

**OTAY HILLS CONSTRUCTION AGGREGATE AND INERT
DEBRIS ENGINEERED FILL OPERATION PROJECT**

APPENDIX A2

**NOTICE OF PREPARATION (2011)
AND COMMENTS RECEIVED**

for the

**PUBLIC REVIEW
DRAFT ENVIRONMENTAL IMPACT REPORT**

PDS2004-3300-04-004 (MUP);
PDS2004-3310-04-001 (RP);
PDS2010-3813-10-002 (SPA);
Log No. 04-190-04

JUNE 2020

Prepared for:

COUNTY OF SAN DIEGO
PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310
SAN DIEGO, CALIFORNIA 92123



ERIC GIBSON
DIRECTOR

County of San Diego

DEPARTMENT OF PLANNING AND LAND USE

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1666
INFORMATION (858) 694-2960
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www.sdcounty.ca.gov/dplu

NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

March 17, 2011

NOTICE IS HEREBY GIVEN that the County of San Diego, Department of Planning and Land Use will be the Lead Agency and will prepare an Environmental Impact Report in accordance with the California Environmental Quality Act for the following projects. The Department is seeking public and agency input on the scope and content of the environmental information to be contained in the Environmental Impact Report. A Notice of Preparation document, which contains a description of the probable environmental effects of the project, can be reviewed on the World Wide Web at http://www.sdcounty.ca.gov/dplu/ceqa_public_review.html, at the Department of Planning and Land Use (DPLU), Project Processing Counter, 5201 Ruffin Road, Suite B, San Diego, California 92123 and at the public libraries listed below. Comments on the Notice of Preparation document must be sent to the DPLU address listed above and should reference the project number and name.

3300 04-004 (MUP), 3310 04-001 (RP), 3813 10-002 (SPA) LOG NO. ER 04-19-004; Otay Hills Aggregate Mining And Inert Debris Landfill Project. The project is an application for a Specific Plan Amendment (SPA), Major Use Permit (MUP) and Reclamation Plan (RP) for an aggregate mining and inert debris landfill project. The MUP project area consists of 110 acres upon which the mining of construction aggregates, materials processing, and inert debris landfill operations will occur. The balance of the 434-acre area would be placed in biological open space. The project is located at the eastern extension of Otay Mesa Road on the southwestern flank of the San Ysidro Mountains. The site is 2.5 miles northeast of the Otay Mesa Border Crossing and 2.3 miles east of the SR-125/Otay Mesa Road intersection within the Otay Community Planning Area and unincorporated area of San Diego County. Comments on this Notice of Preparation document must be received no later than **April 15, 2011 at 4:00 p.m.** (a 30 day public review period). This Notice of Preparation can also be reviewed at the **San Diego Downtown Library** located at 820 E Street, San Diego, CA, **Otay Mesa Branch Library** located at 3003 Coronado Ave., San Diego, CA, **Chula Vista Civic Center Library** located at 365 F Street, Chula Vista, CA, and **Eastlake Branch Library**, located at 1120 Eastlake Parkway, Chula Vista, CA. A public scoping meeting will also be held on Wednesday, March 30, 2011 at the DPLU Hearing Room located at 5201 Ruffin Road, Suite B, San Diego, CA 92123 at 5:00 P.M. For additional information, please contact Jim Bennett at (858) 694-3820 or by e-mail at jim.bennett@sdcounty.ca.gov.



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NOTICE OF PREPARATION DOCUMENTATION

DATE: March 17, 2011

PROJECT NAME: Otay Hills Aggregate Mining And Inert Debris Landfill Project

PROJECT NUMBER(S): 3300 04-004 (MUP); 3310 04-001 (RP); 3813 10-002 (SPA)

PROJECT APPLICANT: Superior Ready Mix

ENV. REVIEW NUMBER: ER 04-19-004

PROJECT DESCRIPTION:

The proposed project is an application for a Specific Plan Amendment (SPA), Major Use Permit (MUP) and Reclamation Plan (RP) for the Otay Hills Aggregate Mining and Inert Debris Landfill Project. The project is located within six parcels (APNs 648-050-13, 14; 648-080-13, 14, 25; and, 648-040-39, 40 that total approximately 434 acres. The MUP project area consists of 110 acres upon which the mining of construction aggregates, materials processing, and inert debris landfill operations will occur. The balance of the 434-acre area would be placed in biological open space. Primary access to the site would be from the east end of Calzada De La Fuente which connects to Alta Road one-half mile north of Otay Mesa Road.

The proposed project area is subject to the General Plan Land Use Designation (21) Specific Plan Area and the Zoning is S88 (Specific Planning Area). The MUP site is within the East Otay Mesa Specific Plan Area (EOMSP), in the Otay Subregional Plan Area. Based on Section 3.1 of the EOMSP, the proposed aggregate mining and inert debris landfill activities require approval of a MUP and RP. The proposed site is located within two land use designations (mixed industrial and rural residential) of the EOMSP. The SPA is proposed to establish a long-term land use policy for the area proposed for extractive operations and

inert debris landfill activities. Approximately 84 acres of the 110-acre MUP area would be converted to mixed industrial land use designation from the rural residential designation by the SPA. An additional 6 acres of adjacent offsite land to the west of the project site would be converted to mixed industrial land use designation from the rural residential designation by the SPA. The SPA would also convert 33.9 acres of mixed industrial to the rural residential land use designation north and east of the MUP area, where open space is proposed by the project. The 84 acres of onsite land that would be converted to mixed industrial land use also carries the designation of Major Amendment area under the Multiple Species Conservation Program (MSCP). Because the project proposes to impact this area, a Major Amendment to the MSCP must be processed with the U.S. Fish and Wildlife Service (USFWS) which necessitates the preparation of a joint CEQA/NEPA document.

Approximately 86 million tons of mineral resources would be extracted from, and 58 million tons of inert debris would be deposited into the site over a period of approximately 120 years+/- . Operations would include:

- Phased recovery of rock resources
- Materials processing
- Concrete Batch Plant
- Cement Treated Base Plant
- Asphalt Batch Plant
- Recycling of Asphalt and Concrete products
- Inert Debris Engineered Fill Operation (IDEFO)

Most processing activities would take place on a 16-acre area at the northern portion of the 110-acre site covered by the Major Use Permit and Reclamation Plan. Equipment maintenance and export of material could occur 24 hours per day. Anticipated levels of mineral production are between 0.6 and 1.1 million tons per year. Blasting would occur once per week following drilling of bore holes 3 to 6 inches in diameter and 45 feet deep, in a 60 by 120 foot grid. The proposed extraction and processing operations are anticipated to require 75 acre-feet per year (afy) of water. The project would initially obtain imported water from the Otay Water District to meet all of the project's demands. While the deep pit is being excavated, excess runoff from rainfall and seepage from groundwater that drain into the pit would augment imported water and would be stored for use in ponds in the processing area or within the active pit. Proposed water demands at the project site include materials washing (23 afy), pit and haul road dust control (22 afy), and plant dust control (11 afy). The concrete batch plant would use approximately 19 afy. At the peak of both aggregate production and IDEFO operations, average daily trips (ADT) could total approximately 1200 to 1500. Reclaimed water may be provided to the area in the near future and could be utilized by the project if available.

Site operations are proposed to occur in four phases:

Phase 1 would include site preparation and construction of the site office and plant equipment. This phase would last approximately one year.

Phase 2 would include rock extraction and materials processing activities. Rock extraction would occur to the natural grade elevation of land immediately west of the site. This phase is expected to take approximately 21 to 26 years, cover an area of approximately 96 acres, and result in the extraction of 22 million tons of material.

Phase 3 would include additional extraction of mineral resources within the Phase 2 footprint to a maximum depth of 525 feet below the existing grade. Approximately 64 million tons of material would be extracted over an additional 58 to 75 years.

Approximately 4 years after Phase 3 commences, the inert debris landfill operation (IDEFO), or Phase 4, would begin. Inert debris would include excavated soil material from development projects, clean demolition materials, and possibly concrete, asphalt, and rock. The backfilling operation would be supervised by a geotechnical engineer to ensure that materials are adequately compacted to promote future land use on the site. Phase 4 is expected to last some 21 years beyond the extraction operation (Phase 3), or a total of up to 92 years, and deposit some 58 million cubic yards of inert debris back into the extraction area.

Reclamation of the site will be ongoing but final reclamation would occur when all operations have been completed. This would include final grading to establish a final landform, removal of plant equipment, application of topsoil resources to the slopes created during the Phase 2 mining operations, and revegetation. The concrete and asphalt batch plants could remain on the site as an ongoing industrial operation.

PROJECT LOCATION:

The Otay Hills property is located in portions of Sections 29 and 32, Township 18 South, Range 1 East, San Diego County, California. The site is located at the eastern extension of Otay Mesa Road on the southwestern flank of the San Ysidro Mountains. The site is 2.5 miles northeast of the Otay Mesa Border Crossing and 2.3 miles east of the SR-125/Otay Mesa Road intersection.

Thomas Brothers Coordinates: Page 1332, Grid D/7, E/7
Page 1352, Grid D/1, D/2, E/1, E/2

PROBABLE ENVIRONMENTAL EFFECTS:

The probable environmental effects associated with the project are detailed in the attached Environmental Initial Study. All questions answered "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated" will be analyzed further in the Environmental Impact Report. All questions answered "Less than Significant Impact" or "Not Applicable" will not be analyzed further in the Environmental Impact Report.

The following is a list of the subject areas to be analyzed in the EIR and the particular issues of concern:

Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology & Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology & Water Quality, Land Use & Planning, Noise, Public Services, Transportation/Traffic, and Utilities and Service Systems

PUBLIC SCOPING MEETING:

Consistent with Section 21083.9 of the CEQA Statutes, a public scoping meeting will be held to solicit comments on the EIS/EIR. This meeting will be held on Wednesday, March 30, 2011 at the DPLU Hearing Room located at 5201 Ruffin Road, Suite B, San Diego, CA 92123 at 5:00pm.

Attachments:

Project Regional Location Map
Project Detailed Location Map
Plot Plan Exhibit
Environmental Initial Study



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March 10, 2011

CEQA Initial Study - Environmental Checklist Form (Based on the State CEQA Guidelines, Appendix G Rev. March, 2010)

1. Title; Project Number(s); Environmental Log Number:
Otay Hills Aggregate Mining And Inert Debris Landfill Project
3300 04-004; 3310 04-001; ER 04-19-004; SCH# 2005051151
2. Lead agency name and address:
County of San Diego, Department of Planning and Land Use
5201 Ruffin Road, Suite B,
San Diego, CA 92123-1666
3. a. Contact Jim Bennett, Project Manager
b. Phone number: (858) 694-3820
c. E-mail: jim.bennett@sdcounty.ca.gov.

4. Project location:

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Thomas Brothers Coordinates: Page 1332, Grid D/7, E/7
Page 1352, Grid D/1, D/2, E/1, E/2

5. Project Applicant name and address:

Superior Ready Mix
1508 W. Mission Road
Escondido, Ca 92029
6. General Plan Designation

Community Plan:	Otay Subregional Plan Area
Land Use Designation:	(21) Specific Plan Area – Mixed Industrial (MI) and Rural Residential (RR)
Density:	MI - no density designated; RR – 0.05

7. Zoning
- | | |
|--------------------------|-----------------------------------|
| Use Regulation: | S88 |
| Minimum Lot Size: | MI - 30,000 sq.ft.; RR - 20 acres |
| Special Area Regulation: | G; B, Por G |

8. Description of project:

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excavated soil material from development projects, clean demolition materials, and possibly concrete, asphalt, and rock. The backfilling operation would be supervised by a geotechnical engineer to ensure that materials are adequately compacted to promote future land use on the site. Phase 4 is expected to last some 21 years beyond the extraction operation (Phase 3), or a total of up to 92 years, and deposit some 58 million cubic yards of inert debris back into the extraction area.

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9. Surrounding land uses and setting (Briefly describe the project's surroundings):

The project site is located at the eastern extension of Otay Mesa Road on the southwestern flank of the San Ysidro Mountains, approximately one mile east of the intersection of Otay Mesa Road and Alta Road. The site is approximately 2.5 miles northeast of the Otay Mesa Border Crossing and approximately 2.3 miles east of the SR-125/Otay Mesa Road intersection.

The property is within the *Rural Residential* and *Mixed Industrial* land use designations of the EOMSP area. The project site is currently undeveloped and undisturbed, with the exception of a few dirt roads that transect the site that are used by the U.S. Border Patrol. The project site is located within Major and Minor Amendment areas of the Multiple Species Conservation Program (MSCP). The area immediately surrounding the site is primarily undeveloped, except for the Calpine Electrical Generating Plant which lies immediately west of the northern portion of the project site. Land under Bureau Of Land Management ownership, including area designated as the Otay Mountain Wilderness lies less than 1 mile east of the project site.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

<u>Permit Type/Action</u>	<u>Agency</u>
Landscape Plans	County of San Diego
Major Use Permit	County of San Diego
Reclamation Plan	County of San Diego
County Right-of-Way Permits	County of San Diego
Improvement Plans	County of San Diego
Groundwater Wells and Exploratory or Test Borings Permit	County of San Diego
Water Well Permit	County of San Diego
State Highway Encroachment Permit	CalTrans

401 Permit - Water Quality Certification	Regional Water Quality Control Board (RWQCB)
404 Permit – Dredge and Fill	US Army Corps of Engineers (ACOE)
1603 – Streambed Alteration Agreement	CA Department of Fish and Game (CDFG)
Section 7 - Consultation or Section 10a Permit – Incidental Take	US Fish and Wildlife Services (USFWS)
MSCP Major Amendment	US Fish and Wildlife Services (USFWS) / CA Department of Fish and Game (CDFG)
Air Quality Permit to Operate – Title V Permit	Air Pollution Control District (APCD)
National Pollutant Discharge Elimination System (NPDES) Permit	RWQCB
General Industrial Storm water Permit	RWQCB
Waste Discharge Requirements Permit	RWQCB
Water District Approval	Otay Water District
Fire District Approval	San Diego Rural Fire Protection District
IDEFO	Integrated Waste Management Board – State of California

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project and involve at least one impact that is a “Potentially Significant Impact” or a “Less Than Significant With Mitigation Incorporated,” as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| ✓ <input checked="" type="checkbox"/> <u>Aesthetics</u> | <input type="checkbox"/> <u>Agriculture and Forest Resources</u> | ✓ <input checked="" type="checkbox"/> <u>Air Quality</u> |
| ✓ <input checked="" type="checkbox"/> <u>Biological Resources</u> | ✓ <input checked="" type="checkbox"/> <u>Cultural Resources</u> | <input checked="" type="checkbox"/> <u>Geology & Soils</u> ✓ |
| ✓ <input checked="" type="checkbox"/> <u>Greenhouse Gas Emissions</u> | ✓ <input checked="" type="checkbox"/> <u>Hazards & Haz. Materials</u> | <input checked="" type="checkbox"/> <u>Hydrology & Water Quality</u> ✓ |
| ✓ <input checked="" type="checkbox"/> <u>Land Use & Planning</u> | <input type="checkbox"/> <u>Mineral Resources</u> | ✓ <input checked="" type="checkbox"/> <u>Noise</u> |
| <input type="checkbox"/> <u>Population & Housing</u> | ✓ <input checked="" type="checkbox"/> <u>Public Services</u> | <input type="checkbox"/> <u>Recreation</u> |
| ✓ <input checked="" type="checkbox"/> <u>Transportation/Traffic</u> | ✓ <input checked="" type="checkbox"/> <u>Utilities & Service Systems</u> | <input checked="" type="checkbox"/> <u>Mandatory Findings of Significance</u> |

DETERMINATION: (To be completed by the Lead Agency)
On the basis of this initial evaluation:

- ☐ On the basis of this Initial Study, the Department of Planning and Land Use finds that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

- ☐ On the basis of this Initial Study, the Department of Planning and Land Use finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☒ On the basis of this Initial Study, the Department of Planning and Land Use finds that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.


