



DPW

COUNTY OF SAN DIEGO DEPARTMENT OF PUBLIC WORKS

REQUIRED SUBMISSION ITEMS FOR GRADING PERMIT APPLICATIONS UNDER SECTIONS 87.203, 87.205, 87.206, 87.207, 87.208, 87.218, 87.603, 87.606

ALL PERMIT APPLICATIONS REQUIRE THE FOLLOWING:

GRADING PERMIT APPLICATION

ENDANGERED SPECIES FORM

FINANCIAL RESPONSIBILITY FORM

RIGHT OF ENTRY FORM

IMPROVEMENT PLAN PRE-SCREENING CHECKLIST

1 COPY OF THE GRADING PLAN

PLAN CHECK INITIAL DEPOSIT

HEALTH DEPARTMENT FEE

GRADING VIOLATIONS REQUIRE A STAMP FROM DPLU CODE ENFORCEMENT AND \$500 FEE

PLEASE CHECK ONE OF THE FOLLOWING GRADING PERMIT APPLICATION TYPES:

- AGRICULTURAL GRADING PERMIT - SECTION 87.205
AGRICULTURAL ENVIRONMENTAL REVIEW QUESTIONNAIRE
AGRICULTURAL GRADING STATEMENT
- MINOR GRADING PERMIT - SECTION 87.206
SFD ENVIRONMENTAL REVIEW QUESTIONNAIRE
- GRADING PERMIT - SECTION 87.207
 COPY OF APPROVED DISCRETIONARY PLAN AND ENVIRONMENTAL DOCUMENTS
- MAJOR GRADING PERMIT - SECTION 87.208
 NOTIFICATION PACKAGE - SECTION 87.208(11)
- TEMPORARY STOCKPILE GRADING PERMIT - SECTION 87.218
 NOTIFICATION PACKAGE - SECTION 87.208(11)
 PROOF OF LEGALLY DISTURBED AREA - SECTION 87.218(a)(9)
STOCKPILE CERTIFICATION - SECTION 87.219(b)(1)
- WATERCOURSE GRADING PERMIT - SECTION 87.603
 NOTIFICATION PACKAGE - SECTION 87.208(11)
- EMERGENCY WATERCOURSE GRADING PERMIT - SECTION 87.606
 NOTIFICATION PACKAGE - SECTION 87.208(11)

ALL EXTENSIONS REQUIRE THE FOLLOWING:

GRADING PERMIT APPLICATION

ENDANGERED SPECIES FORM

FINANCIAL RESPONSIBILITY FORM

RIGHT OF ENTRY FORM

- GRADING PLAN APPROVAL - SECTION 87.203(c)
 IMPROVEMENT PLAN PRE-SCREENING CHECKLIST
 1 COPY OF THE GRADING PLAN
- GRADING PERMIT - SECTION 87.203(d)
 COPY OF SECURITY - SECTION 87.304
 3 COPIES OF GRADING PLANS WITH ALL CHANGES IN RED

I hereby agree to provide the indemnification as required by Chapter 2 of Division 6 of Title 8 of the San Diego County Code. I hereby acknowledge that I have read the application and state the information I have provided is correct regarding excavating and grading and the provisions and conditions of any permit issued to this application. "I declare under penalty of perjury under the laws of the State of California that the statements made herein are true and correct."

Signature of Owner/Agent _____ Date _____

This form must be completed by the time of submittal.

APPLICATION FOR GRADING PERMIT

L _____

**COUNTY OF SAN DIEGO DEPARTMENT OF PUBLIC WORKS
5201 RUFFIN ROAD, SUITE D MS-0336
SAN DIEGO, CA 92123-1666
PHONE: (858) 694-2055 FAX: (858) 279-7020**

DATE _____

Permitted Name _____ Phone (____) _____
Last Name First

Mailing Address _____
Street City State Zip

hereby makes application for permit to grade, subject to provisions of Title 8, Division 7, of the San Diego County Regulatory Code of Ordinances. Permit revocable at option of Director, Department of Public Works when necessary.

