with this project. This reference will be removed from the report during the design phase.
5. County Fire has approved the access as shown on the plot plan.
6. Copies of the plot plan are attached.
7. Documents currently being submitted to the County:
 - a. Plot Plan
 - b. Stormwater Management Plan
 - c. Biological Report
 - d. Traffic Impact Analysis

Gary Larson

4/12/2010

From: Henry Palmer [mailto:hpalmer3@dslextreme.com]
Sent: Wednesday, April 07, 2010 9:42 AM
To: Gary Larson
Cc: Gil Jemmott
Subject: Re: CEQA HYDROLOGY STUDY - MESA ROCK

Good morning, Mr. Larson

Thank you for the updated project description. I have requested that the revised project description be placed on the next agenda of the Twin Oaks Valley CSP.

Thank you for the slope graphic, which is apparently a TIN. Instead, I would like to see the slope analysis summarized in RPO format with area per slope interval. Impervious surfaces have been added with the proposed development. Impervious surfaces may have changed the runoff coefficients used in the hydrology analysis. A copy of hydraulic variables used to estimate peak discharge was previously requested. The information and format desired can be found at Chapter 4.11 - "Presentation of Product" - of "Computational Hydrology in Flood Control Design and Planning" which generally comes with the AES software. If not available, I can e-mail you a copy of the format.

Pesticides and fertilizers will be stored on site. Mitigation measures should consider the type of materials that are proposed for use on the site. In addition, the Water Quality Control Board has imposed regulations regarding runoff testing for farms and nurseries.

The parcel map number given in Section 1.1 is incorrect. Please supply the correct parcel map number.

Access is provided from Mesa Rock Road via an improved 32' wide road. Could you comment on possible County fire requirements for an additional exit?

Could you please supply two or three copies of the site plan for use by CSP members in advance of the meeting. Also, do you have a list of the documents that are being currently submitted as a part of the application?

Thanks,

H. L. Palmer

----- Original Message -----

From: Gary Larson
To: Henry Palmer
Cc: Rick Gittings ; Shibley1@cox.net
Sent: Wednesday, March 31, 2010 11:46 AM
Subject: RE: CEQA HYDROLOGY STUDY - MESA ROCK

Henry,

1. The slope map was prepared with AutoCAD/Eagle Point software.
2. The site was previously graded.
3. The project description is attached.
4. The analysis of Caltrans facilities will be preformed during the design phase.

Thank You,
Gary Larson

From: Henry Palmer [mailto:hpalmer3@dslextreme.com]
Sent: Monday, March 29, 2010 9:36 AM
To: Gary Larson

Cc: Jon F Mehtlan

Subject: Re: CEQA HYDROLOGY STUDY - MESA ROCK

Good morning, Mr. Larson

Thank you for the slope map. Could you tell me what software was used to prepare the slope map? Was the site previously graded? Proposed land use for the site is described as a "rock nursery" in the project description. Could you please expand on this description? Also, the report refers to Caltrans downstream drainage improvements as probably adequate to handle project runoff. Is there an analysis to support the probable adequacy of the Caltrans drainage improvements?

In general, Sections 1.6 and 1.7 of the June 2003 County Hydrology Manual will be used as the primary guide by the CSG in preparing comments, if any.

Thanks,

Henry Palmer

----- Original Message -----

From: [Gary Larson](#)

To: [Henry Palmer](#)

Cc: [Rick Gittings](#) ; Shibley1@cox.net

Sent: Friday, March 26, 2010 3:43 PM

Subject: RE: CEQA HYDROLOGY STUDY - MESA ROCK

Henry,

Attached is a copy of the slope analysis. The hydrology information you are asking for can be obtained from the Post – Development Site Map and the computer print out.

Thank You,
Gary Larson

From: Henry Palmer [<mailto:hpalmer3@dslextreme.com>]

Sent: Thursday, March 25, 2010 10:02 AM

To: Gary Larson

Subject: CEQA HYDROLOGY STUDY - MESA ROCK

Good Morning, Mr. Larson

Would it be possible to meet with you in the next week or so to briefly discuss your hydrology report and look at your slope analysis?

Could you hand sketch the different flow regimes between nodes and the variables in each flow process if one is not available. (So far as I know, the AES software doesn't provide a schematic plan.) Please explain initial concentration. Could we look at the drainage plan as a separate layer/sheet?

Thanks,

Henry Palmer, member
Twin Oaks Valley Community Sponsor Group