Signature

March 10, 2011
Date

Robert Hingtgen
Printed Name

Land Use/Environmental Planner
Title

INSTRUCTIONS ON EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, Less Than Significant With Mitigation Incorporated, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less Than Significant With Mitigation Incorporated," describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance

I. AESTHETICS -- Would the project:

a) Have a substantial adverse effect on a scenic vista?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

A vista is a view from a particular location or composite views along a roadway or trail. Scenic vistas often refer to views of natural lands, but may also be compositions of natural and developed areas, or even entirely of developed and unnatural areas, such as a scenic vista of a rural town and surrounding agricultural lands. What is scenic to one person may not be scenic to another, so the assessment of what constitutes a scenic vista must consider the perceptions of a variety of viewer groups.

The items that can be seen within a vista are visual resources. Adverse impacts to individual visual resources or the addition of structures or developed areas may or may not adversely affect the vista. Determining the level of impact to a scenic vista requires analyzing the changes to the vista as a whole and also to individual visual resources.

Potentially Significant Impact: The quarrying of rock resources and backfilling with inert debris would occur in phases over the 112-acre site, and over a period potentially lasting over 100 years. The project would require the excavation of materials, construction of access routes, construction of a processing facility, storage of excavated materials in stock piles, and backfilling with inert debris on the project site. Based on a site visit completed by County staff on November 17, 2010, the project site is visible from a scenic vista comprised of the Otay Mountain Wilderness to the north and east of the project site. The project would result in substantial landform modification and physical changes to the site from the proposed project may result in substantial adverse effects on the scenic vista. This potential impact will be analyzed and discussed within the Aesthetics section of the EIR and within the Visual Impact Analysis report for this project.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

State scenic highways refer to those highways that are officially designated by the California Department of Transportation (Caltrans) as scenic (Caltrans - California Scenic Highway Program). Generally, the area defined within a State scenic highway is the land adjacent to and visible from the vehicular right-of-way. The dimension of a scenic highway is usually identified using a motorist's line of vision, but a reasonable boundary is selected when the view extends to the distant horizon. The scenic highway corridor extends to the visual limits of the landscape abutting the scenic highway.

Potentially Significant Impact: The project site is located 2.3 miles east of SR-125, a Third Priority Scenic Route per the County's General Plan Scenic Highway Element. The project would result in substantial landform modification and physical changes to the site that might be visible from SR-125. This potential direct and/or cumulative impact will be analyzed and discussed within the Aesthetics section of the EIR and within the Visual Impact Analysis report for this project.

- c) Substantially degrade the existing visual character or quality of the site and its surroundings?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The proposed project will result in a significant alteration of the existing undeveloped landform over the 112-acre proposed MUP area. The existing visual character of the project site in relation to the surrounding area will be altered. This change in visual character and quality of the environment will be analyzed and discussed in the Visual Impact Analysis report and Aesthetics section of the EIR for this project.

- d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input checked="" type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Less Than Significant Impact With Mitigation: The proposed project will require night-time lighting for security, equipment maintenance, and material export and is located within Zone B as identified by the San Diego County Light Pollution Code, approximately 34 miles southwest of the Mount Laguna Observatory. However, operations should not adversely affect nighttime views or astronomical observations, because the project will conform to the Light Pollution Code (Section 59.101-59.115), including the Zone B lamp type and shielding requirements per fixture and hours of operation limitations for outdoor lighting and searchlights, as well as EOMSP lighting requirements. A lighting plan is required to address this potential impact on the night-time sky and compliance with EOMSP lighting requirements, and will be discussed in the EIR.

II. AGRICULTURE AND FORESTRY RESOURCES -- Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Important Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, or other agricultural resources, to non-agricultural use?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact: The project site and surrounding area within a radius of 1 mile has land designated as Grazing Land and Farmland of Local Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. However, the project was determined not to have significant adverse impacts related to the conversion of this farmland as the project site has no historical agricultural use. Grazing and/or dryland farming on lands to the west has not occurred for over a decade or more due to the transition to industrial and commercial land uses as envisioned by the EOMSP.

Therefore, no conversion of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance to a non-agricultural use will occur as a result of this project. Therefore, no potentially significant project or cumulative level impacts to agricultural resources including Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance are foreseen due to conversion to a non-agricultural use.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The project site is zoned S-88 with an underlying land use designation of either mixed industrial or rural residential pursuant to the EOMSP. This is not considered to be an agricultural zone. Additionally, the project site's land is not under a Williamson Act Contract. Therefore, the project does not conflict with existing zoning for agricultural use, or a Williamson Act Contract.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), or timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The project site including offsite improvements do not contain forest lands or timberland. The County of San Diego does not have any existing Timberland Production Zones. In addition, the project is consistent with existing zoning and a rezone of the property is not proposed. Therefore, project implementation would not

conflict with existing zoning for, or cause rezoning of, forest land, timberland or timberland production zones.

- d) Result in the loss of forest land, conversion of forest land to non-forest use, or involve other changes in the existing environment, which, due to their location or nature, could result in conversion of forest land to non-forest use?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input checked="" type="checkbox"/> No Impact

No Impact: The project site including any offsite improvements do not contain any forest lands as defined in Public Resources Code section 12220(g), therefore project implementation would not result in the loss or conversion of forest land to a non-forest use. In addition, the project is not located in the vicinity of offsite forest resources.

- e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Important Farmland or other agricultural resources, to non-agricultural use?

<input type="checkbox"/> Potentially Significant Impact	<input checked="" type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Less Than Significant Impact: The project site and surrounding area within a radius of 1 mile has land designated as Grazing Land and Farmland of Local Importance. However, the project was determined not to have significant adverse impacts related to the conversion of this farmland as the project site has no historical agricultural use. Grazing and/or dryland farming on lands to the west has not occurred for over a decade or more due to the transition to industrial and commercial land uses as envisioned by the EOMSP.

Therefore, no potentially significant project or cumulative level conversion of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance to a non-agricultural use will occur as a result of this project.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a) Conflict with or obstruct implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP)?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The proposed project does propose a change in the Specific Plan land use designations, which could increase the future density or use of the site beyond what was anticipated in the SANDAG growth projects that were used in the development of the RAQS and the SIP. The project also proposes an aggregate mining and inert debris landfill operation that may result in emissions of significant quantities of criteria pollutants listed in the California Ambient Air Quality Standards or toxic air contaminants as identified by the California Air Resources Board from extraction, processing and stockpiling operations and vehicle trips generated by the proposed project. Therefore, because the proposed project may conflict with either the RAQS or the SIP, an air quality analysis of project-generated emissions must be prepared and included and discussed in the EIR. Likewise, the analysis shall address the project's contribution to a cumulative air quality impact.

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: In general, air quality impacts from land use projects are the result of emissions from motor vehicles, and from short-term construction activities associated with such projects. The San Diego County Land Use Environment Group (LUEG) has established guidelines for determining significance which incorporate the Air Pollution Control District's (SDAPCD) established screening-level criteria for all new source review (NSR) in APCD Rule 20.2. These screening-level criteria can be used as numeric methods to demonstrate that a project's total emissions (e.g. stationary and fugitive emissions, as well as emissions from mobile sources) would not result in a significant impact to air quality. Since APCD does not have screening-level criteria for emissions of volatile organic compounds (VOCs), the use of the screening level for reactive organic compounds (ROC) from the South Coast Air Quality Management District (SCAQMD) for the Coachella Valley (which are more appropriate for the San Diego Air Basin) are used.

The project has the potential to significantly contribute to the violation of air quality standards or significantly contribute to an existing or projected air quality violation, primarily related to extraction, processing and stockpiling operations and vehicle trips generated by the proposed project. Therefore, the project is required to provide an air quality analysis and discuss the project's potential impacts in the EIR and supporting air quality analysis.

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

- | | |
|--|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
|--|---|

- ☐ Less Than Significant With Mitigation Incorporated ☐ No Impact

Potentially Significant Impact: San Diego County is presently in non-attainment for the 1-hour concentrations under the California Ambient Air Quality Standard (CAAQS) for Ozone (O₃). San Diego County is also presently in non-attainment for the annual geometric mean and for the 24-hour concentrations of Particulate Matter less than or equal to 10 microns (PM₁₀) under the CAAQS. O₃ is formed when volatile organic compounds (VOCs) and nitrogen oxides (NO_x) react in the presence of sunlight. VOC sources include any source that burns fuels (e.g., gasoline, natural gas, wood, oil); solvents; petroleum processing and storage; and pesticides. Sources of PM₁₀ in both urban and rural areas include: motor vehicles, wood burning stoves and fireplaces, dust from construction, landfills, agriculture, wildfires, brush/waste burning, and industrial sources of windblown dust from open lands.

The project has the potential to result in a cumulatively considerable net increase of criteria pollutant for which the region is non-attainment, primarily related to extraction, processing and stockpiling operations and vehicle trips generated by the proposed project. Therefore, the project is required to provide an air quality analysis that includes a cumulative analysis of the project in the context of all past, present and reasonably anticipated future projects within the project area. This analysis will also be discussed in the EIR.

d) Expose sensitive receptors to substantial pollutant concentrations?

- ☐ Potentially Significant Impact ☐ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated ☒ No Impact

Air quality regulators typically define sensitive receptors as schools (Preschool-12th Grade), hospitals, resident care facilities, or day-care centers, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality. The County of San Diego also considers residences as sensitive receptors since they house children and the elderly.

No Impact: Based on a site visit conducted by staff on November 17, 2010 sensitive receptors have not been identified within a quarter-mile (the radius determined by the SCAQMD in which the dilution of pollutants is typically significant) of the proposed project. As such, the project will not expose sensitive populations to excessive levels of air pollutants.

e) Create objectionable odors affecting a substantial number of people?

- ☐ Potentially Significant Impact ☒ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated ☐ No Impact

Less Than Significant Impact: The project could produce objectionable odors, which would result from diesel emissions and the inert debris landfill operation. However, given the current location of the project and the nature of the odors, these impacts are not expected to affect a substantial number of people because the nearest residential use is over one mile to the west of the site, and prevailing winds are from the west. As such, impacts as a result of odors generated by the proposed project will be less than significant. Moreover, the affects of objectionable odors are localized to the immediate surrounding area and will not contribute to a cumulatively considerable odor. A list of past, present and future projects within the surrounding area were evaluated and none of these projects are known to potentially create objectionable odors.

IV. BIOLOGICAL RESOURCES -- Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The project site and immediate vicinity contain a number of sensitive habitats, including Mule Fat Scrub, Diegan Coastal Sage Scrub, Southern Mixed Chaparral, Chamise Chaparral, and Grasslands. Impacts to these habitats would be considered "significant" pursuant to CEQA.

The project site and vicinity also potentially contain a large number of sensitive animal and plant species, impacts to which would be considered "significant" pursuant to CEQA. These may include, but are not limited to, Quino Checkerspot Butterfly, Coastal California Gnatcatcher, Western Burrowing Owl, and Otay Tarplant, Variegated Dudleya, San Diego Barrel Cactus, San Diego Marsh Elder, and Tecate Cypress.

In order to accurately determine impacts to sensitive species and their habitats, a comprehensive biological resources survey and analysis must be conducted that evaluates all potential adverse effects to such resources. Due to these factors, it has been found that the project may result in significant impacts to sensitive biological resources and therefore, will be analyzed within the context of the EIR and Biological Resources Technical Report.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: Much of the project will occur within sensitive natural vegetation communities that have been identified within the County Multiple Species Conservation Program (MSCP). Although the project is located within the boundaries of this regional conservation plan, it requires a major amendment the plan. The project proposes the restoration and reclamation of the property at the terminus of the project. Therefore, additional information is needed from the applicant detailing project procedures, potential impacts, and recovery/restoration methods in accordance with the goals of the MSCP. Due to these factors, it has been found that the project may result in significant impacts to sensitive habitats and/or natural communities and therefore, will be analyzed within the context of the EIR and Biological Resources Technical Report.

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The site contains wetland habitats that, if impacted, may result in significant alterations to known watersheds or wetlands considered to be jurisdictional by the Army Corps of Engineers and would potentially require a 401 and/or 404 Permit under the Clean Water Act. Impacts to these wetlands or watersheds may not be avoidable based on the nature of the proposed project. Therefore, the project may result in a significant impact unless mitigation alternatives can be proposed. Due to these factors, it has been found that the project may result in significant impacts to wetlands and therefore, will be analyzed within the context of the EIR and Biological Resources Technical Report.

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: Areas potentially used by wildlife for nesting and migration may exist within the boundaries of the project site. Evaluation of temporary and/or long-term effects of the project on any corridors or linkages will be included and discussed within the context of the EIR and Biological Resources Technical Report. Should impacts to wildlife corridors be identified as a result of the impacts analysis, the applicant will be required to demonstrate the mitigation, and how wildlife movement paths or nursery areas will be protected and maintained in the future.

- e) Conflict with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan or any other local policies or ordinances that protect biological resources?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The project is for a Major Use Permit for an aggregate mining and inert debris landfill operation, which is exempt from compliance with the Resource Protection Ordinance (RPO) pursuant to Section 86.605(d). However, conformance with the County's RPO conditions for exemption as defined in Section 86.605(d) must be demonstrated for approval of the MUP.

The proposed project is within Major and Minor Amendment Areas of the Multiple Species Conservation Program (MSCP). Therefore, amendments will be required for conformance with the MSCP and Biological Mitigation Ordinance (BMO).

All potential conflicts with the MSCP and RPO exemption requirements will be discussed in the Biological Resources Technical Report and in the EIR.

V. CULTURAL RESOURCES -- Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Based on a review of the EIR prepared for the EOMSP it has been determined that there may be historical resources present within the project site. The project has been previously surveyed; therefore, a review of survey(s) completed on the site is required to determine the absence and/or presence of historical resources and the potential effects of the proposed project on such resources. If historical resources are present, an assessment of the resources will be required to determine their significance pursuant to Section 15064.5 of the California Environmental Quality Act (CEQA). The project is for a Major Use Permit for an aggregate mining and inert debris landfill operation, which is exempt from compliance with the Resource Protection Ordinance (RPO) pursuant to Section 86.605(d). The results of the cultural survey must be discussed in the context of the EIR and Cultural Resources Report prepared for the project.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?

- | | |
|--|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
|--|---|

☐ Less Than Significant With Mitigation Incorporated ☐ No Impact

Potentially Significant Impact: Based on a review of the EIR prepared for the EOMSP it has been determined that there may be archaeological resources within the project site. The project has been previously surveyed; therefore, a review of the survey(s) completed on the site is required to determine the absence and/or presence of archaeological resources and the potential effects of the proposed project on such resources. If archaeological resources are present, an assessment of the resources will be required to determine their significance pursuant to Section 15064.5 of the California Environmental Quality Act (CEQA). The project is for a Major Use Permit for an aggregate mining and inert debris landfill operation, which is exempt from compliance with the Resource Protection Ordinance (RPO) pursuant to Section 86.605(d). The results of the cultural survey must be discussed in the context of the EIR and Cultural Resources Report prepared for this project.

c) Directly or indirectly destroy a unique geologic feature?

☐ Potentially Significant Impact ☐ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated ☒ No Impact

San Diego County has a variety of geologic environments and geologic processes which generally occur in other parts of the state, country, and the world. However, some features stand out as being unique in one way or another within the boundaries of the County.

No Impact: The site does not contain any unique geologic features that have been listed in the County's Guidelines for Determining Significance for Unique Geology Resources nor does the site support any known geologic characteristics that have the potential to support unique geologic features.

d) Directly or indirectly destroy a unique paleontological resource or site?

