



THE CITY OF SAN DIEGO

DOCKET

11-AFC-3

DATE Aug 03 2011

RECD. Dec. 14 2011

August 3, 2011

Connie Farmer
Senior Environmental Project Manager
Tetra Tech, EC
143 Union Boulevard, Suite 1010
Lakewood, CO 80228

Dear Connie:

Subject: Quail Brush Preliminary Review Assessment Letter; Project No. 242668; IO No. 24001923; East Elliot Community Planning Area

The Development Services Department has completed the preliminary review of the project referenced above, and described as:

A Multi-Discipline Preliminary Review for a proposed electric generating station.

Enclosed is a Cycle Issues Report (Enclosure 1) which contains review comments based upon the information provided and the specific questions asked in the Preliminary Review Questionnaire. The purpose of this assessment letter is to document staff responses to your specific questions and identify a course of action for the processing of your project. If you plan to pursue this project, please note that you will need to formally submit plans to Development Services for a comprehensive plan review.

I. PROJECT ISSUES: The project issues are summarized below. Resolution of these issues could affect your project. Additional explanation is provided in the Cycle Issues Report. The project as proposed would require:

- A community plan amendment as the proposed project would inconsistent with the current Open Space designation.
- A rezone as the current residential (RS-1-8) zoning would be inconsistent with the proposed electric generation station.
- A Site Development Permit for environmentally Sensitive Lands in the form of sensitive biology and steep hillsides.

- A Multi-Habitat Planning Area boundary line adjustment.
- Brush Management.
- Review for Federal Aviation Administration regulations for Gillespie Field. The project is also located within the Miramar Airport Influence Area Review Area 2, and the Overflight Notification Area for Miramar.

Other significant issues for the project are:

- The project may have a significant visual impact if the proposal would adversely contrast with the surrounding area.
- The 500,000 cubic yards of proposed grading would be significant in a highly scenic area within environmentally sensitive lands. Available mitigation measures should be identified.
- In addition to Biology, Archaeology, Land Use, Air Quality, Greenhouse Gas Emissions, grading and water quality, City Staff has identified Visual Effect and Neighborhood Character, Health and Safety, including Ordinance, Brush Management, proximity to an active landfill, MCAS Miramar ALUCP, AEOZ, and traffic.
- The MHPA boundary line adjustment requires conformance with Native American Tribal notification and consultation requiring a 90-day consultation period and a 45-day review period and a 10-day notification period.
- The project may impact wetlands, including Vernal Pools. Please see the Plan-MSCP comments regarding wetland avoidance.
- The Mission Trails Regional Park Master Plan Update is in process and trail has been identified for the northeast corner of the project site. Please work with the Park and Recreation Department and the Mission Trails Regional Park Citizens Advisory Committee on this issue.

II. REQUIRED APPROVALS/FINDINGS - Your project as currently proposed requires the processing of:

Required approvals:

The following would be processed as a Process 5 City Council approval:

Community Plan Amendment

Rezone

Site Development Permit

Condition Use Permit

MHPA Boundary Line Adjustment

All actions will be consolidated under this application and processed concurrently, pursuant to the Consolidation of Processing regulations contained in Municipal Code Section 112.0103, with a Recommendation hearing before the Planning Commission before a final decision is rendered by the City Council, in accordance with Process Five.

Required Findings: To recommend approval of your project, certain findings must be substantiated in the record. Development Permit findings can be found in Chapter 12, Article 6 of the Municipal Code, accessible through our web site at: <http://clerkdoc.sannet.gov/Website/mc/MunicodeChapter12.html>. Please find the Site Development Permit findings at the end of this letter.

- III. PROJECT ACCOUNT STATUS:** Our current accounting system does not provide for real-time information regarding account status, however, our records show approximately \$2,288 billed to date, with a balance of \$2,712. An additional deposit of may be required to cover any remaining costs of the preliminary plan review, meeting and assessment letter.

In approximately 6-8 weeks, the financially responsible party for the deposit account will receive any remaining funds in the account, provided the account is not in deficit. In the event the account is in deficit, the financially responsible party will continue to receive account statements showing the negative balance due until payment is received.

- IV. SCHEDULE:** The processing of the discretionary approvals for this project will include a 25-30 business day turnaround for the first review; and a 15-20 business day turnaround for each subsequent review.
- V. NEXT STEPS:** When you are ready to submit your project, please follow the submittal requirements contained in the Land Development Manual Project Submittal Requirements. Information bulletins, forms, project submittal requirements, and the Land Development Code may be accessed on line at <http://www.sandiego.gov/development-services>.

