

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

**FOR PURPOSES OF CONSIDERATION OF  
NORTH COUNTY ENVIRONMENTAL RESOURCES; PDS2008-3500-08-015,  
PDS2008-3971-0808012; PDSXXXX-HLP-XXX**

**September 12, 2019**

**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:

The project site is located outside of the Multiple Species Conservation Program (MSCP) boundaries and contains habitat subject to the Habitat Loss Permit Ordinance. The project complies with the Habitat Loss Permit Ordinance as demonstrated in the Draft Habitat Loss Permit (PDSXXXX-HLP-XX-XXX, dated September 12, 2019)

**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 its water supply from the Vallecitos Water District which obtains water from imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply. The site contains six permitted groundwater wells;

however, these wells will be destroyed under permit and inspection by the Department of Environmental Health.

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

Discussion:

***Wetland and Wetland Buffers:***

The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

***Floodways and Floodplain Fringe:***

Not Applicable --- The project is not located near any floodway or floodplain fringe area as defined in the resource protection ordinance, nor is it near a watercourse plotted on any official County floodway or floodplain map.

Therefore, it has been found that the proposed project complies with Sections 86.604(c) and (d) of the Resource Protection Ordinance.

***Steep Slopes:***

Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). A slope analysis of the parcel indicates that a steep slope easement will not be required. The Biological report includes mitigation which consists of placing 23.8 acres on the project site Parcels 187-100-37, 187-100-35, and 187-100-31

in a biological open space. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

***Sensitive Habitats:***

The project site contains sensitive habitat lands as defined by the Resource Protection Ordinance. The project will impact 1.91 acres of Diegan coastal sage scrub, 11.82 acres of Mafic southern mixed chaparral, and 0.02 acres of Willow scrub. These impacts are considered significant and will be mitigated through both onsite and offsite mitigation. The project will also need approval of a Habitat Loss Permit for impacts to Diegan coastal sage scrub. The project will not impact sensitive plant species, and the habitat that will remain onsite and in the proposed open space is of higher quality than that which will be impacted. Impacts to sensitive wildlife species including Belding’s orange-throated whiptail, Southern California rufous-crowned sparrow, San Diego black-tailed jack rabbit, and mule deer are considered less than significant but will receive preventative mitigation through pre-construction surveys. All feasible measures necessary to protect and preserve the sensitive habitat lands, including preservation of onsite habitat within a biological open space easement with ongoing management, and breeding season avoidance, have been made conditions of approval of project and it has been determined that the mitigation provides an equal or greater benefit to the affected species.

***Significant Prehistoric and Historic Sites:***

The property has been surveyed by a County of San Diego approved archaeologist, Micah Hale and Brian Smith, and it has been determined that the property does not contain any archaeological/ historical sites. As such, the project complies with the RPO.

**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 Hydromodification Management Study have been reviewed and are 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 proposal 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, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations.

Transportation (traffic, railroad, aircraft) noise levels at the project site are not expected to exceed Community Noise Equivalent Level (CNEL)=60 decibels (dB) limit because review of the project indicates that the project is not in close proximity to a railroad and/or airport. Additionally, the County of San Diego GIS noise model does not indicate that the project would be subject to potential excessive noise levels from circulation element roads either now or at General Plan buildout.

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.

Staff has reviewed the Supplementary Noise Analysis Report prepared by Dudek dated May 21, 2019 and the project plot plans received on October 15, 2018. Documentation and analysis is considered complete and staff has additional final noise recommendations to ensure the project complies with County noise standards. The project is proposing to develop a wood chipping and construction, demolition and Inert (CDI) debris recycling facility. Project related traffic associated with the project would consist of 114 average daily trips on nearby roadways. These vehicular traffic contributions are considered minimal and would not result in off-site direct and cumulative noise impacts to existing sensitive receptors. Additionally, the project does not propose any noise sensitive uses on-site. The project site is zoned M54 and immediately adjacent uses are zoned A70 to the west and RR to the south. The sound level limit of two zoning districts is the arithmetic mean of the respective zones which will result in worst-case one-hour average sound level limit of 60 dBA daytime and 57.5 dBA nighttime. The worst-case property lines have been evaluated. The boundary to the west is shared with a proposed biological open space and the boundaries to the south and east is shared with a residential zone. Note that the residentially zoned land uses to the east is located over 1,500 feet from the proposed operations, across the Interstate 15. Boundary lines to the east and south would be screened by existing topographical features comprised of a fifty-foot hill on both sides. Typical operations of heavy equipment would be comprised of a loader, dump truck, tub grinder, screen, and crusher. Noise levels are anticipated to be reduced 53.3 dBA along the western open space boundary and 52.8 dBA along the southern residential boundary with topographical shielding modeled in the analysis. Noise levels at the eastern residential boundary would be reduced to 56.8 dBA due to topographical shielding along Interstate 15 and Old Highway 395. Primary noise sources associated with the tub grinder, screen, and crusher shall be located at a minimum distance of 350 feet to the western habitat boundary and 465 feet to the southern residential boundary. These setback requirements are considered a noise control feature that will be part of the conditions of approval. Based on noise attenuation by distance, intervening topography, and significant elevation differences from project noise sources and boundary receivers, the proposed permanent operations and activities would comply with County noise standards. Temporary construction operations were also evaluated. The nearest existing residence is located over 1,500 feet to the east. Based on noise attenuation by distance

and shielding from intervening topography would ensure temporary construction operations comply with County noise standards. The primary noise source associated with temporary construction operations are from rock crushing activities and would require a minimum set back of 225 feet from any occupied residential property line. The temporary rock crushing activities would generate levels not exceeding the 75 dBA requirement due to the shielding from intervening topography and distance separation. Therefore, the proposed project demonstrates compliance with the County Noise Element and County Noise Ordinance with the incorporation of setback noise control design features.