☒ Potentially Significant Impact ☐ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated ☐ No Impact

Potentially Significant Impact: A review of the paleontological resource maps prepared by the San Diego Museum of Natural History indicates that a portion of the project site is within the Otay Formation. This formation has been assigned a high sensitivity because of the occurrence of important remains of diverse assemblages of terrestrial vertebrates. Therefore, based on the paleontological resource maps the proposed project is located in an area that is likely to contain important fossil remains. In response to this potential impact, paleontological monitoring will be required during appropriate phases of the project to mitigate any potential impacts. Discussion of

potential impacts to paleontological resources and mitigation will be included within the context of the EIR prepared for this project.

- e) Disturb any human remains, including those interred outside of formal cemeteries?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Based on a review of the EIR prepared for the EOMSP it has been determined that there are archaeological resources within a one-mile perimeter of the project. The project site has been previously surveyed; therefore, a review of the survey(s) to determine the absence and/or presence of human remains is required pursuant to Section 15064.5 of the California Environmental Quality Act (CEQA). If human remains are discovered, the County Coroner shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains. The results of the cultural survey must be discussed in the context of the EIR and Cultural Resources Report prepared for this project.

VI. GEOLOGY AND SOILS -- Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The project is not located in a fault rupture hazard zone identified by the Alquist-Priolo Earthquake Fault Zoning Act, Special Publication 42, Revised 1997, Fault-Rupture Hazards Zones in California, or located within any other area with substantial evidence of a known fault. Therefore, there will be no impact from the exposure of people or structures to adverse effects from a known fault-rupture hazard zone as a result of this project.

- ii. Strong seismic ground shaking?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact: To ensure the structural integrity of all buildings and structures, the project must conform to the Seismic Requirements as outlined within the California Building Code. The County Code requires a soils compaction report with proposed foundation recommendations to be approved before the issuance of a building permit. Therefore, compliance with the California Building Code and the County Code ensures the project will not result in a potentially significant impact from the exposure of people or structures to potential adverse effects from strong seismic ground shaking.

iii. Seismic-related ground failure, including liquefaction?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Potentially Significant: The project site is not within a "Potential Liquefaction Area" as identified in the County Guidelines for Determining Significance for Geologic Hazards. This indicates that the liquefaction potential at the site is low. However, the project proposes to backfill the deep pit mine with engineered fill (approximately 500 feet in depth) consisting of inert debris to return the elevation of the ground surface after mining to the elevation of the land to the west of the site. Thus, a large portion of the project footprint will ultimately be underlain with artificial fill that could be susceptible to settlement or ground failure that could be exacerbated by seismic activity.

A geotechnical report is required to address design and construction specifications concerning sub-grade preparation, suitability of the various types of fill material anticipated to be imported to the site (construction demolition debris including asphalt, concrete, rock, soil, fines, etc.), fill placement, and testing and documentation requirements necessary to have 500 feet of adequately compacted backfill for the proposed end use of industrial pads. The geotechnical report will be included as an appendix to the EIR and these geotechnical issues will be discussed in the EIR.

iv. Landslides?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The site is located within a very low to marginal landslide susceptibility zone. Review by County staff has determined that the project area does not show evidence of either pre-existing or potential conditions that could become unstable in the event of seismic activity. However, the project will create slopes in excess of 100 feet high with a maximum cut slope ratio of 0.5:1. The project is subject to the Surface Mining and Reclamation Act of 1975 (SMARA) (Public Resources Code Section 2710 et seq.) and the State Mining and Geology Board regulations for surface

mining and reclamation practice (CCR Title 14, Chapter 8, Article 1, Section 3500 et seq.; Article 9, Section 3700 et seq.). CCR Section 3502 (b)(3) stipulates that whenever final slopes approach the critical gradient, the slope stability will be analyzed for the type of material involved. A Geotechnical Report containing an engineering analysis of the slope stability of the reclaimed slopes has been requested. The results of the Geotechnical Report must be discussed in the context of the EIR prepared for the project. Due to these factors, it has been found that the project may result in significantly increased landslide potential and therefore, will be analyzed within the context of the EIR and Geotechnical Report.

b) Result in substantial soil erosion or the loss of topsoil?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The project is for an aggregate mining and inert debris landfill that will result in unprotected erodible soils on excavated slopes and material stockpiles, and will alter topography and drainage patterns. Due to these factors, it has been found that the project may result in significantly increased erosion potential and therefore, will be analyzed within the context of the EIR and supporting technical documents.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in an on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The proposed project is consistent with the geological formations underlying the site and is located within a very low to marginal landslide susceptibility zone. The project site is not located in a fault rupture hazard zone identified by the Alquist-Priolo Earthquake Fault Zoning Act, Special Publication 42, Revised 1997, Fault-Rupture Hazards Zones in California.

However, as stated above, the project will create steep slopes that warrant the need for the preparation of a Geotechnical Report containing an engineering analysis of the slope stability of the graded and reclaimed slopes. Due to these factors, it has been found that the project may result in significantly increased potential for geologic hazards landslide potential and therefore, will be analyzed within the context of the EIR and Geotechnical Report.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The project does not contain expansive soils as defined by Table 18-I-B of the Uniform Building Code (1994). The soils on-site are SnG (San Miguel-Exchequer rocky silt loams), HrD (Huerhuero loam), and DaD and DaC (Diablo clay). The SnG (San Miguel-Exchequer rocky silt loams) and HrD (Huerhuero loam) soil types occur within the extraction area. However, all of the on-site soils have a high shrink-swell behavior and represent substantial risks to life or property. This was confirmed by staff review of the Soil Survey for the San Diego Area, prepared by the US Department of Agriculture, Soil Conservation and Forest Service dated December 1973. In addition, the project proposes to backfill the deep pit mine with engineered fill consisting of inert debris to return the elevation of the ground surface after mining to the elevation of the land to the west of the site. The depth of fill material proposed is approximately 500 feet. Through reclamation of the site following aggregate extraction and inert debris landfilling, the site must be acceptable for mixed industrial land uses.

A Reclamation Plan is required to address the methods in which reclamation, including reestablishment and revegetation of the site, will be accomplished for the project. Any expansive soil materials used to reclaim the site may result in potentially significant impacts for future uses of the site. The Reclamation Plan will include discussion/analysis regarding the type of materials that will be used for the reclaiming of the site, the intended future use of the site following reclamation. The Reclamation Plan will be included as an appendix to the EIR and discussed in the EIR.

A geotechnical report is required to address design and construction specifications concerning sub-grade preparation, suitability of the various types of fill material anticipated to be imported to the site (construction demolition debris including asphalt, concrete, rock, soil, fines, etc.), fill placement, and testing and documentation requirements necessary to have 500 feet of adequately compacted backfill for the proposed end use of industrial pads. The geotechnical report will be included as an appendix to the EIR and these geotechnical issues will be discussed in the EIR.

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The proposed project is for a Major Use Permit for aggregate mining and inert debris landfill. Portable toilets will be provided for use by employees of the operation. The project does not propose any septic tanks or alternative wastewater disposal systems for disposal of human waste. It is anticipated that future uses of the project site will be served with public sewer by the Otay Water District.

VII. GREENHOUSE GAS EMISSIONS – Would the project:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Greenhouse Gas (GHG) Emissions are said to result in an increase in the earth's average surface temperature commonly referred to as global warming. This rise in global temperature is associated with long-term changes in precipitation, temperature, wind patterns, and other elements of the earth's climate system, known as climate change. These changes are now broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels.

GHGs include carbon dioxide, methane, halocarbons (HFCs), and nitrous oxide, among others. Human induced GHG emissions are a result of energy production and consumption, and personal vehicle use, among other sources. A regional GHG inventory prepared for the San Diego Region¹ identified on-road transportation (cars and trucks) as the largest contributor of GHG emissions in the region, accounting for 46% of the total regional emissions. Electricity and natural gas combustion were the second (25%) and third (9%) largest regional contributors, respectively, to regional GHG emissions.

Climate changes resulting from GHG emissions could produce an array of adverse environmental impacts including water supply shortages, severe drought, increased flooding, sea level rise, air pollution from increased formation of ground level ozone and particulate matter, ecosystem changes, increased wildfire risk, agricultural impacts, ocean and terrestrial species impacts, among other adverse effects.

In 2006, the State passed the Global Warming Solutions Act of 2006, commonly referred to as AB 32, which set the greenhouse gas emissions reduction goal for the State of California into law. The law requires that by 2020, State emissions must be reduced to 1990 levels by reducing greenhouse gas emissions from significant sources via regulation, market mechanisms, and other actions.

According to the San Diego County Greenhouse Gas Inventory (2008), the region must reduce its GHG emissions by 33 percent from "business-as-usual" emissions to achieve 1990 emissions levels by the year 2020. "Business-as-usual" refers to the 2020 emissions that would have occurred in the absence of the mandated reductions.

¹ San Diego County Greenhouse Gas Inventory: An Analysis of Regional Emissions and Strategies to Achieve AB 32 Targets. University of San Diego and the Energy Policy Initiatives Center (EPIC), September 2008.

Senate Bill 375 (SB 375), passed in 2008, links transportation and land use planning with global warming. It requires the California Air Resources Board (ARB) to set regional targets for the purpose of reducing greenhouse gas emissions from passenger vehicles. Under this law, if regions develop integrated land use, housing and transportation plans that meet SB 375 targets, new projects in these regions can be relieved of certain review requirements under CEQA. Development of regional targets is underway and SANDAG is in the process of preparing the region's Sustainable Communities Strategy (SCS) which will be a new element of the 2050 Regional Transportation Plan (RTP). The strategy will identify how regional greenhouse gas reduction targets, as established by the ARB, will be achieved through development patterns, transportation infrastructure investments, and/or transportation measures or policies that are determined to be feasible.

In addressing the potential for a project to generate GHG emissions that would have a potentially significant cumulative effect on the environment, a 900 metric ton threshold was selected to identify those projects that would be required to calculate emissions and implement mitigation measures to reduce a potentially significant impact. The 900 metric ton screening threshold is based on a threshold included in the CAPCOA white paper² that covers methods for addressing greenhouse gas emissions under CEQA. The CAPCOA white paper references the 900 metric ton guideline as a conservative threshold for requiring further analysis and mitigation. The 900 metric ton threshold was based on a review of data from four diverse cities (Los Angeles in southern California and Pleasanton, Dublin, and Livermore in northern California) to identify the threshold that would capture at least 90% of the residential units or office space on the pending applications list. This threshold will require a substantial portion of future development to minimize GHG emissions to ensure implementation of AB 32 targets is not impeded. By ensuring that projects that generate more than 900 metric tons of GHG implement mitigation measures to reduce emissions, it is expected that a majority of future development will contribute to emission reduction goals that will assist the region in meeting its GHG reduction targets.

It should be noted that an individual project's GHG emissions will generally not result in direct impacts under CEQA, as the climate change issue is global in nature, however an individual project could be found to contribute to a potentially significant cumulative impact. CEQA Guidelines Section 15130(f) states that an EIR shall analyze greenhouse gas emissions resulting from a proposed project when the incremental contribution of those emissions may be cumulatively considerable.

GHG emissions from the project will be generated from vehicle trips, water consumption, disturbance of soils, consumption of fossil fuels to run various equipment, and production of concrete and asphalt. The project will complete a GHG emissions analysis including an inventory of GHG emissions. This information will be presented in

² See CAPCOA White Paper : "CEQA & Climate Change: *Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act* " January 2008 (<http://www.capcoa.org/rokdownloads/CEQA/CAPCOA%20White%20Paper.pdf>).

the technical report and EIR. Any potential impacts will be evaluated and mitigation measures identified as necessary.

- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: In 2006, the State passed the Global Warming Solutions Act of 2006, commonly referred to as AB 32, which set the greenhouse gas emissions reduction goal for the State of California into law. The law requires that by 2020, State emissions must be reduced to 1990 levels by reducing greenhouse gas emissions from significant sources via regulation, market mechanisms, and other actions.

GHG emissions from the project will be generated from vehicle trips, water consumption, disturbance of soils, consumption of fossil fuels to run various equipment, and production of concrete and asphalt. The project will complete a GHG emissions analysis including an inventory of GHG emissions to determine whether it would impede the implementation of AB 32 GHG reduction targets. This information will be presented in the technical report and EIR. Any potential impacts will be evaluated and mitigation measures identified as necessary.

VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The proposed project does require blasting to mine aggregate materials from the site. The transfer, storage, and use of the blasting materials may result in a significant risk of accidental explosion. The project will also involve the use and storage of diesel fuel, gasoline, lubricants, solvents, and coolant. The transfer, storage, and use of the blasting materials and other potentially hazard materials will be described in the EIR along with those regulations that govern these activities. Additionally, a SDG&E electric transmission line and easement traverses the project site and a natural gas line and easement are located adjacent to the western boundary of the site. Damage to these facilities could result in a significant hazard to the public and environment. Therefore, the project applicant must provide a plan to demonstrate that all proposed site activities will be compatible with these facilities. This

plan and any identified mitigation or design measures will be discussed within the EIR prepared for this project.

- b) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input checked="" type="checkbox"/> No Impact

No Impact: The project is not located within one-quarter mile of an existing or proposed school. Therefore, the project will not have any effect on an existing or proposed school.

- c) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, or is otherwise known to have been subject to a release of hazardous substances and, as a result, would it create a significant hazard to the public or the environment?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input checked="" type="checkbox"/> No Impact

No Impact: Based on a site visit and regulatory database search, the project site has not been subject to a release of hazardous substances. The project site is not included in any of the following lists or databases: the State of California Hazardous Waste and Substances sites list compiled pursuant to Government Code Section 65962.5., the San Diego County Hazardous Materials Establishment database, the San Diego County DEH Site Assessment and Mitigation (SAM) Case Listing, the Department of Toxic Substances Control (DTSC) Site Mitigation and Brownfields Reuse Program Database ("CalSites" Envirostor Database), the Resource Conservation and Recovery Information System (RCRIS) listing, the EPA's Superfund CERCLIS database or the EPA's National Priorities List (NPL). Additionally, the project does not propose structures for human occupancy or significant linear excavation within 1,000 feet of an open, abandoned, or closed landfill, is not located on or within 250 feet of the boundary of a parcel identified as containing burn ash (from the historic burning of trash), is not on or within 1,000 feet of a Formerly Used Defense Site (FUDS), does not contain a leaking Underground Storage Tank, and is not located on a site with the potential for contamination from historic uses such as intensive agriculture, industrial uses, a gas station or vehicle repair shop. Therefore, the project would not create a significant hazard to the public or environment.

- d) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The proposed project is not located within an Airport Land Use Compatibility Plan (ALUCP), an Airport Influence Area, or a Federal Aviation Administration Height Notification Surface. Also, the project does not propose construction of any structure equal to or greater than 150 feet in height, constituting a safety hazard to aircraft and/or operations from an airport or heliport. Therefore, the project will not constitute a safety hazard for people residing or working in the project area related to proximity to an airport.

- e) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The proposed project is not within one mile of a private airstrip. As a result, the project will not constitute a safety hazard for people residing or working in the project area related to proximity to a private airstrip.

- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

The following sections summarize the project's consistency with applicable emergency response plans or emergency evacuation plans.

i. OPERATIONAL AREA EMERGENCY PLAN AND MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN:

Less Than Significant Impact: The Operational Area Emergency Plan is a comprehensive emergency plan that defines responsibilities, establishes an emergency organization, defines lines of communications, and is designed to be part of the statewide Standardized Emergency Management System. The Operational Area Emergency Plan provides guidance for emergency planning and requires subsequent plans to be established by each jurisdiction that has responsibilities in a disaster situation. The Multi-Jurisdictional Hazard Mitigation Plan includes an overview of the risk assessment process, identifies hazards present in the jurisdiction, hazard profiles, and vulnerability assessments. The plan also identifies goals, objectives and actions for

each jurisdiction in the County of San Diego, including all cities and the County unincorporated areas. The project will not interfere with this plan because it will not prohibit subsequent plans from being established or prevent the goals and objectives of existing plans from being carried out.

ii. SAN DIEGO COUNTY NUCLEAR POWER STATION EMERGENCY
RESPONSE PLAN

No Impact: The San Diego County Nuclear Power Station Emergency Response Plan will not be interfered with by the project due to the location of the project, plant and the specific requirements of the plan. The emergency plan for the San Onofre Nuclear Generating Station includes an emergency planning zone within a 10-mile radius. All land area within 10 miles of the plant is not within the jurisdiction of the unincorporated County and as such a project in the unincorporated area is not expected to interfere with any response or evacuation.

iii. OIL SPILL CONTINGENCY ELEMENT

No Impact: The Oil Spill Contingency Element will not be interfered with because the project is not located along the coastal zone or coastline.

iv. EMERGENCY WATER CONTINGENCIES ANNEX AND ENERGY SHORTAGE
RESPONSE PLAN

No Impact: The Emergency Water Contingencies Annex and Energy Shortage Response Plan will not be interfered with because the plan development and implementation occur independent of the proposed project, and the project does not propose altering major water or energy supply infrastructure, such as the California Aqueduct.

v. DAM EVACUATION PLAN

No Impact: The Dam Evacuation Plan will not be interfered with because the project is not located within a dam inundation zone.

- g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact With Mitigation Incorporated: The proposed project is adjacent to wildlands that have the potential to support wildland fires. However, the project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires because the project will comply with the regulations relating to emergency access, water supply, and defensible space specified in the Consolidated

Fire Code for the 16 Fire Protection Districts in San Diego County. A Fire Protection Plan is required for the proposed project and will be discussed within the EIR prepared for this project.

- h) Propose a use, or place residents adjacent to an existing or reasonably foreseeable use that would substantially increase current or future resident's exposure to vectors, including mosquitoes, rats or flies, which are capable of transmitting significant public health diseases or nuisances?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant With Mitigation Incorporated: The project includes ponds in the processing plant area that will be used primarily for material washing and dust control. In addition, rainwater and groundwater may collect in the mining excavation area. These may result in water standing for a period of 72 hours (3 days) or more. Therefore, the project may expose people to significant health risk involving vectors. The project will be required to develop a Vector Management Plan for approval by the County Department of Environmental Health, Vector Surveillance Program that ensures people will not be exposed to substantial risk from vectors. Potential impacts will be evaluated in the EIR and any necessary mitigation measures will be identified.

IX. HYDROLOGY AND WATER QUALITY -- Would the project:

- a) Violate any waste discharge requirements?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Permits regulating industrial stormwater runoff include NPDES General Permit for Discharges of Storm Water Associated with Industrial Activities. One of the requirements through the Industrial Storm Water Permit, which is obtained from the State Water Resources Control Board, is the preparation of a Stormwater Pollution Prevention Plan (SWPPP). The NPDES permit controls and allows for the discharge of stormwater associated with industrial activities and is needed for industrial businesses falling within certain categories or that conduct business under certain Standard Industrial Classification codes. The project may also need to discharge groundwater or rainwater that accumulates in the pit excavation area which could impact water quality in surface waters and would require a waste discharge permit from the Regional Water Quality Control Board. Compliance with these regulations relating to waste discharge will be analyzed within the context of the EIR and supporting technical documents such as the groundwater investigation, SWPPP, and/or Storm Water Management Plan (SWMP).

- b) Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, could the project result in an increase in any pollutant for which the water body is already impaired?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The project lies in the Water Tanks (911.12) hydrologic subareas, within the Tijuana hydrologic unit. Portions of the Tijuana River watershed are impaired. The Tijuana River is impaired for bacteria indicators, eutrophication, low dissolved oxygen, pesticides, solids, synthetic organics, trace elements, and trash; Tijuana River Estuary is impaired for bacteria indicators, eutrophication, lead, low dissolved solids, nickel, pesticides, thallium, trash, and turbidity; and the Pacific Ocean at the Tijuana River mouth is impaired for bacteria indicators.

The project is for an aggregate mining and inert debris landfill that could contribute additional pollutants to the Otay and Tijuana hydrologic units. Therefore, the EIR and SWMP must discuss appropriate site design measures and/or source control BMPs and/or treatment control BMPs that will be employed as required by the Watershed Protection Ordinance (WPO).

- c) Could the proposed project cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Regional Water Quality Control Board has designated water quality objectives for waters of the San Diego Region as outlined in Chapter 3 of the Water Quality Control Plan (Plan). The water quality objectives are necessary to protect the existing and potential beneficial uses of each hydrologic unit as described in Chapter 2 of the Plan.

The project lies in the Otay River (910.20) and Spring Canyon (911.12) hydrologic subareas, within the Otay and Tijuana hydrologic units. The Otay River Watershed have the following existing and potential beneficial uses for inland surface waters, coastal waters, reservoirs and lakes, and groundwater: municipal and domestic supply; agricultural supply; industrial process supply, industrial service supply; contact water recreation; non-contact water recreation; warm freshwater habitat; wildlife habitat; and, rare, threatened, or endangered species habitat.

The Tijuana River Watershed has the following existing and potential beneficial uses for inland surface waters, coastal waters, reservoirs, lakes and groundwater: municipal and

domestic supply; agricultural supply; industrial process supply, industrial service supply; freshwater replenishment; contact water recreation; non-contact water recreation; warm freshwater habitat; cold freshwater habitat; wildlife habitat; commercial and sport fishing; preservation of biological habitats of special significance; estuarine habitat; marine habitat; migration of aquatic organisms; shellfish harvesting; and, rare, threatened, or endangered species habitat.

As proposed, the project could cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses. Therefore, the EIR and SWPP must discuss appropriate site design measures and/or source control BMPs and/or treatment control BMPs that will be employed as required by the WPO. Also, the EIR must discuss how potential pollutants will be reduced in any runoff to the maximum extent practicable such that the proposed project will not cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses.

- d) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The project will obtain its water supply from the Otay Water District that obtains water from surface reservoirs or other imported water source. However, the project may use groundwater for processing and dust control. The estimated water consumption for the project is 75 acre-feet per year (afy). The project does anticipate on using excess surface water that accumulates within the excavation pit in wetter than average years. Therefore, there will be periodic withdrawals of water that could have potentially recharged the groundwater system. This potential impact to groundwater resources will be analyzed within the context of the EIR and required groundwater investigation.

- e) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The project is for an aggregate mining and inert debris landfill that will result in unprotected erodible soils including material stockpiles, and will alter existing drainage and topography. Due to these factors, the project may result in

significantly increased erosion or siltation on- and off-site and therefore, will be analyzed within the context of the EIR and Preliminary Drainage Study.

- f) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The project will alter existing topography and drainage patterns of the site. Therefore, the EIR and Preliminary Drainage Study must analyze and discuss the project's affect on surface runoff.

- g) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The project will alter existing topography and drainage patterns. Therefore, the EIR and Preliminary Drainage Study must analyze and discuss the project's affect on surface runoff.

- h) Provide substantial additional sources of polluted runoff?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The project will have several potential sources of polluted runoff primarily from, but not limited to, on-site equipment, maintenance, asphalt and concrete processing, material stockpiles, and trucking activities. Therefore, the EIR must analyze and discuss appropriate site design measures and/or source control BMPs and/or treatment control BMPs that will be employed as required by the WPO. Also, the EIR must discuss how potential pollutants will be reduced in any runoff to the maximum extent practicable, such that the project will not result in any substantial additional sources of polluted runoff.

- i) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including County Floodplain Maps?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
---	---

- ☐ Less Than Significant With Mitigation Incorporated ☒ No Impact

No Impact: The project does not propose any housing as part of the project description.

- j) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

- ☐ Potentially Significant Impact ☐ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated ☒ No Impact

No Impact: No 100-year flood hazard areas were identified on the project site [or off-site improvement locations]; therefore, no impact will occur.

- k) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

- ☐ Potentially Significant Impact ☐ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated ☒ No Impact

No Impact: The project site lies outside any identified special flood hazard area including a mapped dam inundation area for a major dam/reservoir within San Diego County. In addition, the project is not located immediately downstream of a minor dam that could potentially flood the property. Therefore, the project will not expose people to a significant risk of loss, injury or death involving flooding.

- l) Inundation by seiche, tsunami, or mudflow?

- ☒ Potentially Significant Impact ☐ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated ☐ No Impact

Discussion/Explanation:

- i. SEICHE

No Impact: The project site is not located along the shoreline of a lake or reservoir; therefore, could not be inundated by a seiche.

- ii. TSUNAMI

No Impact: The project site is located more than a mile from the coast; therefore, in the event of a tsunami, would not be inundated.

iii. MUDFLOW

Less Than Significant Impact: Mudflow is type of landslide. Though the project does propose land disturbance that will expose unprotected soils, the project is not located downstream from unprotected, exposed soils. Unless upstream areas were to become completely denuded in an event such as a fire, mudflow would not present a substantial risk to the site. Additionally, once the overburden materials are removed from the site, deep pit mining proposed will consist of excavation through bedrock materials with little to no soil content. Without soil content, mudflows are not possible. Therefore, it is not anticipated that the project will expose people or property to inundation due to a mudflow.

X. LAND USE AND PLANNING -- Would the project:

a) Physically divide an established community?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The project does not propose the introduction of new infrastructure such major roadways or water supply systems, or utilities to the area. Therefore, the proposed project will not significantly disrupt or divide the established community.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The project proposes an Amendment to the EOMSP that would change the designation of 33.9 acres of land designated as Mixed Industrial to Rural Residential immediately north and east of the 112-acre impact area. The project also proposes to change the designation of 90.0 acres of land currently designated as Rural Residential to Mixed Industrial, within and to the west of the 112-acre impact area. These changes to the land use designations will be analyzed in the EIR.

The project also proposes to conduct blasting to enable the extraction of aggregate from the site. Storage of explosives is prohibited by the EOMSP. The EIR will need to address how this activity will be conducted while staying in compliance with the EOMSP.

The project also proposes equipment maintenance and export of material that could occur 24 hours per day and require night-time lighting. A lighting plan is required to

address compliance with EOMSP lighting requirements. This issue will also be addressed in the EIR.

XI. MINERAL RESOURCES -- Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input checked="" type="checkbox"/> No Impact

No Impact: The project proposes an aggregate mining and inert debris landfill which would help supply the region with construction aggregate. Therefore, the project will not result in a loss of mineral resources.

- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input checked="" type="checkbox"/> No Impact

No Impact: The project site is zoned S88, which is not considered to be an Extractive Use Zone (S-82) nor does it have an Impact Sensitive Land Use Designation (24) with an Extractive Land Use Overlay (25) (County Land Use Element, 2000). However, the project proposes an aggregate mining and inert debris landfill which would help supply the region with construction aggregate. Therefore, the project will not result in a loss of mineral resources.

XII. NOISE -- Would the project result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The project would require the extraction, including blasting, processing and hauling of materials and inert debris within the San Diego region. There are no existing residences within a one-mile radius of the project site. However, existing industrial operations are located within the surrounding area. Additionally, the project may result in potential significant impacts to sensitive biological habitats. Noise levels should not exceed the 60 dBA levels in areas where sensitive animal species may be located.

The other major noise impact could result from project-related traffic traveling to and from the project site on a daily basis. The applicant estimates that 526 truck trips per day and 100 average daily trips from employees would occur on Otay Mesa Road and Highway 905 as a result of the proposed project. An analysis of the potential CNEL increase to existing off-site residences or noise sensitive areas is required to satisfy requirements of the County Noise Element. The analysis of project-related traffic depends on the truck route and schedule for the transport of these materials, which must be included in the Reclamation Plan, acoustical analysis, and EIR. The noise study should also evaluate any on-site exterior noise generators to be used on the project such as backhoes and loaders in order to demonstrate they comply with the sound level limits of the County Noise Ordinance (Section 36.404). All of the above information will be included in an acoustical analysis prepared for the proposed project, as well as the EIR.

- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The project would require the extraction, including blasting, processing and hauling of materials and inert debris within the San Diego region. Additional information regarding activities on the site, such as blasting, rock crushing or other proposed activities where groundborne vibrations may result, is necessary. With this additional information, a determination can be made by staff as to whether a potential significant impact from groundborne vibrations will occur as a result of the project and if mitigation is required.

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The project proposes a rock quarry and inert debris landfill that includes the operation of heavy machinery and equipment for the excavation, processing and hauling of materials and inert debris within the San Diego region. The project will result in a considerable permanent (for the life of the major use permit) increase in existing ambient noise levels in the project vicinity as the project site is currently undeveloped and limited development exists nearby. An analysis of the potential CNEL increase to existing off-site noise sensitive receptors is required to satisfy requirements of the County Noise Element. Additionally, the project may result in potential significant impacts to sensitive biological habitats. Noise levels should not exceed the 60 dBA levels in areas where sensitive animal species may be located.

The analysis of project-related traffic depends on the truck route and schedule for the transport of these materials, which must be included in the Reclamation Plan, acoustical analysis, and EIR. The noise study should also evaluate any on-site exterior noise generators to be used on the project such as backhoes and loaders in order to demonstrate they comply with the sound level limits of the County Noise Ordinance (Section 36.404). All of the above information will be included in an acoustical analysis prepared for the proposed project, as well as the EIR.

- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The rock quarry component of the project includes blasting that is anticipated to occur on a weekly basis. Potential noise impacts from this recurring activity on nearby sensitive biological habitats will be evaluated in the noise study and EIR.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input checked="" type="checkbox"/> No Impact

No Impact: The proposed project is not located within a Comprehensive Land Use Plan (CLUP) for airports or within 2 miles of a public airport or public use airport. Therefore, the project will not expose people residing or working in the project area to excessive airport-related noise levels.

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input checked="" type="checkbox"/> No Impact

No Impact: The proposed project is not located within a one-mile vicinity of a private airstrip; therefore, the project will not expose people residing or working in the project area to excessive airport-related noise levels.

XIII. POPULATION AND HOUSING -- Would the project:

- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less than Significant Impact: The proposed project will not induce substantial population growth in an area because the project does not propose any physical or regulatory change that would remove a restriction to or encourage population growth in an area including, but limited to the following: new or extended infrastructure or public facilities; new commercial or industrial facilities; large-scale residential development; accelerated conversion of homes to commercial or multi-family use; or regulatory changes including General Plan amendments, specific plan amendments, or zone reclassifications. The project may utilize water from the Otay Water District. Should the use of District water be pursued, annexation into the District and extension of water lines will be required. However, the annexation and extension of water to the project area were proposed and addressed in the EIR prepared for the EOMSP, in which the extension of services was found to not be growth inducing. Therefore, the proposed project would not result in impacts from growth inducement.

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The proposed project will not displace any existing housing since the site is currently vacant.

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The proposed project will not displace a substantial number of people since the site is currently vacant.

XIV. PUBLIC SERVICES

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause

significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance service ratios, response times or other performance objectives for any of the public services:

- i. Fire protection?
- ii. Police protection?
- iii. Schools?
- iv. Parks?
- v. Other public facilities?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant With Mitigation Incorporated: Service availability forms have been provided which indicate services are available to the project from the following agencies/districts: San Diego Rural Fire Protection District. The project will also require service from the San Diego County Sheriff. The Sheriff's Department requires new facilities in East Otay Mesa to adequately serve that area. The proposed project will be conditioned to contribute to funding the formation of a Community Facilities District and the construction of both an interim Sheriff's Substation and permanent Sheriff's Substation, including, but not limited to, the land acquisition costs associated with the permanent Substation, development costs associated with both Substations, and any land rental costs associated with the interim Substation. Physical impacts of any new construction for a Sheriff's substation will be addressed under a separate permit application. The status of this issue will be discussed, and the condition language will be included in the EIR.

XV. RECREATION

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The project does not propose any residential use, included but not limited to a residential subdivision, mobile home park, or construction for a single-family residence that may increase the use of existing neighborhood and regional parks or other recreational facilities in the vicinity.