Many land use plans for the various communities throughout the City of San Diego are now available on line at:

<http://www.sandiego.gov/planning/community/profiles/index.shtml>

- VI. COMMUNITY PLANNING GROUP:** Staff provides the decision maker with the recommendation from your locally recognized community planning group. Once the project is submitted, staff will forward a copy of the plans/exhibits to the planning group. You will also be requested to contact the chair of the planning group to schedule your project for a recommendation from the group. Currently, there is no recognized community planning group for the East Elliot planning area. Please contact Dan Monroe, City Planner at 619 236-5529.

Information Bulletin 620, "Coordination of Project Management with Community Planning Committees" (available at <http://www.sandiego.gov/development-services>), provides some valuable information about the advisory role the Community Planning Group. Council Policy 600-24 provides standard operating procedures and responsibilities of recognized Community Planning Committees and is available at <http://clerkdoc.sannet.gov/Website/council-policy>.

This preliminary review is valid for one year from the date of the preliminary review, except if:

- a. the San Diego Municipal Code on which this information is based is changed;
- b. Federal and State laws are enacted or emergency legislation is enacted by City council; or
- c. There is a change in project scope.

If project specific follow-up questions arise, you will need to submit for another preliminary review. For questions regarding any of the above, please contact me. I may be reached by telephone at (619)446-5201 or via e-mail at mdye@sandiego.gov.

Sincerely,



Morris E. Dye
Development Project Manager

Enclosures:

1. Cycle Issues Report

cc: File

Reviewing Staff (Assessment letter only)

Site Development Permit - Section 126.0504

A. Findings for all Site Development Permits

- 1. The proposed development will not adversely affect the applicable land use plan;**
- 2. The proposed development will not be detrimental to the public health, safety, and welfare; and**
- 3. The proposed development will comply with the applicable regulations of the Land Development Code.**

B. Supplemental Findings--Environmentally Sensitive Lands

- 1. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands;**
- 2. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards;**
- 3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands;**
- 4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan;**
- 5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply; and**
- 6. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.**

Additional findings may need to be met if there are deviations.

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Connie Farmer, Tetra Tech
August 3, 2011



L64A-003A

Project Information

Project Nbr: 242668 **Title:** Quail Brush Multi Prelim
Project Mgr: Dye, Morris (619) 446-5201 mdye@sandiego.gov



Review Information

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|--|--------------------------------------|-------------------------------|
| Cycle Type: 3 Preliminary Review | Submitted: 07/07/2011 | Deemed Complete on 07/07/2011 |
| Reviewing Discipline: LDR-Planning Review | Cycle Distributed: 07/07/2011 | |
| Reviewer: Larson, Chris (619) 446-5368 | Assigned: 07/21/2011 | |
| Hours of Review: 4.00 | Started: 07/21/2011 | |
| Next Review Method: Preliminary Review | Review Due: 07/21/2011 | |
| | Completed: 07/21/2011 | COMPLETED ON TIME |
| | Closed: 08/03/2011 | |

- . The reviewer has indicated they want to review this project again. Reason chosen by the reviewer: First Review Issues.
- . The reviewer has requested more documents be submitted.
- . Your project still has 15 outstanding review issues with LDR-Planning Review (all of which are new).
- . Last month LDR-Planning Review performed 122 reviews, 44.3% were on-time, and 60.2% were on projects at less than < 3 complete submittals.