Owner _____ Phone (____) _____
Last Name First

Mailing Address _____
Street City State Zip

Engineer _____ Phone (____) _____
Last Name First

Mailing Address _____
Street City State Zip

Email Address _____

Soils Engineer _____ Phone (____) _____
Last Name First

Supervising Engineer _____ Phone (____) _____
Last Name First

Mailing Address _____
Street City State Zip

Legal Description _____
(Portion of : Lot. No. : Map No. : ETC)

Thomas Bros.: Page _____ Coordinates _____ Grading Violation on the site: Yes _____ No _____

APN # _____ Grading Transfer from DPLU: Yes _____ No _____

Proposed Use of Graded Site: _____

Other permits associated with this permit: _____

Special Condition(s) which are made part of this permit: _____

I hereby agree to provide the indemnification as required by Chapter 2 of Division 6 of Title 8 of the San Diego County Code. I hereby acknowledge that I have read the application and state the information I have provided is correct and agree to comply with all County Ordinances and State Regulations regarding excavating and grading and the provisions and conditions of any permit issued pursuant to this application. "I declare under penalty of perjury under the laws of the State of California that the statements made herein are true and correct."

Signature of Owner/Agent _____ Date _____

AN IRS W-9 MAY BE REQUIRED PRIOR TO ISSUANCE OF A GRADING PERMIT.

This form must be completed by the time of submittal.

**DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT
FINANCIAL RESPONSIBILITY FORM**

(All lines in red must be completed by LD Counter Staff)

Date: _____ PROJECT #: _____

PERMIT # _____ PERMIT TYPE: _____

OWNER:

Name: _____

Mailing Address: _____

Phone Number: _____

FINANCIAL RESPONSIBLE:

Name: _____

Mailing Address: _____

Phone Number: _____

Signature

Date

Print Name

(Entered into KIVA: Date: _____ By: _____)

New ____

Change _____

Same _____

This form must be completed by the time of submittal.

GRADING PERMIT _____

Right-of-Entry - Permission is hereby granted to the County of San Diego, or its authorized representatives, agents, employees, contractors or volunteers (all of whom shall be considered included in references to "County"), to enter upon the undersigned Permittee's property for the purpose of inspecting the site, performing corrective action or taking such steps as the County deems necessary to ensure that the permitted activity is undertaken in accordance with any applicable Federal, State or local laws.

Hold Harmless - The undersigned Permittee understands and agrees to defend, indemnify and hold harmless the County and its directors, officers, employees, contractors and volunteers against any and all claims, demands, liability, judgments, awards, fines, losses, damages, expenses, charges, liens or costs of any kind or character, including attorneys fees, expert witness fees and court costs (collectively Claim or Claims), which arise out of or are in any way connected to the County's entry onto, inspection of or performance of corrective action on the Permittees property, any work undertaken by Permittee in accordance with this permit, or the use of any patent or patented article in connection with any permitted construction or repair work, arising either directly or indirectly from any act, error, omission or negligence of the Permittee or Permittees officers, employees, agents, contractors, licensees or servants, including without limitation, Claims caused by the concurrent negligent act, error or omission, whether active or passive of County. Permittee shall have no obligation, however, to defend or indemnify County from a Claim if it is determined by a court of competent jurisdiction that such Claim was caused by the sole negligence or willful misconduct of County. Permittee further agrees to provide any defense and indemnification required by the County Board of Supervisors pursuant to Chapter 2 of Division 6 of Title 8 of the San Diego County Code of Regulatory Ordinances.

Participation In Defense - At its sole discretion, County shall have the right but not the obligation to participate at its own expense in the defense or settlement of any Claim, but such participation shall not relieve the Permittee of its obligation to defend and indemnify the County. Should the Permittee fail to defend and indemnify County and/or to perform any other obligation imposed under this permit, the County may discontinue the defense of any such Claim. In the event that the County becomes aware that a Claim is brought, the County agrees to notify the Permittee in writing and cooperate fully in the defense. Upon receipt of such notification, the Permittee shall assume the defense of the Claim, including the employment of counsel reasonably satisfactory to County, and the prompt payment of the fees and disbursements of such counsel. If the County reasonably determines that having common counsel would present such counsel with a conflict of interest, or if the Permittee fails to promptly assume the defense of the Claim or to promptly employ counsel reasonably satisfactory to County, then the County may employ separate counsel to represent or defend the County against such Claim, and the Permittee shall pay the reasonable fees and disbursements of such counsel within 30 days of receiving an itemized billing therefore.