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
|---|---|

☐ Less Than Significant With Mitigation Incorporated ☒ No Impact

No Impact: The project does not include recreational facilities or require the construction or expansion of recreational facilities. Therefore, the construction or expansion of recreational facilities cannot have an adverse physical effect on the environment.

XVI. TRANSPORTATION AND TRAFFIC -- Would the project:

- a) Conflict with an applicable plan, ordinance or policy establishing measures of the effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?

☒ Potentially Significant Impact ☐ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated ☐ No Impact

Discussion/Explanation: The County of San Diego Guidelines for Determining Significance for Traffic and Transportation (Guidelines) establish measures of effectiveness for the performance of the circulation system. These Guidelines incorporate standards from the County of San Diego Public Road Standards and Public Facilities Element (PFE), the County of San Diego Transportation Impact Fee Program and the Congestion Management Program.

Potentially Significant Impact: A Traffic Impact Study is required to be prepared that will identify the total ADT that would result from the project, and if necessary, describe the distribution to the roadway network and whether the project will have an impact related to a conflict with policies establishing measures of the effectiveness for the performance of the circulation system.

The County of San Diego has developed an overall programmatic solution that addresses existing and projected future road deficiencies in the unincorporated portion of San Diego County. The TIF program creates a mechanism to proportionally fund improvements to roadways necessary to mitigate potential cumulative impacts caused by traffic from future development. These new projects were based on SANDAG regional growth and land use forecasts, the SANDAG Regional Transportation Model was utilized to analyze projected build-out (year 2030) development conditions on the existing circulation element roadway network throughout the unincorporated area of the County. Based on the results of the traffic modeling, funding necessary to construct transportation facilities that will mitigate cumulative impacts from new development was identified. Existing roadway deficiencies will be corrected through improvement projects funded by other public funding sources, such as TransNet, gas tax, and grants. Potential cumulative impacts to the region's freeways have been addressed in SANDAG's Regional Transportation Plan (RTP). This plan, which considers freeway

buildout over the next 30 years, will use funds from TransNet, State, and Federal funding to improve freeways to projected level of service objectives in the RTP.

- b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

The designated congestion management agency for the San Diego region is SANDAG. SANDAG is responsible for preparing the Regional Transportation Plan (RTP) of which the Congestion Management Program (CMP) is an element to monitor transportation system performance, develop programs to address near- and long-term congestion, and better integrate land use and transportation planning decisions. The CMP includes a requirement for enhanced CEQA review applicable to certain large developments that generate an equivalent of 2,400 or more average daily vehicle trips or 200 or more peak hour vehicle trips. These large projects must complete a traffic analysis that identifies the project's impacts on CMP system roadways, their associated costs, and identify appropriate mitigation. Early project coordination with affected public agencies, the Metropolitan Transit System (MTS) and the North County Transit District (NCTD) is required to ensure that the impacts of new development on CMP transit performance measures are identified.

Potentially Significant Impact: A Traffic Impact Study is required to be prepared that will identify the total ADT that would result from the project, and if necessary, describe the distribution to CMP designated facilities. If direct and/or cumulative impacts are identified for CMP roadways, mitigation measures will be proposed and discussed to determine whether those impacts can be reduced to less than significant levels.

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The proposed project is located outside of an Airport Influence Area and is not located within two miles of a public or public use airport; therefore, the project will not result in a change in air traffic patterns.

- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
|---|---|

☒ Less Than Significant With Mitigation Incorporated ☐ No Impact

Less Than Significant Impact With Mitigation: The proposed project will take access directly off Alta Road. Adequate sight distance will be required for the proposed project based on County requirements. A sight distance study is required for the project for both directions of Alta Road from the project entrance. The results of the sight distance study shall also be discussed in the EIR.

e) Result in inadequate emergency access?

☒ Potentially Significant Impact ☐ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated ☐ No Impact

Potentially Significant Impact: Secondary or emergency access requirements will be addressed in the project Fire Protection Plan and EIR, and by the San Diego Rural Fire Protection District.

f) **Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities ?**

☐ Potentially Significant Impact ☐ Less than Significant Impact
☒ Less Than Significant With Mitigation Incorporated ☐ No Impact

Less Than Significant With Mitigation Incorporated: A Traffic Impact Study is required to be prepared that will identify the total ADT that would result from the project. The Study will address whether road improvements or new road design features will be required and whether there might be any potential interference with public transit, bicycle or pedestrian facilities. It is not anticipated that this project will generate an increased demand for these facilities, however, if potential interference with any of these facilities is identified it is anticipated that the project will be able to mitigate for those impacts. It is also not anticipated that the project will conflict with any policies, plans, or programs regarding these facilities.

XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

☐ Potentially Significant Impact ☐ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated ☒ No Impact

No Impact: The project does not involve any uses that will discharge any wastewater to sanitary sewer or on-site wastewater systems (septic). The employees of the

operation will be provided portable toilets, which will be managed by the owner and waste will be transported off site. Therefore, the project will not exceed any wastewater treatment requirements.

- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input checked="" type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Less Than Significant Impact With Mitigation: Water lines will be extended to the processing/plant portion of the site that will deliver imported water from the Otay Water District. The water will be used for materials washing, dust control, making concrete, and landscaping. Impacts from construction of the water line will be addressed in applicable technical reports such as the biological technical report and cultural resources report, as part of overall impacts that result from development of the project footprint and any necessary offsite impact areas. These analyses will also be presented in the EIR.

- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input checked="" type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Less Than Significant Impact With Mitigation: Permits regulating industrial stormwater runoff include NPDES General Permit for Discharges of Storm Water Associated with Industrial Activities and the County's Watershed Protection Ordinance. The project will prepare a Stormwater Pollution Prevention Plan (SWPPP) to address State requirements and a Stormwater Management Plan (SWMP) to address the County's requirements. Any necessary stormwater drainage facilities or other water quality mechanisms required for the aggregate mining and inert debris landfill operations will be outlined in the SWPPP and Preliminary Drainage Study that will be prepared for the project. Potential significant impacts associated with the construction of new stormwater drainage facilities will be evaluated in the SWPPP, SWMP, EIR and other technical reports as necessary.

- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

<input type="checkbox"/> Potentially Significant Impact	<input checked="" type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Less Than Significant Impact: The project requires water service from the Otay Water District. A Service Availability Letter from the Otay Water District has been provided, indicating adequate water resources and entitlements are available to serve the requested water resources. Therefore, sufficient water supplies are anticipated to be available to serve the project.

- e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input checked="" type="checkbox"/> No Impact

No Impact: The proposed project for a rock quarry and will not produce any wastewater. Portable toilets will be provided for the employees of the project. Therefore, the project will not interfere with wastewater treatment service capacity.

- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

<input type="checkbox"/> Potentially Significant Impact	<input checked="" type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Less Than Significant Impact: Implementation of the project will generate solid waste. All solid waste facilities, including landfills require solid waste facility permits to operate. In San Diego County, the County Department of Environmental Health, Local Enforcement Agency issues solid waste facility permits with concurrence from the California Integrated Waste Management Board (CIWMB) under the authority of the Public Resources Code (Sections 44001-44018) and California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440et seq.). There are five, permitted active landfills in San Diego County with remaining capacity. Therefore, there is sufficient existing permitted solid waste capacity to accommodate the project's solid waste disposal needs.

- g) Comply with federal, state, and local statutes and regulations related to solid waste?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: Implementation of the project will generate solid waste such as trash from office and maintenance activities. All solid waste facilities, including landfills require solid waste facility permits to operate. In San Diego County, the County Department of Environmental Health, Local Enforcement Agency issues solid waste facility permits with concurrence from the California Integrated Waste Management Board (CIWMB) under the authority of the Public Resources Code (Sections 44001-44018) and California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440et seq.).

However, the project also proposes an inert debris landfill operation that would begin approximately 4 years after the start of proposed Phase 3 deep pit mining, some 25 years after the beginning of mining operations. Details concerning this aspect of the project and compliance with current regulations will be addressed in the EIR.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: Per the instructions for evaluating environmental impacts in this Initial Study, the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory were considered in the response to each question in sections IV and V of this form. In addition to project specific impacts, this evaluation considered the projects potential for significant cumulative effects. As a result of this evaluation, the project was determined to have potential significant effects related to sensitive species and habitat modification, impacts to riparian habitat and wetlands, wildlife corridors, historical and archaeological resources, interred human remains, and paleontological resources. While mitigation has been proposed in some instances that reduce these effects to a level below significance, the effectiveness of this mitigation to clearly reduce the impact to a level below significance is unclear. Therefore, this project has been determined to potentially meet this Mandatory Finding of Significance and would require discussion and analysis of the above issues in the EIR.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past

projects, the effects of other current projects, and the effects of probable future projects)?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Per the instructions for evaluating environmental impacts in this Initial Study, the potential for adverse cumulative effects were considered in the response to each question in sections I through XVII of this form. In addition to project specific impacts, this evaluation considered the projects potential for incremental effects that are cumulatively considerable. As a result of this evaluation, there were determined to be potentially significant cumulative effects related to aesthetics, air quality, biology, cultural/historical resources, geology and soils, hazards, hydrology and water quality, noise, traffic, and utilities and services. While mitigation may be proposed that could reduce these cumulative effects to a level below significance, the specific mitigation measures and effectiveness of the mitigation to clearly reduce the impact to a level below significance is unknown. Therefore, this project has been determined to potentially meet this Mandatory Finding of Significance. A list of past, present, and future projects will be provided and a detailed analysis will be included in the context of the EIR to address the above potentially significant cumulative impacts.

- c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to certain questions in sections I. Aesthetics, III. Air Quality, VI. Geology and Soils, VII. Greenhouse Gas Emissions, VIII. Hazards and Hazardous Materials, IX. Hydrology and Water Quality, XII. Noise, XIV. Public Services, XVI. Transportation and Traffic, and XVII. Utilities and Service Systems. As a result of this evaluation, there were determined to be potentially significant effects related to the above listed issues. As stated above, in response to XVIII(a) and (b), this project has been determined to potentially meet the Mandatory Findings of Significance and would require discussion and analysis of the above issues in the context of the EIR.

XIX. REFERENCES USED IN THE COMPLETION OF THE INITIAL STUDY CHECKLIST

All references to Federal, State and local regulation are available on the Internet. For Federal regulation refer to <http://www4.law.cornell.edu/uscode/>. For State regulation refer to www.leginfo.ca.gov. For County regulation refer to www.amlegal.com. All other references are available upon request.

AESTHETICS

- California Street and Highways Code [California Street and Highways Code, Section 260-283.
(<http://www.leginfo.ca.gov/>)
- California Scenic Highway Program, California Streets and Highways Code, Section 260-283.
(<http://www.dot.ca.gov/hq/LandArch/scenic/scpr.htm>)
- County of San Diego, Department of Planning and Land Use. The Zoning Ordinance of San Diego County. Sections 5200-5299; 5700-5799; 5900-5910, 6322-6326.
(www.co.san-diego.ca.us)
- County of San Diego, Board Policy I-73: Hillside Development Policy. (www.co.san-diego.ca.us)
- County of San Diego, Board Policy I-104: Policy and Procedures for Preparation of Community Design Guidelines, Section 396.10 of the County Administrative Code and Section 5750 et seq. of the County Zoning Ordinance. (www.co.san-diego.ca.us)
- County of San Diego, General Plan, Scenic Highway Element VI and Scenic Highway Program. (ceres.ca.gov)
- County of San Diego Light Pollution Code, Title 5, Division 9 (Sections 59.101-59.115 of the County Code of Regulatory Ordinances) as added by Ordinance No 6900, effective January 18, 1985, and amended July 17, 1986 by Ordinance No. 7155. (www.amlegal.com)
- County of San Diego Wireless Communications Ordinance [San Diego County Code of Regulatory Ordinances. (www.amlegal.com)
- Design Review Guidelines for the Communities of San Diego County. (Alpine, Bonsall, Fallbrook, Julian, Lakeside, Ramona, Spring Valley, Sweetwater, Valley Center).
- Federal Communications Commission, Telecommunications Act of 1996 [Telecommunications Act of 1996, Pub. LA. No. 104-104, 110 Stat. 56 (1996).
(<http://www.fcc.gov/Reports/tcom1996.txt>)
- Institution of Lighting Engineers, Guidance Notes for the Reduction of Light Pollution, Warwickshire, UK, 2000
(<http://www.dark-skies.org/ile-gd-e.htm>)
- International Light Inc., Light Measurement Handbook, 1997.
(www.intl-light.com)
- Rensselaer Polytechnic Institute, Lighting Research Center, National Lighting Product Information Program (NLPPI), Lighting Answers, Volume 7, Issue 2, March 2003.
(www.lrc.rpi.edu)
- US Census Bureau, Census 2000, Urbanized Area Outline Map, San Diego, CA.
(<http://www.census.gov/geo/www/maps/ua2kmaps.htm>)
- US Department of the Interior, Bureau of Land Management (BLM) modified Visual Management System.
(www.blm.gov)
- US Department of Transportation, Federal Highway Administration (FHWA) Visual Impact Assessment for Highway Projects.
- US Department of Transportation, National Highway System Act of 1995 [Title III, Section 304. Design Criteria for the National Highway System.
(<http://www.fhwa.dot.gov/legregs/nhsdatoc.html>)

AGRICULTURE RESOURCES

- California Department of Conservation, Farmland Mapping and Monitoring Program, "A Guide to the Farmland Mapping and Monitoring Program," November 1994.
(www.consrv.ca.gov)
- California Department of Conservation, Office of Land Conversion, "California Agricultural Land Evaluation and Site Assessment Model Instruction Manual," 1997.
(www.consrv.ca.gov)
- California Farmland Conservancy Program, 1996.
(www.consrv.ca.gov)
- California Land Conservation (Williamson) Act, 1965.
(www.ceres.ca.gov, www.consrv.ca.gov)
- California Right to Farm Act, as amended 1996.
(www.qp.gov.bc.ca)
- County of San Diego Agricultural Enterprises and Consumer Information Ordinance, 1994, Title 6, Division 3, Ch. 4. Sections 63.401-63.408. (www.amlegal.com)
- County of San Diego, Department of Agriculture, Weights and Measures, "2002 Crop Statistics and Annual Report," 2002. (www.sdcountry.ca.gov)
- United States Department of Agriculture, Natural Resource Conservation Service LESA System.
(www.nrcs.usda.gov, www.swcs.org).
- United States Department of Agriculture, Soil Survey for the San Diego Area, California. 1973. (soils.usda.gov)

AIR QUALITY

- CEQA Air Quality Analysis Guidance Handbook, South Coast Air Quality Management District, Revised November 1993. (www.aqmd.gov)
- County of San Diego Air Pollution Control District's Rules and Regulations, updated August 2003. (www.co.san-diego.ca.us)
- Federal Clean Air Act US Code; Title 42; Chapter 85 Subchapter 1. (www4.law.cornell.edu)

BIOLOGY

- California Department of Fish and Game (CDFG). Southern California Coastal Sage Scrub Natural Community Conservation Planning Process Guidelines. CDFG and California Resources Agency, Sacramento, California. 1993. (www.dfg.ca.gov)
- County of San Diego, An Ordinance Amending the San Diego County Code to Establish a Process for Issuance of the Coastal Sage Scrub Habitat Loss Permits and Declaring the Urgency Thereof to Take Effect Immediately, Ordinance No. 8365. 1994, Title 8, Div 6, Ch. 1. Sections 86.101-86.105, 87.202.2.
(www.amlegal.com)
- County of San Diego, Biological Mitigation Ordinance, Ord. Nos. 8845, 9246, 1998 (new series). (www.co.san-diego.ca.us)
- County of San Diego, Implementing Agreement by and between United States Fish and Wildlife Service, California Department of Fish and Game and County of San Diego. County of San Diego, Multiple Species Conservation Program, 1998.

County of San Diego, Multiple Species Conservation Program, County of San Diego Subarea Plan, 1997.