Preliminary Review

| <u>Cleared?</u> | <u>Issue Num</u> | <u>Issue Text</u> |
|--------------------------|------------------|--|
| <input type="checkbox"/> | 1 | The site is located within the RS-1-8 Zone, Mission Trails Design District Subarea 2, and the East Elliot Community Plan. (New Issue) |
| <input type="checkbox"/> | 2 | The site is located within the Miramar Airport Influence Area Review Area 2, the Overflight Notification Area for Miramar, and the FAA Part 77 Noticing Area for Gillespie Field. (New Issue) |
| <input type="checkbox"/> | 3 | The site is located within the MHPA Subarea 2 and contains environmentally sensitive lands in the form of sensitive biological resources and appears to contain steep hillsides. (New Issue) |
| <input type="checkbox"/> | 4 | A small lot to the west is zoned IH-2-1. This lot is not a part of this project. (New Issue) |
| <input type="checkbox"/> | 5 | The project requires a Site Development Permit for environmentally sensitive lands. Regulations for environmentally sensitive lands are contained in SDMC 143.0101 through 143.0160. Findings for a Site Development Permit are contained in SDMC 126.0504. (New Issue) |
| <input type="checkbox"/> | 6 | The project requires a conditional use permit for an energy generation station. Regulations for an energy generation station are contained in SDMC 141.0408. Findings for a conditional use permit are contained in SDMC 126.0305. (New Issue) |
| <input type="checkbox"/> | 7 | The project requires a rezone. Procedures for a rezone are contained in SDMC 123.0101 through 123.0111. (New Issue) |
| <input type="checkbox"/> | 8 | The proposed project requires a land use plan amendment. Amendment procedures for land use plans are contained in SDMC 122.0101 through 122.0107. (New Issue) |
| <input type="checkbox"/> | 9 | The proposed project requires a MHPA boundary line adjustment. Please see the City's MSCP reviewer's comments for the procedure for this. (New Issue) |
| <input type="checkbox"/> | 10 | The project requires a Site Development Permit for the Mission Trails Design District. Regulations for the district are contained in SDMC 132.1201 through 132.1205. (New Issue) |
| <input type="checkbox"/> | 11 | The San Diego Municipal Code requires all actions to be consolidated and processed at the highest level. The decision for this proposal will be Process 5 City Council. (New Issue) |
| <input type="checkbox"/> | 12 | During the meeting it was indicated by CEC staff that their agency had "in lieu" permitting authority. Please explain what that is and provide any laws or statutes that explain this. (New Issue) |
| <input type="checkbox"/> | 13 | The site is located within the Very High Fire Hazard Severity Zone. The project will require brush management. Brush management regulation are contained in SDMC 142.0412. (New Issue) |
| <input type="checkbox"/> | 14 | These comments are for preliminary review purposes only. A complete review of the project has not been performed. It is expected that additional issues will be identified during the formal review of this proposal. (New Issue) |
| <input type="checkbox"/> | 15 | Instead of a rezone a planned development permit can be processed to allow for implementation of a land use plan (SDMC 143.0403(a)(1)). Regulations for planned development permits are contained in SDMC 143.0401 through 143.0480 and findings are contained in SDMC 126.0604. (New Issue) |





L64A-003A

Review Information

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| Cycle Type: 3 Preliminary Review | Submitted: 07/07/2011 | Deemed Complete on 07/07/2011 |
| Reviewing Discipline: LDR-Environmental | Cycle Distributed: 07/07/2011 | |
| Reviewer: Cameron, Jean (619) 446-5379 | Assigned: 07/11/2011 | |
| Hours of Review: 4.50 | Started: 07/22/2011 | |
| Next Review Method: Preliminary Review | Review Due: 08/08/2011 | |
| | Completed: 08/01/2011 | COMPLETED ON TIME |
| | Closed: 08/03/2011 | |

- . The review due date was changed to 08/08/2011 from 07/21/2011 per agreement with customer.
- . The reviewer has indicated they want to review this project again. Reason chosen by the reviewer: First Review Issues.
- . The reviewer has requested more documents be submitted.
- . Last month LDR-Environmental performed 65 reviews, 47.7% were on-time, and 48.3% were on projects at less than < 3 complete submittals.

CEQA Lead Agency

| <u>Cleared?</u> | <u>Num</u> | <u>Issue Text</u> |
|-------------------------------------|------------|--|
| <input checked="" type="checkbox"/> | 1 | Based on information provided by the applicant and the California Energy Commission, the City of San Diego will not be the lead agency for this project. Lead Agency responsibilities will fall to the CEC which includes preparation of all environmental documentation in accordance with CEQA. The CEC environmental document will be prepared using technical studies and analysis provided by the applicant. The CEC will deem the AFC complete, prepare the environmental assessment, and render a decision on the project in accordance with the Public Resources Code Section 25.519(c). (New Issue) |
| <input checked="" type="checkbox"/> | 2 | Upon submittal of the project to DSD, the City of San Diego will assume Responsible Agency roles under CEQA and use the CEC environmental document for the purpose of approving any City required discretionary actions identified by City staff. The City Decision-maker must be able to rely on a previously certified environmental document for a project prepared by another agency in order to approve it's own discretionary actions. The document must adequately address environmental impacts and provide appropriate mitigation. (New Issue) |