This form must be completed by the time of submittal.

Release - Permittee forever waives, releases and relinquishes all rights and Claims of whatever kind, character or origin, known or unknown, suspected or unsuspected, which it may have against the County with respect to any injury, death, loss or damage to real or personal property, arising out of the performance of the permitted activity or the County's exercise of its right-of-entry, including all rights and Claims with respect to any actual or alleged negligent act or omission to act of the County. Permittee hereby expressly agrees that the foregoing waiver, release and relinquishment of rights and Claims is given with full knowledge of the provisions of California Civil Code Section 1542 and with the intention that such waiver, release and relinquishment is intended to and shall extend to waive the benefits of the provisions of Section 1542, which reads as follows:

A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor.

Multiple Permittees - Any and all references to the Permittee in this document shall be deemed to mean and include each and every undersigned Permittee or Owner. All such undersigned Permittees and Owners shall be jointly and severally liable to County for each and every obligation imposed by this document on the Permittee.

Permittee/Owner

Date

Permittee/Owner

Date

Permittee/Owner

Date

Permittee/Owner

Date

**NOTIFICATION OF THREATENED SPECIES LISTING OF THE
CALIFORNIA GNATCATCHER
UNDER THE FEDERAL ENDANGERED SPECIES ACT OF 1973**

On March 25, 1993, the United States Department of the Interior listed the California gnatcatcher as a “threatened species”, requiring Federal protection of the songbird under the provisions of the Endangered Species Act of 1973 and all amendments thereto. Please be informed that the coastal sage scrub and other habitats upon which this species depends is located throughout many areas of San Diego County. It is the responsibility of all persons anticipating development activities in these areas that may adversely affect this species to comply with the provisions of the Endangered Species Act.

The Act prohibits anyone from “taking” a gnatcatcher, which includes killing, harming, or harassing the species, or destruction of its habitat. By proposing a Section 4(d) rule under the Act, Secretary Babbitt has indicated his intention to allow the U.S. Fish and Wildlife Service to define conditions associated with certain land use activities under which take of a gnatcatcher would not be a violation of the Act. If there is a possibility of the presence of gnatcatchers or gnatcatcher habitat on your property, you are advised to contact the local office of the U.S. Fish and Wildlife Service for specific advice and information.

NOTICE

It is the applicant’s responsibility to determine whether the subject property contains a coastal sage scrub plant community. Such a plant community is habitat for the Coastal California gnatcatcher. The Federal Government recently listed the gnatcatcher as a threatened species under the Federal Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.). THE LISTING MAY RESULT IN AN APPLICANT’S INABILITY TO PROCEED WITH HIS/HER PROJECT WITHOUT A PERMIT FROM THE FEDERAL GOVERNMENT IF THE SPECIES OR ITS HABITAT ARE PRESENT ON THE PROJECT SITE. It is advisable to contact the United States Fish and Wildlife Service to determine the applicability of the prohibitions under the Act to each applicant’s property. THE ISSUANCE OF THIS PERMIT BY THE COUNTY OF SAN DIEGO DOES NOT AUTHORIZE THE APPLICANT FOR SAID PERMIT TO VIOLATE ANY FEDERAL, STATE OR COUNTY LAWS, ORDINANCES, REGULATIONS OR POLICIES INCLUDING BUT NOT LIMITED TO THE FEDERAL ENDANGERED SPECIES ACT AND ANY AMENDMENTS THERETO.

I hereby acknowledge by my signature that I have read and understand this notice.

Applicant/Owner

Date

Property Address

Assessor Parcel Number(s)

This form must be completed by the time of submittal.

**ENVIRONMENTAL REVIEW QUESTIONNAIRE FOR
DEPARTMENT OF PUBLIC WORKS
GRADING PERMITS ASSOCIATED WITH ONE SINGLE-FAMILY RESIDENCE**

APPLICANT'S NAME: _____

ASSESSOR'S PARCEL NUMBER: _____

Circle One

YES NO Is your project located on a hazardous waste site that is included on any list compiled pursuant to Section 65962.5 of the Government Code? Please consult the San Diego County List of Hazardous and/or Substance Sites available at the DPW.