Holland, R.R. Preliminary Descriptions of the Terrestrial Natural Communities of California. State of California, Resources Agency, Department of Fish and Game, Sacramento, California, 1986.

Memorandum of Understanding [Agreement Between United States Fish and Wildlife Service (USFWS), California Department of Fish and Game (CDFG), California Department of Forestry and Fire Protection (CDF), San Diego County Fire Chief's Association and the Fire District's Association of San Diego County.

Stanislaus Audubon Society, Inc. v County of Stanislaus (5th Dist. 1995) 33 Cal.App.4th 144, 155-159 [39 Cal. Rptr.2d 54]. (www.ceres.ca.gov)

U.S. Army Corps of Engineers Environmental Laboratory. Corps of Engineers Wetlands Delineation Manual. U.S. Army Corps of Engineers, Wetlands Research Program Technical Report Y-87-1. 1987. (<http://www.wes.army.mil/>)

U.S. Environmental Protection Agency. America's wetlands: our vital link between land and water. Office of Water, Office of Wetlands, Oceans and Watersheds. EPA843-K-95-001. 1995b. (www.epa.gov)

U.S. Fish and Wildlife Service and National Marine Fisheries Service. Habitat Conservation Planning Handbook. Department of Interior, Washington, D.C. 1996. (endangered.fws.gov)

U.S. Fish and Wildlife Service and National Marine Fisheries Service. Consultation Handbook: Procedures for Conducting Consultation and Conference Activities Under Section 7 of the Endangered Species Act. Department of Interior, Washington, D.C. 1998. (endangered.fws.gov)

U.S. Fish and Wildlife Service. Environmental Assessment and Land Protection Plan for the Vernal Pools Stewardship Project. Portland, Oregon. 1997.

U.S. Fish and Wildlife Service. Vernal Pools of Southern California Recovery Plan. U.S. Department of Interior, Fish and Wildlife Service, Region One, Portland, Oregon, 1998. (ecos.fws.gov)

U.S. Fish and Wildlife Service. Birds of conservation concern 2002. Division of Migratory. 2002. (migratorybirds.fws.gov)

CULTURAL RESOURCES

California Health & Safety Code. §18950-18961, State Historic Building Code. (www.leginfo.ca.gov)

California Health & Safety Code. §5020-5029, Historical Resources. (www.leginfo.ca.gov)

California Health & Safety Code. §7050.5, Human Remains. (www.leginfo.ca.gov)

California Native American Graves Protection and Repatriation Act, (AB 978), 2001. (www.leginfo.ca.gov)

California Public Resources Code §5024.1, Register of Historical Resources. (www.leginfo.ca.gov)

California Public Resources Code. §5031-5033, State Landmarks. (www.leginfo.ca.gov)

California Public Resources Code. §5097-5097.6, Archaeological, Paleontological, and Historic Sites. (www.leginfo.ca.gov)

California Public Resources Code. §5097.9-5097.991, Native American Heritage. (www.leginfo.ca.gov)

City of San Diego. Paleontological Guidelines. (revised) August 1998.

County of San Diego, Local Register of Historical Resources (Ordinance 9493), 2002. (www.co.san-diego.ca.us)

Demere, Thomas A., and Stephen L. Walsh. Paleontological Resources San Diego County. Department of Paleontology, San Diego Natural History Museum. 1994.

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U.S. Code including: American Antiquities Act (16 USC §431-433) 1906. Historic Sites, Buildings, and Antiquities Act (16 USC §461-467), 1935. Reservoir Salvage Act (16 USC §469-469c) 1960. Department of Transportation Act (49 USC §303) 1966. National Historic Preservation Act (16 USC §470 et seq.) 1966. National Environmental Policy Act (42 USC §4321) 1969. Coastal Zone Management Act (16 USC §1451) 1972. National Marine Sanctuaries Act (16 USC §1431) 1972. Archaeological and Historical Preservation Act (16 USC §469-469c) 1974. Federal Land Policy and Management Act (43 USC §35) 1976. American Indian Religious Freedom Act (42 USC §1996 and 1996a) 1978. Archaeological Resources Protection Act (16 USC §470aa-mm) 1979. Native American Graves Protection and Repatriation Act (25 USC §3001-3013) 1990. Intermodal Surface Transportation Efficiency Act (23 USC §101, 109) 1991. American Battlefield Protection Act (16 USC 469k) 1996. (www4.law.cornell.edu)

GEOLOGY & SOILS

California Department of Conservation, Division of Mines and Geology, California Alquist-Priolo Earthquake Fault Zoning Act, Special Publication 42, Revised 1997. (www.consrv.ca.gov)

California Department of Conservation, Division of Mines and Geology, Fault-Rupture Hazard Zones in California, Special Publication 42, revised 1997. (www.consrv.ca.gov)

California Department of Conservation, Division of Mines and Geology, Special Publication 117, Guidelines for Evaluating and Mitigating Seismic Hazards in California, 1997. (www.consrv.ca.gov)

County of San Diego Code of Regulatory Ordinances Title 6, Division 8, Chapter 3, Septic Tanks and Seepage Pits. (www.amlegal.com)

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April 14, 2011

File Number 3330300

Mr. Jim Bennett
County of San Diego
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123-1666

MEMBER AGENCIES

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Southern California
Tribal Chairmen's Association
Mexico

Dear Mr. Bennett:

SUBJECT: Notice of Preparation of an Environmental Impact Report (EIR) for
Otay Hills Aggregate Mining and Inert Debris Landfill Project

Thank you for the opportunity to comment on the Notice of Preparation of an Environmental Impact Report (EIR) for the Otay Hills Aggregate Mining and Inert Debris Landfill Project. The San Diego Association of Governments (SANDAG) comments are made from a regional perspective, emphasize the need for land use and transportation coordination, and are based on policies contained in the Regional Comprehensive Plan (RCP) and the 2030 Regional Transportation Plan (RTP).

State law gives SANDAG the authority to determine whether a project or plan will need to be reviewed for regional significance. SANDAG staff has reviewed this project and determined that it is regionally significant due to the amount of traffic generated. Therefore, environmental review of this project should include consideration of applicable policy objectives contained in the RCP and the RTP.

Specific Comments

Please consider all impacts to existing and planned transportation facilities in the project area, including State Routes 11 and 905. Please consult the Tier I environmental document and recently circulated Tier II environmental document for the State Route 11 and Otay Mesa East Port of Entry Project. Also, please coordinate with existing and planned developments in the project area to assess potential project cumulative impacts and to coordinate mitigation efforts.

In addition, please consider findings of the San Diego Region Aggregate Supply Study completed by SANDAG in January 2011 when assessing the environmental and regional impacts of the project's proposed land use designation. This publication can be found on our Web site at www.sandag.org/igr.

Natural Environment

A key RCP objective is to preserve and maintain natural areas in urban neighborhoods, such as canyons and creeks, and provide access for the enjoyment of the region's residents. Please consider this criteria if applicable to your project.

Other Considerations

It is suggested that consideration be given to Assembly Bill 32, Senate Bill 375, Senate Bill 97 and Executive Order S-13-08, which call for analysis of greenhouse gas emissions. Additionally, it is suggested that consideration be given to the policies included in the SANDAG Regional Energy Strategy that promote the reduction of energy demand and water consumption.

We appreciate the opportunity to comment on the Notice of Preparation of an Environmental Impact Report (EIR) for the Otay Hills Aggregate Mining and Inert Debris Landfill Project.

If you have any questions or concerns regarding this letter, please contact me at (619) 699-1922 or rsa@sandag.org.

Sincerely,



RON SAENZ
Associate Regional Planner

RSA/SBA/hob

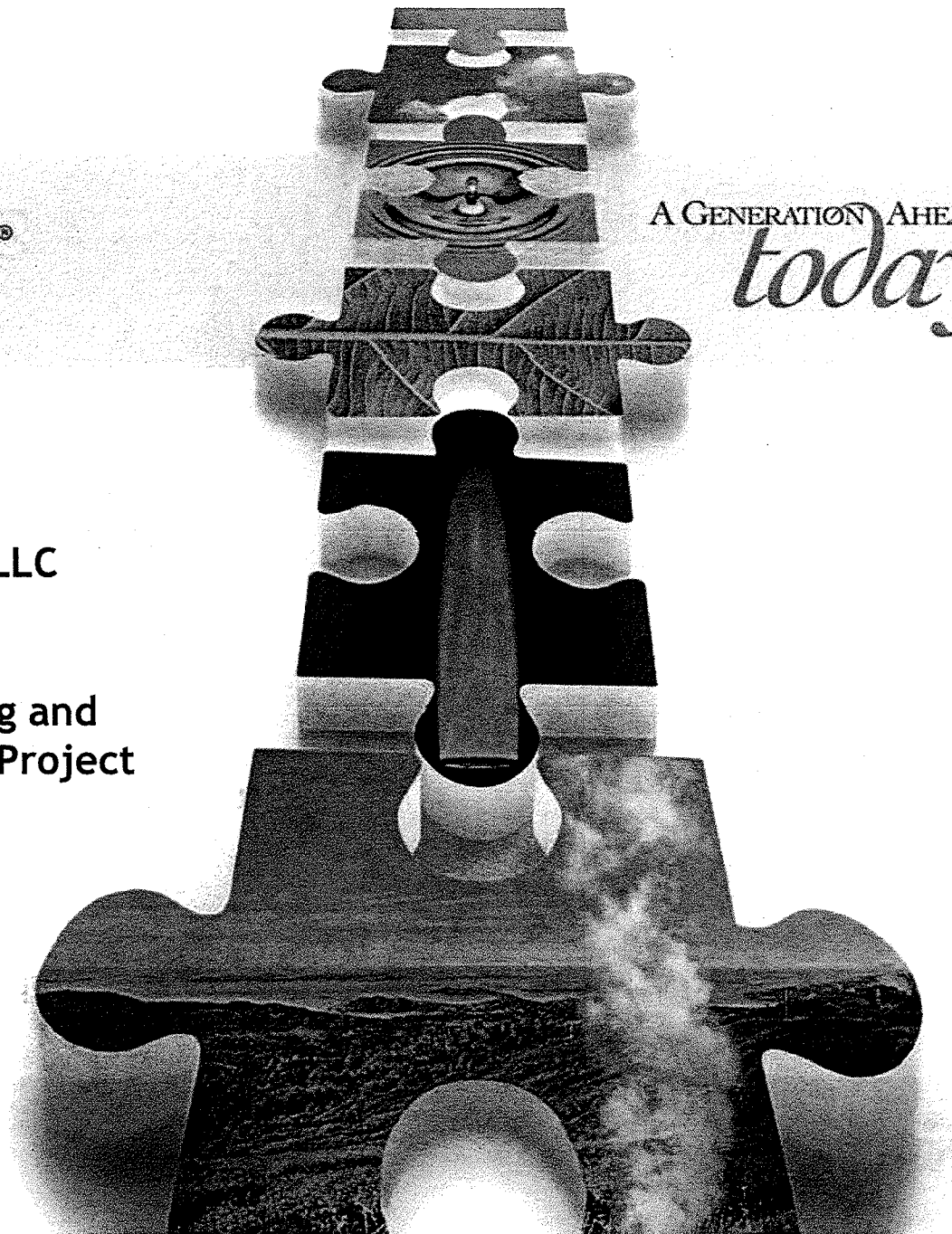


A GENERATION AHEAD,
today

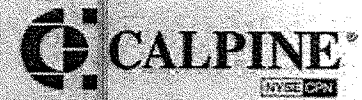
Otay Mesa Energy Center LLC
Public Comment

Otay Hills Aggregate Mining and
Inert Land Debris Landfill Project
SPA-3813 10-002,
MUP 3300 04-004
RP-3310 04-001

April 5th 2011



Topics



- OMEC description and location
- OMEC Air quality Impacts and Concerns

VIII. HAZARDS AND HAZARDOUS MATERIALS

- OMEC Equipment Seismic Concerns

VIII. HAZARDS AND HAZARDOUS MATERIALS

Otay Mesa Energy Center General Description

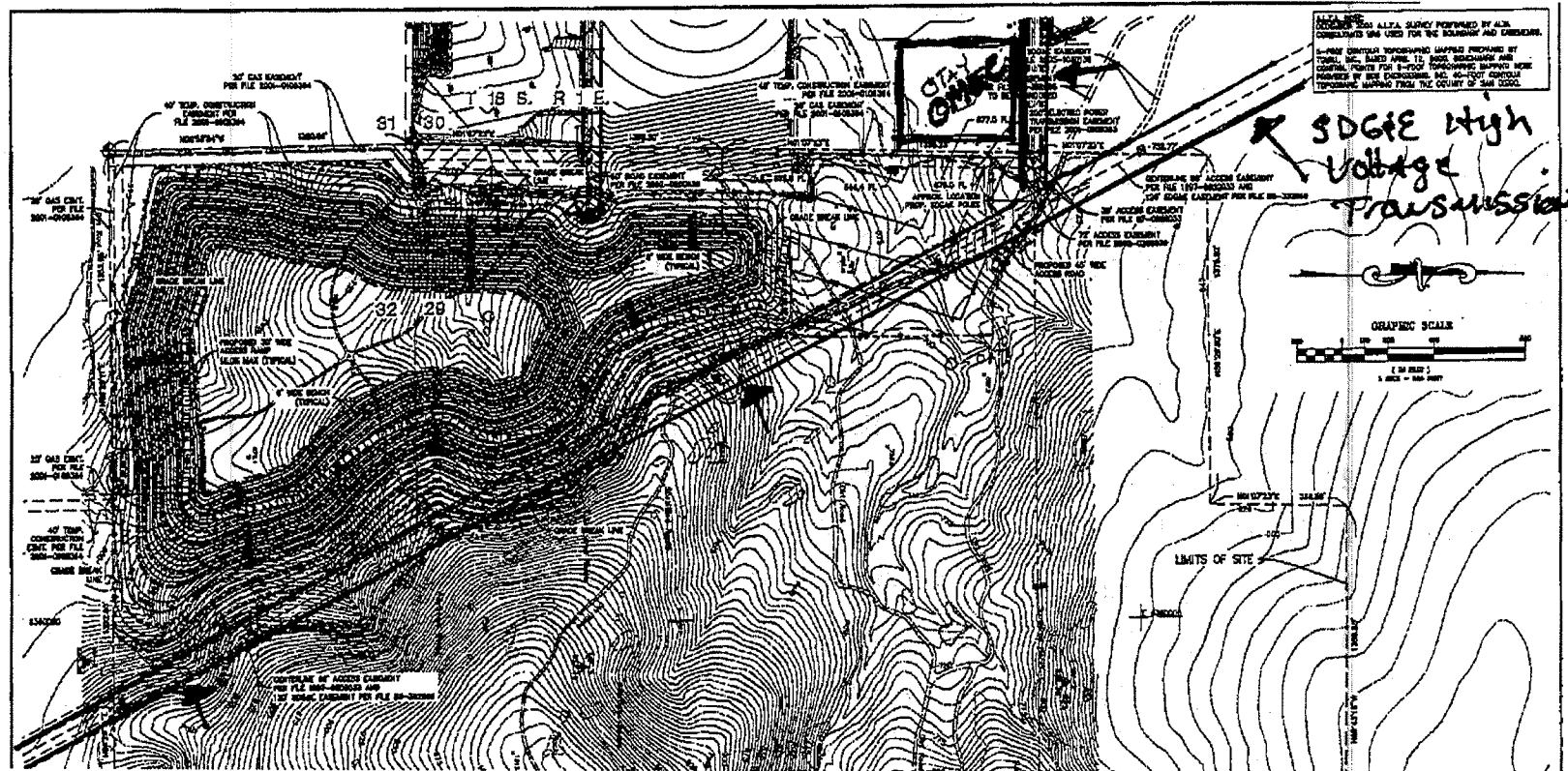


Otay Mesa Energy Center (OMEC) is located adjacent to and directly west and northwest of the proposed Otay Hills project as depicted on the County DPLU 3300 04-004 Aerial Photo. It is a combined cycle power generation facility owned and operated by OMEC LLC and contracted to SDG&E under a long term power purchase agreement. Commercial operation began in the fall of 2009. The project's contracted power is transported via two separate SDG&E high voltage transmission lines. One of these lines travels in close proximity to the proposed Otay Hills project. OMEC is also served by a large natural gas line which travels near the proposed Otay Hills project.