Environmental Issue Areas for

| <u>Cleared?</u> | <u>Num</u> | <u>Issue Text</u> |
|-------------------------------------|------------|--|
| <input checked="" type="checkbox"/> | 3 | The applicant has identified a number of environmental issues that are being studied for the project which include Biology, Archaeology, Land Use (MSCP/MHPA), Land Use (Community Plan Amendment), Air Quality, Greenhouse Gas Emissions, grading/landform alteration, water quality/Stormwater. (New Issue) |
| <input checked="" type="checkbox"/> | 4 | Based on the preliminary informaton provided by the applicant DSD-Environmental has identified the following additional issue areas that will need to be addressed in the environmental document: Visual Effect and Neighborhood Character, Health & Safety (including Ordnance, Brush Management, proximity to an active landfill, MCAS Miramar ALUCP, AEOZ or AAOZ) and traffic. (New Issue) |
| <input checked="" type="checkbox"/> | 5 | Any technical studies associated with all environmental issues identified by either the City or the CEC should be provided to City staff for review for consistency with City Guidelines and standards. Environmental staff recommends review of the City's CEQA Significance Determination Thresholds (January 2011), Biological Survey Guidelines, Historical Resources Guidelines, Geology Guidelines, Stormwater Regulations to ensure that technical documents meet City requirements. (New Issue) |
| <input checked="" type="checkbox"/> | 6 | The applicant has indicted that the project would only have temporary traffic impacts during construction and operational traffic would be limited to seven employees over the 20 year life of the project. The project would utilize the existing Sycamore Landfill road during construction and operation. This preliminary review did not include staff from the Transportation section, therefore additional information will be required regarding potential traffic impacts (truck trips per day, week, month) anticipated during construction related activites. (New Issue) |
| <input checked="" type="checkbox"/> | 7 | Any traffic related information will then be provided to Transportation staff for review and to determine if a traffic study will be necessary or if any specific mitigation will be required. (New Issue) |
| <input checked="" type="checkbox"/> | 8 | Please provide a visual simulation of the power plant and a photo survey from key areas within the vicinity in order for staff ot deteremine if the project would adversely contrast with the surrounding area. Photos should be taken from any public roadway, public trail, park and open space area. A significant visual impact would require mitigation and/or incorporation of site design measures which could reduce the visual impact, but perhaps not to below a level of significance. Please refer to the City's CEQA Significance Determination Thresholds for additional conditions related to this issue. (New Issue) |
| <input checked="" type="checkbox"/> | 9 | In addition, the prelim application indicates that approximately 500,000 cubic yards of grading will be required for the project. This amount of grading within a highly scenic area within environmentally sensitives lands would be considered significant under the landform alteration category. The environmental document must demonstrate if measures are available to mitigate for this impact. (New Issue) |

NOD & CDFG Filing Fees

| <u>Cleared?</u> | <u>Num</u> | <u>Issue Text</u> |
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For questions regarding the 'LDR-Environmental' review, please call Jean Cameron at (619) 446-5379. Project Nbr: 242668 / Cycle: 3





L64A-003A

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| <input checked="" type="checkbox"/> | 10 | Because the City will take action on your project before the CEC files it's Final Notice of Decision, it's unclear at what time the CDFG Fling Fees will be collected and by which agency. The City action will require filing of a Notice of Determination, at which time we are obligated to collect the CDFG fees, unless they have been paid under a previous action. Please consult with CEC staff on how this will be addressed and provide information to the City prior to the public hearing. Copies of CDFG filing fee and completed NOD posting should be provided to the City. (New Issue) |
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Nesting Bird Disclosure

| <u>Cleared?</u> | <u>Issue Num</u> | <u>Issue Text</u> |
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| <input checked="" type="checkbox"/> | 11 | NESTING BIRD DISCLOSURE - Please note that nesting birds may be present during construction, and are protected under US and State Law including the Federal Migratory Bird Treaty Act and in particular; CA Law - Fish and Game Code - Section 3503. |
|-------------------------------------|----|--|

CDFG Code 3503 states: "It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto."
(New Issue)

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| <input checked="" type="checkbox"/> | 12 | The intent of these comments are to alert the property owner/agent that they are responsible for compliance with these laws, and that they may be subject to fines/prosecution should the laws be violated. It is recommended that this information be placed on the construction plans to ensure compliance. |
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For more information on Section 3503 go to:
<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=fgc&group=03001-04000&file=3500-3516>

(New Issue)

Native American Consultation

| <u>Cleared?</u> | <u>Issue Num</u> | <u>Issue Text</u> |
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| <input checked="" type="checkbox"/> | 13 | Staff understands that your archaeological survey was conducted without the participation of a Native American Monitor/Observer. The City of San Diego requires the participation of the Native American monitor during all phases of an archaeological investigation including input on any testing plans and mitigation measures for data recovery programs. Many local Native American monitors also have extensive archaeological experience and are familiar with the City requirements. (New Issue) |
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| <input checked="" type="checkbox"/> | 14 | Staff recommends that you contact the Kumeyaay Cultural Repatriation Committee (KCRC) at 619-443-6612 to obtain the name of a Native American monitor that can participate in a resurvey of the project site and any offsite areas including mitigation sites. (New Issue) |
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Preliminary Review Disclosure

| <u>Cleared?</u> | <u>Issue Num</u> | <u>Issue Text</u> |
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| <input checked="" type="checkbox"/> | 15 | The Environmental Analysis Section (EAS) has completed the preliminary review for the proposed project in accordance with the California Environmental Quality Act (CEQA). All "uncleared" comments must be addressed in your complete submittal. Please be aware that the conclusions of this preliminary review may change in response to any project changes and/or new information, therefore further information may be required when the project is submitted and deemed complete. (New Issue) |
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L64A-003A