YES NO Will your project involve the demolition or modification of a structure(s) greater than 50 years in age? (If yes, please supply picture(s) of structure.)

YES NO Will your project disturb an archaeological resource such as rock art, grinding and milling features, or artifacts.

YES NO Has your project undergone previous environmental review as part of a previous Subdivision or Use permit? If yes, please supply the associated project name and permit numbers: _____

I declare under penalty of perjury under the laws of the State of California that the statements made herein are true and correct:

APPLICANT'S SIGNATURE: _____

DATE: _____

Environmental Review Questionnaire For Agriculturally Related Grading Permits

APPLICANT'S NAME: _____ PHONE: (____) _____

APPLICANT'S MAILING ADDRESS: _____

OWNER'S NAME: _____ PHONE: (____) _____

OWNER'S MAILING ADDRESS: _____

CONTACT: _____ PHONE: (____) _____

SITE ADDRESS (IF DIFFERENT FROM ABOVE): _____

ASSESSOR'S PARCEL NUMBER: _____

PARCEL SIZE (AC): _____ APPROXIMATE SIZE OF AREA TO BE GRADED: _____

PROVIDE A DESCRIPTION OF PAST AGRICULTURAL USE (Within the past 5 years):

PROVIDE SUPPORTING DOCUMENTATION TO SHOW PAST AGRICULTURAL USE OF SITE:

PROVIDE A DESCRIPTION OF PROPOSED AGRICULTURAL USE:

APPROXIMATE QUANTITY OF EARTH TO BE MOVED: _____

WILL ANY MATERIAL BE IMPORTED? _____ QUANTITY? _____

WILL ANY MATERIAL BE EXPORTED? _____ QUANTITY? _____

This form must be completed by the time of submittal for an agricultural permit.

Circle One

YES NO Is your project located on a hazardous waste site that is included on any list compiled pursuant to Section 65962.5 of the Government Code? Please consult the San Diego County List of Hazardous and/or Substance Sites available at the DPW or Building Counter.

YES NO Will your project involve the demolition or modification of a structure(s) greater than 50 years in age? (If yes, please supply picture(s) of structure.)

YES NO Will your project disturb an archaeological resource such as rock art, grinding and milling features, or artifacts.

YES NO Will any watercourse or natural swale be affected or will the clearing take place within 200 feet of a watercourse or natural swale?

YES NO Does the project propose 40 acres or more to be graded in an area that has been previously legally disturbed, (e.g. has been legally graded in the past for agriculturally related operations)? If so, please provide evidence such as a grading permit number or an agricultural exemption number.

YES NO Does the project propose 20 acres or more to be graded in an area that has NOT been previously legally disturbed?

Has your project undergone previous environmental review as part of a previous Subdivision or Use permit? If yes, please supply the associated project name and permit numbers: _____

I declare under penalty of perjury under the laws of the State of California that the statements made herein are true and correct:

APPLICANT'S SIGNATURE: _____ DATE: _____

Date _____

I certify the following:

1. It is my intention to grade for the specified agricultural operation _____

_____.

to continue or establish the agricultural operation within one year and to retain the land in agriculture (including changing crops and fallowing for the specified agricultural operation for at least five years (ten years if the land is located within the "MSCP Subarea" as defined in Section 87.803) from the date the permit is issued.

2. I agree to take no action to change from the specified agricultural operation to a different type of land use for the period of the time stated in above paragraph; and

3. I acknowledge the County will deny any application for any non-agricultural land development, for a period of five years (ten years if the land is located within the "MSCP Subarea" as defined in Section 87.803) following the date the grading permit is issued.

I declare under penalty of perjury under the laws of the State of California that the statements made herein are true and correct.

Signature of Owner _____

This form must be completed by the time of submittal for an agricultural permit.

Date _____

I certify the following:

1. It is my intention to grade for stockpiling and that the fill material is for use exclusively on site.

2. It shall not exceed 18 months (or such shorter period as the County Official may require in the permit) from the date any stockpiled material is initially placed, to the date all material has been removed; and

3. I acknowledge that it will involve only material for use on the site, not for export, sales or borrow operations.

4. The ultimate use of the stockpiled material shall be _____
_____.

I declare under penalty of perjury under the laws of the State of California that the statements made herein are true and correct.

Signature of Owner _____