The facility combustion turbines and air cooled condensers process large volumes of ambient air during operation of the facility. There are extensive air filtration systems for combustion turbine inlet air and numerous air filtration components for generators, and the various equipment and enclosures.

Sensitive vibration detection and protection systems are installed on combustion turbine and steam turbine generator sets and also on a number of large pump and motor sets. These systems are designed to protect the equipment and will automatically trip or shutdown turbines and or motors at pre selected vibration detection levels

10-10-1964



Otay Mesa Energy Center Air Quality Concerns and Impacts (CEQA III. AIR QUALITY)



- The facility has significant concern about the ambient air quality impacts this project may generate. Specific concerns involve the likely generation of significant airborne particulate matter. The proposed area and staged expansion plan will increasingly expose and create greater areas of disturbed land. Removal of native vegetation and its ability to retain soil and minimize airborne dispersement of particulate matter (dust/dirt) could be increasingly difficult to mitigate as disturbed areas expand. Significant traffic on unimproved dirt and gravel roads within the project boundary and actual mining/backfill activity will also generate mechanically induced movement of dust into the air. The following equipment issues are of concern:
- Combustion Turbine Inlet Air filtration system loading and filter replacement costs
- Air cooled condenser tube fouling and decreased cooling efficiency due to increased ambient air particulate matter.
- High voltage insulator contamination will increase potential flash over events and cleaning costs.

Combustion Turbine Inlet Air filtration



- Under current air quality conditions OMEC replaces the 2 stage inlet air filters at of cost \$62,500 for each unit or \$125,000 for both each year. Sudden heavy increases and or significant sustained increase of airborne particulate will increase life cycle costs and the potential for unplanned forced outage events depending on volume and duration of increased airborne particulate being captured in the filter systems.
- As filter particulate dirt loading increases there can be significant step changes in differential pressure across the filter bank. This is especially true when weather conditions shift from a dry environment to fog and or rain. The moisture creates a hydrophobic effect as it enters the filter. The particulate in the filter media will absorb moisture and expand further blocking air flow across the filter. A sudden increasing differential pressure step change can result in the need to reduce plant output and or shutdown for filter replacement to protect the multimillion dollar engines. Experience to date has been easily managed on a planned seasonal basis. Increase of ambient particulate matter could impact the filters as described. It would impact our ability to plan filter replacement intervals and could expose the facility to unplanned and or forced outage events

Gas Turbine Inlet filter house



- Gas Turbine 1 & 2 inlet filters viewing towards WSW from OMEC east boundary. The inlet filters face east in direct line to the Otay Hills project. There are 334 filters per unit with an operating air flow of 725,000 scfm on each unit.



Air Cooled Condensers

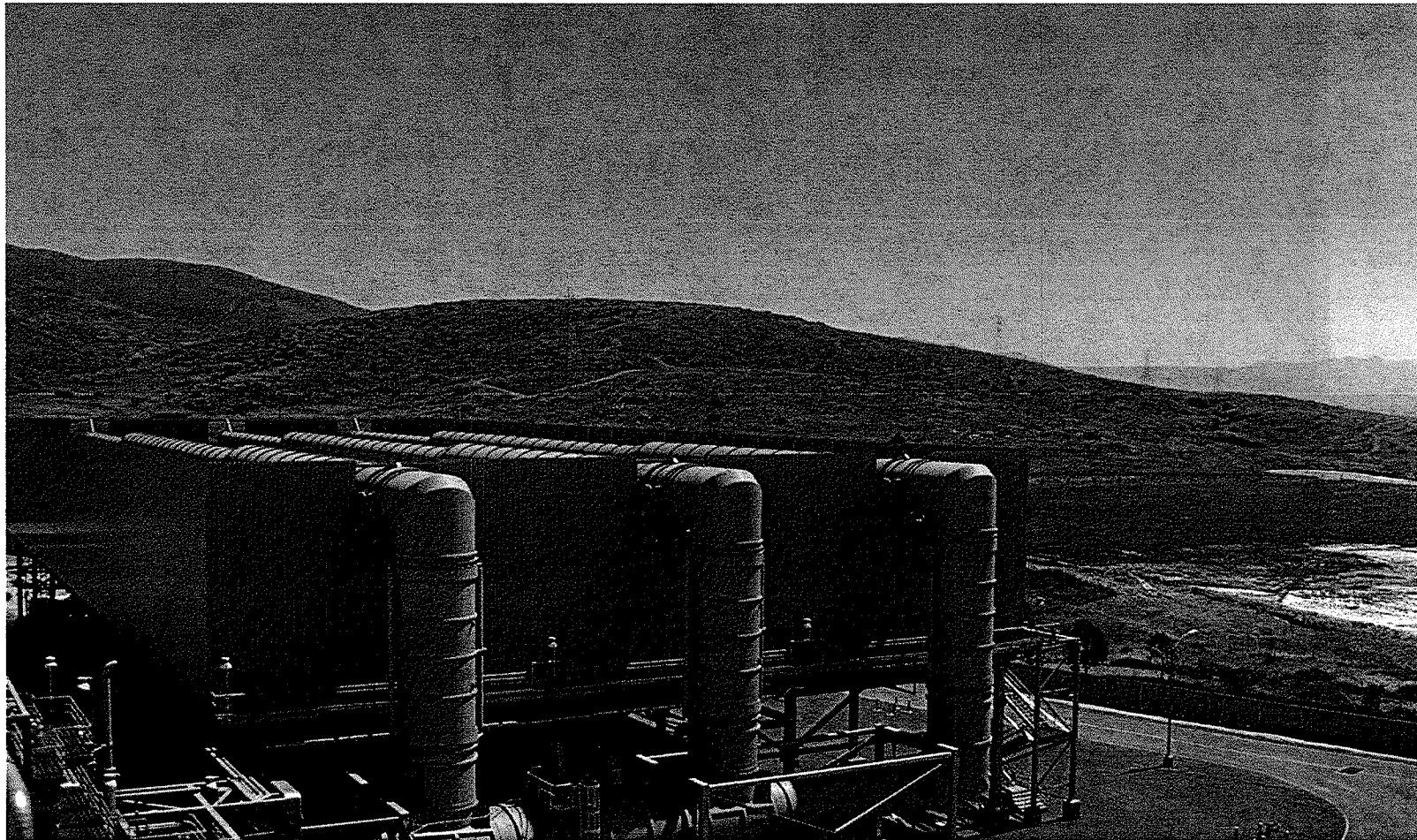


- OMEC has two installed air cooled condenser banks. This equipment was selected to eliminate the use of traditional wet cooling towers and minimize the overall water needs of the facility. The purpose of this equipment is to cool the steam turbine exhaust steam by distributing it across a large array of tubes. Large fans in the structure drawn air in from the bottom of the structure. It flows vertically up and across a very large surface area of tubes. The hot air is discharged from the top of the structures. As the air cools the surface areas of the tubes, the steam condenses back into liquid condensate (water) which is returned to the boilers for generating steam to operate the steam turbine generator. The cleanliness of the tube surface area is important for effective heat transfer.
- Entrained ambient particulate matter is drawn through the surface areas of the air cooled condensers. Degraded ambient air quality with increased particulate matter will accelerate and increase dirt and dust deposition on the condenser tube surface areas. As this surface accumulation increases the heat transfer effectiveness of the condenser will decrease. This will result in less effective cooling which can impact the steam turbine generator output and de-rate plant performance. To recover performance OMEC would have to undertake additional contract cleaning and washing of the condenser tube surface areas to restore heat transfer effectiveness.

One of two air cooled condensers



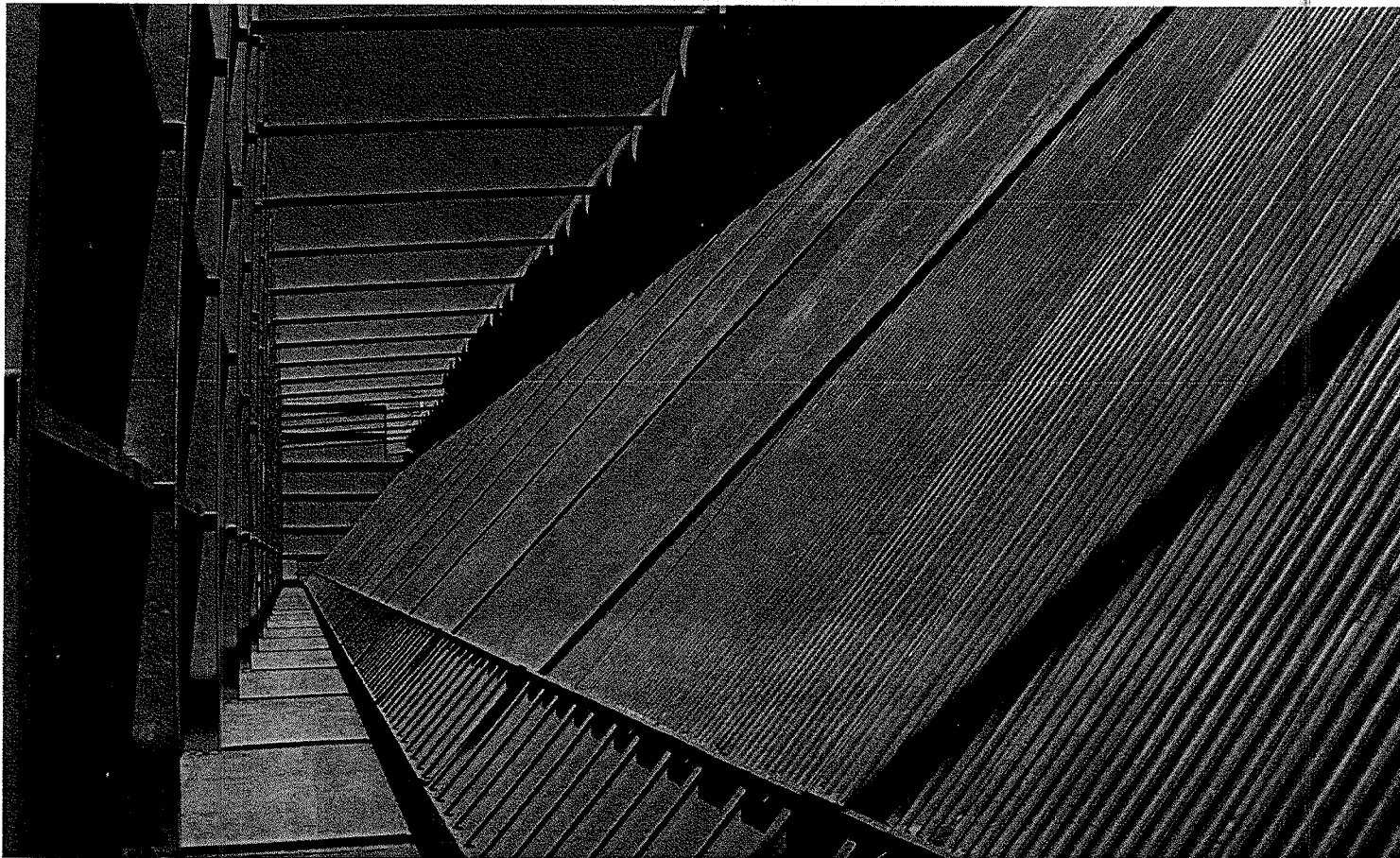
- View is ESE looking directly at Otay Hills Project area with one air cooled condenser in the foreground.



Tube surface area of air cooled condenser



- There are two condensers each 290' wide by 250' long. The tube surface area of each unit is 113,899 square feet. In operation, inducted air flow is 40,650,000(ACFM) air cubic ft per minute.



High Voltage Electrical Systems



- Calpine operates facilities across the United States in a wide variety of climate and ambient air conditions. This includes facilities which have become exposed to ambient air conditions impaired by high particulate counts. Examples include seasonal agricultural activities which disrupt large tracts of soil that can be exposed to dry windy conditions, Agricultural burning, etc. As such we have experience with the ambient air quality effects on high voltage insulators.
- Ambient particulates accumulate on the surface of high voltage insulators typically seen in substation yards and supporting transmission lines. As the cleanliness decreases the resistance to ground decreases. Dirty insulators create high potential for electrical tracking and more significant arc flash over events which at a minimum initiate electrical protection system operation to trip generators and or breakers to isolate the fault. These events can also physically damage the insulators.
- Poor air quality conditions require more frequent insulator inspection and cleaning operations which require the electricity to be de energized making the facility unavailable to deliver energy. These maintenance activities are normally planned for low electricity demand periods however sudden changes in weather such as a first fog or rain after a long period can greatly increase chances of a flash over event depending on insulator condition.

High Voltage Systems (continued)



- One of OMEC's two SDG&E interconnected transmission lines passes directly ESE of the facility. This transmission corridor is in very close proximity to Otay Hills mining project. Poor ambient air conditions involving particulate may also effect the high voltage line insulators associated with each transmission tower near this project. Sustained heavy ambient particulate loading in these areas would have the same potential for flash over events previously described.
- For reference to this phenomenon, power disruptions often occur when wild fires encroach on or near transmission line. This is due to smoke and heavy particulate degrading the insulating properties of the system which eventually can cause flash over and grounding events which disrupt the power grid. The same conditions may occur with sustained heavy particulate being generated by the mining operation or an accumulation which occurs over an extended period of time. Sudden moisture events as noted prior can also initiate an event when insulator cleanliness is degraded.
- There are some mitigation steps that can be taken for electrical insulators. This includes installation of shield or boots designed to cover and protect the components and or more frequent washing which requires de-energization of the line. Both are expensive measures.

OMEC Electrical Substation and Transmission line



View looking ESE towards the Otay Hills mining project



OMEC switchyard



- Note: Each structural connection used to support high voltage wire in substations and transmission towers includes the use of various insulator components. Sub stations contain high localized concentrations of these components



Seismic Concerns

(CEQA III. AIR QUALITY CEQA VIII. HAZARDS AND HAZARDOUS MATERIALS)



OMEC was designed and constructed in conformance with appropriate seismic standards and building codes. In addition to this required element the project has installed vibration monitoring and protection controls to prevent damage to our multi million dollar turbine generator sets and large pump/motor sets. The systems are designed to provide real time vibration level monitoring and include alarms and automatic protective trip points.

The Otay Hill Mining project describes the periodic use of explosives (weekly) as a necessary activity to facilitate its operation. Due to the proximity of this project to OMEC we have concern about the seismic effect this may have on our operating equipment and air quality impacts of explosives use . This includes:

- Risk of our equipment being tripped off line while operating and delivering contracted power to SDG&E and its customers.
- Sudden releases of concentrated particulate matter becoming airborne and affecting OMEC and it's utility infrastructure
- Longer term plant structural effects over time.

We don't have any ability to directly ascertain what if any effect explosives use in close proximity to our facility may have. Conditional use Precedent mitigation provisions may be difficult to define. or difficult to impose on a post permitted basis.

Conclusions



While we are not directly opposed to the applicant plan or project we do feel that there are significant issues requiring mitigation. This includes CEQA sections III. AIR QUALITY, and VIII. HAZARDS AND HAZARDOUS MATERIALS.

- Due to the fact that there are multiple permitting agencies with attending regulatory powers involved with various aspects of this process we are concerned that possible mitigation measures applied within the various permits could be fragmented and or limited by specific and potentially narrow agency criteria.
- We believe that appropriate mitigations can be applied for air quality concerns in the early smaller stages of the proposed project but as the operation expands over time the disturbed areas and their potential to impact air quality will grow exponentially and may be difficult to mitigate in a feasible manner. As an example, A very large volume of water and application equipment would be necessary to prevent or even minimize air degradation from particulate during a sustained Santa Ana wind condition.