Review Information

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| Cycle Type: 3 Preliminary Review | Submitted: 07/07/2011 | Deemed Complete on 07/07/2011 |
| Reviewing Discipline: Plan-Long Range Planning | Cycle Distributed: 07/07/2011 | |
| Reviewer: Monroe, Dan (619) 236-5529 | Assigned: 07/08/2011 | |
| Hours of Review: 2.50 | Started: 07/21/2011 | |
| Next Review Method: Preliminary Review | Review Due: 07/21/2011 | |
| | Completed: 07/21/2011 | COMPLETED ON TIME |
| | Closed: 08/03/2011 | |

- . The reviewer has requested more documents be submitted.
- . Last month Plan-Long Range Planning performed 10 reviews, 60.0% were on-time, and 57.1% were on projects at less than < 3 complete submittals.

Prelim Review - LRP comments

| <u>Cleared?</u> | <u>Issue Num</u> | <u>Issue Text</u> |
|-------------------------------------|------------------|--|
| <input checked="" type="checkbox"/> | 1 | The project site is designated Open Space by the East Elliot Community Plan. The proposed project would require an amendment to the community plan to allow for an energy generation facility. (New Issue) |
| <input checked="" type="checkbox"/> | 2 | The Land Use Element of the City's General Plan provides policies for land use plan amendments in its Land Use Element. These are found in Section D, page LU-26, policies LU-D.1 through LU-D.14. In order for a land use plan amendment to be processed it must first be initiated by either City Council or by Planning Commission. (New Issue) |
| <input checked="" type="checkbox"/> | 3 | The most typical process to initiate a project of this scope would be initiation by Planning Commission who must decide if the proposed land use change meets the three criteria identified in LU-D.10. LRP staff would prepare a Report to Planning Commission with a recommendation on whether to deny or approve the initiation request. (New Issue) |
| <input checked="" type="checkbox"/> | 4 | If initiated by Planning Commission, staff will work with the applicant to determine the best way to implement the proposed project through a change in land use and appropriate implementing zone or through identifying the specific use proposed and location of the use in the text and figures of the East Elliot Community Plan. (New Issue) |
| <input checked="" type="checkbox"/> | 5 | Land Use Plan Amendments and/or MHPA Boundary Line Adjustments require conformance with SB 18 Native American Tribal notification and consultation prior to the local jurisdiction's public hearing on the proposed project. If initiated, city staff will prepare and process the notification package for the applicable Native American Tribes. This includes a 90-day consultation period, a 45-day review of the proposed land use change and/or boundary line adjustment and 10-day notification prior to the final public hearing by the local jurisdiction (City Council). (New Issue) |





L64A-003A

Review Information

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| Cycle Type: 3 Preliminary Review | Submitted: 07/07/2011 | Deemed Complete on 07/07/2011 |
| Reviewing Discipline: Plan-MSCP | Cycle Distributed: 07/07/2011 | |
| Reviewer: Forburger, Kristen (619) 236-6583 | Assigned: 07/14/2011 | |
| Hours of Review: 4.00 | Started: 07/19/2011 | |
| Next Review Method: Preliminary Review | Review Due: 07/21/2011 | |
| | Completed: 07/21/2011 | COMPLETED ON TIME |
| | Closed: 08/03/2011 | |

- . The reviewer has indicated they want to review this project again. Reason chosen by the reviewer: First Review Issues.
- . The reviewer has requested more documents be submitted.
- . Your project still has 27 outstanding review issues with Plan-MSCP (all of which are new).
- . Last month Plan-MSCP performed 12 reviews, 50.0% were on-time, and 60.0% were on projects at less than < 3 complete submittals.

MSCP review 7/21/11

| <u>Cleared?</u> | <u>Issue Num</u> | <u>Issue Text</u> |
|--------------------------|------------------|---|
| <input type="checkbox"/> | 1 | The project site lies entirely within the Multi-Habitat Planning Area (MHPA) of the City's MSCP. Please provide a map of the MHPA boundary on the project plans at the same scale as the project or a maximum scale of 1":200' (New Issue) |
| <input type="checkbox"/> | 2 | Please provide a biological resources report prepared pursuant to the City of San Diego "Guidelines for Conducting Biological Surveys" (2002). The report should include a map depicting biological resources and MHPA boundaries. MHPA Guidelines, as described in the MSCP Subarea Plan, that apply to the site and any management conditions that would apply to the areas conserved as MHPA/open space should also be discussed in the report. (New Issue) |
| <input type="checkbox"/> | 3 | In the biology report, please assess the potential for narrow endemic species on the project site. Focused spring surveys would be required in any areas of the site showing a moderate to high potential for occurrence of these species/features. Avoidance of these species/features would be required. (New Issue) |
| <input type="checkbox"/> | 4 | Wetlands If the project would impact wetlands (including vernal pools) The City's Biology Guidelines and MSCP Subarea Plan require that impacts to wetlands, including vernal pools, shall be avoided, and that a sufficient wetland buffer shall be maintained, as appropriate, to protect resource functions/values. For vernal pools, this includes avoidance of the watershed necessary for the continued viability of the ponding area. continued.. (New Issue) |
| <input type="checkbox"/> | 5 | ...Where wetland impacts are unavoidable (determined case-by-case), they shall be minimized to the maximum extent practicable and fully mitigated per the Biology Guidelines. The biology report should include an analysis of on-site wetlands (including city, state and federal jurisdiction analysis) and, if present, include project alternatives that fully/substantially avoid wetland impacts. continued.. (New Issue) |
| <input type="checkbox"/> | 6 | Detailed evidence supporting why there is no feasible, less environmentally damaging location or alternative to avoid any impacts must be provided for City staff review, as well as a mitigation plan that specifically identifies how the project is to compensate for any unavoidable impacts. Avoidance is the first requirement; mitigation can only be used for impacts clearly demonstrated to be unavoidable. Unavoidable impacts will require deviation from the City's ESL. (New Issue) |
| <input type="checkbox"/> | 7 | Land Use Adjacency Due to the adjacency to the MHPA, the development will need to conform to all applicable Land Use Adjacency Guidelines (Section 1.4.3) of the MSCP Subarea Plan. In particular, lighting, drainage, landscaping, grading, access, and noise must not adversely affect the MHPA. Please address these issues in the project biology report and provide notes/conditions on the construction plans as appropriate. (New Issue) |
| <input type="checkbox"/> | 8 | New Issue (5835159) (New Issue) |
| <input type="checkbox"/> | 9 | Lighting Lighting should be directed away from the MHPA, and shielded if necessary. Please see Municipal Code §142.0740 for further information if needed. (New Issue) |
| <input type="checkbox"/> | 10 | Drainage Drainage should be directed away from the MHPA, or if not possible, must not drain directly into the MHPA. Instead, runoff should flow into sedimentation basins, grassy swales or mechanical trapping devices prior to draining into the MHPA (New Issue) |
| <input type="checkbox"/> | 11 | Landscaping No invasive plant species shall be planted in or adjacent to the MHPA. (New Issue) |
| <input type="checkbox"/> | 12 | Grading All manufactured slopes must be included within the development footprint and outside the MHPA (New Issue) |





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| <u>Cleared?</u> | <u>Issue Num</u> | <u>Issue Text</u> |
|--------------------------|------------------|--|
| <input type="checkbox"/> | 13 | Brush Management All Zone 1 brush management areas must be included within the development footprint and outside the MHPA. Brush management Zone 2 may be permitted within the MHPA (considered impact neutral) but cannot be used as mitigation (New Issue) |
| <input type="checkbox"/> | 14 | Access Access to the MHPA, if any, should be directed to minimize impacts and reduce impacts associated with domestic pet predation. (New Issue) |
| <input type="checkbox"/> | 15 | Noise Due to the site's location adjacent to (could also be within) the MHPA, construction noise will need to be avoided, if possible, during the breeding season of the California gnatcatcher (3/1-8/15), least Bell's vireo (3/15-9/15), southwestern willow flycatcher (5/1-8/30). If construction is proposed during the breeding season for the species, U.S. Fish and Wildlife Service protocol surveys will be required in order to determine species presence/absence. If the species is/are not identified within the MHPA, no additional measures will be required. con't (New Issue) |
| <input type="checkbox"/> | 16 | ..If present, measures to minimize noise impacts will be required and should include temporary noise walls/berms. If a survey is not conducted and construction is proposed during the species' breeding season, presence would be assumed and a temporary wall/berm would be required. Noise levels from construction activities during the bird breeding season should not exceed 60 dBA hourly LEQ at the edge of the occupied MHPA, or the ambient noise level if noise levels already exceed 60 dBA hourly LEQ (New Issue) |
| <input type="checkbox"/> | 17 | Boundary Adjustment - Part I It appears that the project may encroach into the MHPA beyond the allowable development area [See Sections 143.0142 and 131.0250(b) of the Land Development Code and pages 5 and 6 of the City's Biology Guidelines], requiring a MHPA boundary line adjustment. Under the City's MSCP Subarea Plan, an adjustment to the City's MHPA boundary is allowed only if the new MHPA boundary results in an exchange of lands that are functionally equivalent or higher in biological value. CONTINUED (New Issue) |
| <input type="checkbox"/> | 18 | Boundary Adjustment - Part II A determination of functionally equivalent or higher biological value will be based on site-specific information (both quantitative and qualitative) that addresses the six boundary adjustment criteria outlined in Section 5.4.3 of the Final MSCP Plan (August 1998), which are as follows: 1. Effects on significantly and sufficiently conserved habitats (i.e., the exchange maintains or improves the conservation, configuration, or status of significantly and sufficiently conserved habitats, as defined in Section 3.4.2 [of the MSCP Plan]). CONTINUED (New Issue) |
| <input type="checkbox"/> | 19 | Boundary Adjustment - Part III 2. Effects on covered species (i.e., the exchange maintains or increases the conservation of covered species). 3. Effects on habitat linkages and function of preserve areas (i.e., the exchange maintains or improves any habitat linkages or wildlife corridors); 4. Effects on preserve configuration and management (i.e., the exchange results in similar or improved management efficiency and/or protection of biological resources); CONTINUED (New Issue) |
| <input type="checkbox"/> | 20 | Boundary Adjustment - Part IV 5. Effects on ecotones or other conditions affecting species diversity (i.e., the exchange maintains topographic and structural diversity and habitat interfaces of the preserve); and 6. Effects on species of concern not on the covered species list (i.e., the exchange does not significantly increase the likelihood that an uncovered species will meet the criteria for listing under either the federal or state ESAs). CONTINUED (New Issue) |
| <input type="checkbox"/> | 21 | Boundary Adjustment - Part V All proposed MHPA boundary adjustment require approval from the U.S. Fish and Wildlife Service (FWS) and California Department of Fish and Game (CDFG), collectively the "wildlife agencies." Approval is typically obtained prior to release of the environmental documentation for the project, but no later than the first public hearing. Early consultation with the wildlife agencies would be required for any proposed MHPA boundary adjustment; Meetings with the wildlife agencies to discuss proposed MHPA adjustments are held bi-monthly. (New Issue) |





L64A-003A

| <u>Cleared?</u> | <u>Issue Num</u> | <u>Issue Text</u> |
|--------------------------|------------------|---|
| <input type="checkbox"/> | 22 | <p>Boundary Adjustment - Part VI</p> <p>Any proposed boundary adjustment will also be disclosed in the environmental document (i.e., CEQA) for the project.</p> <p>If a boundary adjustment is proposed, the project biology report must include all the following elements:</p> <ol style="list-style-type: none"> 1. A map showing the existing MHPA boundary, as approved in the MSCP, the proposed encroachment (in red) and proposed addition (in green). <p>(New Issue)</p> |
| <input type="checkbox"/> | 23 | <ol style="list-style-type: none"> 2. An MHPA exchange table showing (by habitat tier) what is proposed to be removed and what is proposed to be added to the MHPA as well as the net change in acreage. The table should include the following columns/rows or equivalent: a) Tier; b) Habitat; c) Existing MHPA; d) Proposed Encroachment; e) Proposed Addition; and f) Net Change. <p>CONTINUED</p> <p>(New Issue)</p> |
| <input type="checkbox"/> | 24 | <p>Boundary Adjustment - Part VII</p> <ol style="list-style-type: none"> 3. A written analysis of the adjustment's consistency with the six boundary adjustment criteria. <p>Please note that three sets of the revised MHPA analysis (map, table and six findings) must be provided to MSCP staff at least two weeks prior to the next scheduled bi-monthly wildlife agency meeting in order to include the project on the agenda.</p> <p>(New Issue)</p> |
| <input type="checkbox"/> | 25 | <p>Boundary Adjustment - Part VIII</p> <p>This project is requesting a Multi-Habitat Planning Area (MHPA) Boundary Line Adjustment (BLA) and is therefore required to initiate consultation with California Native American tribes consistent with SB 18. The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places.</p> <p>(New Issue)</p> |
| <input type="checkbox"/> | 26 | <p>Dedication/Easement</p> <p>Part I</p> <p>Prior to recordation of the first final map and/or issuance of any grading permits, the on-site MHPA shall be conveyed to the City's MSCP preserve through either fee title to the City, or a conservation easement or covenant of easement granted in favor of the City and wildlife agencies. (New Issue)</p> |
| <input type="checkbox"/> | 27 | <p>Part II</p> <p>Conveyance of any land in fee to the City shall require approval from the Park and Recreation Department Open Space Division Deputy Director and shall exclude detention basins or other stormwater control facilities, brush management areas, landscape/revegetation areas, and graded slopes. To facilitate MHPA conveyance, any non-fee areas shall have conservation easements placed over them if located in the MHPA, and be maintained in perpetuity by the Owner/Permittee/Applicant unless otherwise agreed to by the City. All other on-site areas can be conveyed through any of the three above. (New Issue)</p> |





Cycle Issues

L64A-003A

Review Information

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|---|--------------------------------------|-------------------------------|
| Cycle Type: 3 Preliminary Review | Submitted: 07/07/2011 | Deemed Complete on 07/07/2011 |
| Reviewing Discipline: Park & Rec | Cycle Distributed: 07/07/2011 | |
| Reviewer: Harkness, Jeff (619) 533-6595 | Assigned: 07/14/2011 | |
| Hours of Review: 1.00 | Started: 07/21/2011 | |
| Next Review Method: Preliminary Review | Review Due: 07/21/2011 | |
| | Completed: 07/21/2011 | COMPLETED ON TIME |
| | Closed: 08/03/2011 | |

- . The reviewer has indicated they want to review this project again. Reason chosen by the reviewer: First Review Issues.
- . The reviewer has requested more documents be submitted.
- . Your project still has 4 outstanding review issues with Park & Rec (all of which are new).
- . Last month Park & Rec performed 13 reviews, 100.0% were on-time, and 90.9% were on projects at less than < 3 complete submittals.

Review 7-21-11

| <u>Cleared?</u> | <u>Issue Num</u> | <u>Issue Text</u> |
|-----------------|------------------|-------------------|
|-----------------|------------------|-------------------|

- | | | |
|--------------------------|---|--|
| <input type="checkbox"/> | 1 | The proposed project is within the East Elliot Community planning area. A Mission Trails Regional Park Master Plan Update is currently in process and is proposing inclusion of the entire E. Elliot community within the park boundaries. Public Workshops were conducted and trails within the E Elliot community have been identified for inclusion within the Update. (New Issue) |
| <input type="checkbox"/> | 2 | The proposed Update does not preclude private development allowed by the Community Plan and zone. The Update is proposing that if private development does occur, the developer work with the City to provide the proposed park amenities. For this particular parcel, there is the potential for a trail in the north east corner. Staff would like to work with the applicant to determine the potential for any future trail access through the parcel. (New Issue) |
| <input type="checkbox"/> | 3 | It is recommended that the applicant present the proposed project to the Mission Trails Regional Park Citizens Advisory Committee as an information item. Please contact Park & Recreation Dept, District Manager, Steve Haupt (619-685-1311). (New Issue) |
| <input type="checkbox"/> | 4 | As stated in the meeting, the project lies within Subarea 2 of the Mission Trails Design District. The Mission Trails Design District document should be reviewed for project conformance. (New Issue) |





L64A-003A

Review Information

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|---|--------------------------------------|-------------------------------|
| Cycle Type: 3 Preliminary Review | Submitted: 07/07/2011 | Deemed Complete on 07/07/2011 |
| Reviewing Discipline: LDR-Local Enforcement Agency | Cycle Distributed: 07/07/2011 | |
| Reviewer: Adams, Jacquelyn (619) 533-3695 | Assigned: 07/08/2011 | |
| Hours of Review: 2.00 | Started: 07/21/2011 | |
| Next Review Method: Preliminary Review | Review Due: 07/21/2011 | |
| | Completed: 07/21/2011 | COMPLETED ON TIME |
| | Closed: 08/03/2011 | |

. The reviewer has requested more documents be submitted.

New Issue Group (1416656)

| <u>Issue</u> | | |
|-------------------------------------|------------|---|
| <u>Cleared?</u> | <u>Num</u> | <u>Issue Text</u> |
| <input checked="" type="checkbox"/> | 1 | Consideration must be given to the traffic impact on Sycamore Landfill Road. The Sycamore Landfill Solid Waste Facility Permit and CEQA limit the amount of traffic trips per day on this road. (New Issue) |
| <input checked="" type="checkbox"/> | 2 | Plans to incorporate Landfill Gas with this project will require additional regulatory review. Notify the LEA Program Manager, Bill Prinz, at 619-533-3696 for additional information. (New Issue) |