Potential seismic effects to our facility from the Otay Hills project's proposed explosives use are unknown and as such difficult to mitigate via land conditional use permitting beyond noise, notice, hours of operation, etc . What measures could be taken to allow post permitting mitigation?

CEQA Air Quality References



III. AIR QUALITY

- *The project has the potential to significantly contribute to the violation of air quality standards or significantly contribute to an existing or projected air quality violation, primarily related to extraction, processing and stockpiling operations and vehicle trips generated by the proposed project.*

“San Diego County is also presently in non-attainment for the annual geometric mean and for the 24-hour concentrations of Particulate Matter less than or equal to 10 microns (PM10)”

“Sources of PM10 in both urban and rural areas include: motor vehicles, wood burning stoves and fireplaces, dust from construction, landfills, agriculture, wildfires, brush/waste burning, and industrial sources of windblown dust from open lands. “

The project has the potential to result in a cumulative and considerable net increase of ambient particulate matter which could have impacts to OMEC equipment and utility infrastructure.

VIII. HAZARDS AND HAZARDOUS MATERIALS

- *“Additionally, a SDG&E electric transmission line and easement traverses the project site and a natural gas line and easement are located adjacent to the western boundary of the site. Damage to these facilities could result in a significant hazard to the public and environment. Therefore, the project applicant must provide a plan to demonstrate that all proposed site activities will be compatible with these facilities. “*

OMEC has a long term power purchase agreement with SDG&E, a public utility. The facility is integral and part of the supporting electrical transmission and gas infrastructure described in this document. Damage to the infrastructure or the OMEC facility has the potential to impact public service.





Linda S. Adams
Acting Secretary for
Environmental Protection



Department of Toxic Substances Control

Leonard E. Robinson
Acting Director
5796 Corporate Avenue
Cypress, California 90630



Edmund G. Brown Jr.
Governor

April 5, 2011

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APR 06 2011

DEPARTMENT OF PLANNING
AND LAND USE

Mr. Jim Bennett, Project Manager
San Diego County Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, California 92123-1666

NOTICE OF PREPARATION (NOP) OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE OTAY HILLS AGGREGATE MINING AND INERT DEBRIS LANDFILL PROJECT, (SCH# 2005051151), SAN DIEGO COUNTY

Dear Mr. Bennett:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Preparation for a draft Environmental Impact Report (EIR) for the above-mentioned project. The following project description is stated in your document: "The proposed project is an application for a Specific Plan Amendment (SPA), Major Use Permit (MUP) and Reclamation Plan (RP) for the Otay Hills Aggregate Mining and Inert Debris Landfill Project. The MUP site is within the east Otay Mesa Specific Plan Area (EOMSP). The MUP project area consists of 110 acres upon which the mining of construction aggregates, materials processing, and inert debris landfill operation will occur. The balance of the 434-acre area would be placed in biological open space. The SPA is proposed to establish a long-term land use policy for the area proposed for the extractive operations and inert debris landfill activities. The site is located at the eastern extension of Otay Mesa Road on the southwestern flank of the San Ysidro Mountains, approximately one mile east of the intersection of Otay Mesa Road and Alta Road. The site is 2.5 miles northeast of the Otay Mesa Border Crossing and 2.3 miles east of the State Route (SR)-125/Otay Mesa Road intersection within the Otay Community Planning Area and unincorporated area of San Diego County. The project site is currently undeveloped and undisturbed, with the exception of a few dirt roads that transect the site that are used by the U.S. Border Patrol. The proposed site is located within two land use designations (mixed industrial and rural residential) of EOMSP".

Based on the review of the submitted document DTSC has the following comments:

- 1) The EIR should evaluate whether conditions within the Project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:
 - National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
 - Envirostor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
 - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
 - Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
 - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
 - GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
 - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
 - The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).
- 2) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site within the proposed Project area that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents.
- 3) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any

investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be clearly summarized in a table. All closure, certification or remediation approval reports by regulatory agencies should be included in the EIR.

- 4) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.
- 5) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.
- 6) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overseen and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
- 7) If the site was used for agricultural, livestock or related activities, onsite soils and groundwater might contain pesticides, agricultural chemical, organic waste or other related residue. Proper investigation, and remedial actions, if necessary, should be conducted under the oversight of and approved by a government agency at the site prior to construction of the project.
- 8) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require

Mr. Jim Bennett

April 5, 2011

Page 4

authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.

- 9) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

If you have any questions regarding this letter, please contact Rafiq Ahmed, Project Manager, at rahmed@dtsc.ca.gov, or by phone at (714) 484-5491.

Sincerely,



Greg Holmes

Unit Chief

Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov.

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
ADelacr1@dtsc.ca.gov

CEQA # 3177

DEPARTMENT OF TRANSPORTATION

DISTRICT 11

4050 TAYLOR STREET, MS 240

SAN DIEGO, CA 92110

PHONE (619) 688-6960

FAX (619) 688-4299

TTY 711

*Flex your power!
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April 20, 2011

11-SD-11

PM 2.0

Otay Hills Aggregate/Landfill

NOP

SCH# 2005051151

Mr. Jim Bennett
County of San Diego
Department of Planning and Land Use
5201 Ruffin Road, Suite B
MS 0650
San Diego, CA 92123-1666

Dear Mr. Bennett:

The California Department of Transportation (Caltrans) appreciates the opportunity to have reviewed the Notice of Preparation (NOP) for the Otay Hills Aggregate/Landfill project. The development will be located northeast of the future State Route 11 (SR-11)/ Otay Mesa East Port of Entry (POE) and east of State Route 905 (SR-905) in the Otay Community Planning area within the County of San Diego.

The Tier I Environmental Document for the SR-11/Otay Mesa East POE project was approved in October 2008 and Caltrans circulated the Tier II draft EIR/EIS December 1, 2010-February 1, 2011. Any studies for the Otay Hills Aggregate/Landfill project or any other project within the County's Otay Community Planning Area should take into consideration the appropriate features and location of SR-11 and the Otay Mesa East POE. The final EIR/EIS for SR-11 and the Otay Mesa East POE should be finalized late fall 2011.

The SR-905/SR-125 interchange currently remains an unfunded component of the SR-905 freeway project. In addition, SR-11 is not fully funded. The SR-11 project lacks complete funding for construction, and to maintain its current schedule of opening in 2015, the issuance of bonds, user fees, and private investment dollars will be required to cover the remaining costs. If this project is to rely on the completion of these facilities as mitigation, it is reasonable that a fair-share amount towards the completion of SR-905 and SR-11 be identified as part of this project's mitigation. Caltrans recommends that a fair-share payment towards the SR-905 and SR-11 projects be analyzed or identified in the EIR.

Our agency would like to welcome the opportunity to meet with the County to discuss the Otay Hills Aggregate/Landfill project. Coordination of the Otay Hills Aggregate/Landfill DEIR with Caltrans SR-11 Tier II EIR/EIS would be beneficial to all parties. Please contact Anthony Aguirre of the Caltrans Planning Development Review Branch at (619) 688-3161 to schedule a meeting, as well as answer any questions on the comments Caltrans has provided. Our agency

looks forward to working with all interested stakeholders to ensure that land use approvals and regional transportation projects are consistent with both local and regional plans.

Caltrans has the following comments regarding the projects traffic analysis:

A Traffic Impact Study (TIS) is necessary to determine this proposed project's near-term and long-term impacts to the State facilities – existing and proposed – and to propose appropriate mitigation measures. The study should use as a guideline the *Caltrans Guide for the Preparation of Traffic Impact Studies*, which is located at the following website:

<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

Minimum contents of the traffic impact study are listed in Appendix "A" of the TIS guide. Early involvement by Caltrans in review of the TIS is recommended.

The level of service (LOS) for operating State highway facilities is based upon Measures of Effectiveness (MOE) identified in the Highway Capacity Manual (HCM). Caltrans endeavors to maintain a target LOS at the transition between LOS "C" and LOS "D" on State highway facilities; however, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS. If an existing State highway facility is operating at less than this target LOS, the existing MOE should be maintained. In general, the region-wide goal for an acceptable LOS on all freeways, roadway segments, and intersections is "D". For undeveloped or not densely developed locations, the goal may be to achieve LOS "C".

All State-owned signalized intersections affected by this project should be analyzed using the intersecting lane vehicle (ILV) procedure from the Caltrans Highway Design Manual, Topic 406, page 400-21.

The geographic area examined in the traffic study should include as a minimum all regionally significant arterial system segments and intersections, including State highway facilities where the project will add over 100 peak hour trips. State highway facilities that are experiencing noticeable delays should be analyzed in the scope of the traffic study for projects that add 50 to 100 peak hour trips.

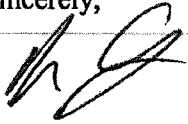
A focused analysis may be required for project trips assigned to a State highway facility that is experiencing significant delay, such as where traffic queues exceed ramp storage capacities. A focused analysis may also be necessary if there is an increased risk of a potential traffic accident.

Any work performed within Caltrans right-of-way (R/W) will require an encroachment permit. Furthermore, the applicant's environmental document must include such work in their project description and indicate that an encroachment permit will be needed. As part of the encroachment permit process, the developer must provide appropriate environmental approval for potential environmental impacts to Caltrans R/W.

Mr. Jim Bennett
April 20, 2011
Page 3

If you have any questions, please contact Anthony Aguirre, of the Development Review Branch,
at (619) 688-3161.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Armstrong', is written over a horizontal line.

JACOB M. ARMSTRONG, Chief
Development Review Branch



County of San Diego


JACK MILLER
DIRECTOR

SOLID WASTE LOCAL ENFORCEMENT AGENCY
5500 OVERLAND AVE. SUITE 110 SAN DIEGO, CA 92123
(858) 694-2888 FAX (858) 495-5004
1-800-253-9933
www.sdcdeh.org

ELIZABETH POZZEBON
ASSISTANT DIRECTOR

DATE: April 20, 2011

TO: Jim Bennett, Project Manager
Department of Planning and Land Use, (DPLU), O-650

FROM: Pamela Raptis, EHSIII 
Solid Waste Local Enforcement Agency

RE: ER 04-19-004, Otay Hills Aggregate Mining and Inert Debris Landfill Project

DISCUSSION:

The Solid Waste Local Enforcement Agency (LEA), as a responsible agency, has reviewed the Notice of Preparation Documentation, Project Description and Environmental Checklist dated March 17, 2011 with Project Numbers 3300 04-004 (MUP); 3310 04-001 (RP); 3813 10-002 (SPA). The proposed project includes mining of construction aggregates, materials processing and inert debris landfill operation.

From the documents reviewed, there are still questions remaining as to the operating conditions for the proposed operation and if the potential environmental impacts from these conditions have been fully identified and evaluated.

COMMENTS AND REVIEW SUMMARY:

1. Page 2 Project Description: states Operations would include Recycling of Asphalt and Concrete Products and Inert Debris Engineered Fill Operation. The LEA has regulatory oversight and permit responsibilities of these activities.
2. Page 3 Phase 2: states Phase 2 would include rock extraction and materials processing activities. It is unclear to the LEA if the materials processing activities meet the regulatory definition of a Material Production Facility. California Code of Regulations Title 14 (14 CCR) 17381(r) defines a "Material Production Facility" to mean a facility that primarily handles raw materials to produce a new product that is a rock product operation (i.e., an "aggregate" operation), a hot mix asphalt plant, or a concrete, concrete product or a Portland cement product manufacturing facility. The LEA suggests including more detail to describe the

magnitude of the materials processing activities that will be conducted in Phase 2 in the Environmental Impact Report (EIR).

Prior to operation of the proposed concrete and asphalt recycling activities the owner/operator shall consult with the LEA to determine the appropriate level of regulatory oversight. The LEA may provide regulatory oversight of the concrete and asphalt recycling activities if they meet the criteria of 14 CCR 17381.1(a).

3. Page 3 Phase 4: states approximately 4 years after Phase 3 commences, the inert debris landfill operation (IDEFO), or Phase 4 would begin. In current regulations 14 CCR the LEA does have regulatory authority over IDEFO's. Prior to any fill activities the owner/operator must consult with the LEA to determine the appropriate level of regulatory oversight or permit action. Based upon the proposed activities, at a minimum the owner/operator shall submit an Enforcement Agency Notification to the LEA along with an "Operations Plan". The LEA will inspect the IDEFO on a quarterly basis.
4. Page 4 Section 10: Chart-Other Public Agencies Whose Approval is Required: Under the Permit Type/Action section, the LEA suggests the addition of "Inert Debris Recycling Center Notification" with the oversight agency County of San Diego Local Enforcement Agency (LEA).
5. Page 5 Section 10 Chart-Other Public Agencies Whose Approval is Required continued: Permit Type/Action lists IDEFO with the oversight agency as Integrated Waste Management Board; this agency no longer exists and has been replaced by the California Department of Resources Recycling and Recovery (CalRecycle). The IDEFO will be permitted as needed by the County of San Diego Local Enforcement Agency (LEA) and not Cal Recycle.
6. Page 41 Initial Study Checklist XVII. Utilities and Services Systems (g) Comply with Federal, state, and local statutes and regulations related to solid waste: The processing of inert debris is a solid waste regulated activity and should be added to the discussion within this section.

Thank you for the opportunity to review the proposed project description and Initial Study Checklist and offer comments. If you have any questions, please contact me at (858) 495-5093.



THE CITY OF SAN DIEGO

April 15, 2011

County of San Diego
Department of Planning and Land Use
Attn: Jim Bennett
5201 Ruffin Road, Suite B
San Diego, California 92123-1666

Subject: CITY OF SAN DIEGO COMMENTS ON THE NOTICE OF PREPARATION (NOP) FOR THE ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE OTAY HILLS AGGREGATE MINING AND INERT DEBRIS LANDFILL PROJECT

The City of San Diego ("City") has received and reviewed the above referenced project and appreciates this opportunity to provide comments to the County. In response to the Request for Review and Comment, the City has identified potential environmental issues that may have a significant environmental impact.

Staff from the Open Space Division of the Park and Recreation Department and the City Planning and Community Investment have reviewed the Request for Comment on the NOP and have the following comments. The City respectfully requests that you please address the comments in the EIR.

Park and Recreation Department – Open Space Division

The project is located approximately 4000 feet south west of the concept plan boundary of the Otay Valley Regional Park (OVRP), which is jointly administered by the County of San Diego and the Cities of San Diego and Chula Vista. A Concept Plan for the park was adopted in 1997. The Concept Plan identifies a potential trail connecting to the east from O'Neil Canyon to/through the Otay Hills Project. Please ensure that the environmental document for the project addresses this possible trail connection to the OVRP and potential impacts to the trail/recreational opportunities from the project.

City Planning and Community Investment – Transportation Planning and Long Range Planning

1. As a regional facility, regional access that serves the facility needs to be evaluated, including the use of SR-905, SR-125 and SR-11. Freeway interchanges within close proximity to the project site that will be used for access need to be identified and evaluated. Should the environmental analysis support the use of the SR-125 and SR-11 toll facilities, the evaluation needs to include data and analysis that supports the proposed traffic numbers for both the tollways and the freeway.

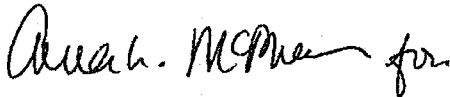


Development Services

1222 First Avenue, MS 501 • San Diego, CA 92101-4155
Tel (619) 444-5440

2. A full traffic study is required to address the potential impacts and mitigations of the project. Specific impacts and mitigation requiring analysis include, but are not limited to:
 - Access and impacts to City streets and intersections, particularly Otay Mesa and La Media Roads, as it relates to project traffic.
 - Maintenance costs of roadways impacted by truck traffic and feasibility analysis of any proposed mitigation measures to City roadways.
 - Identification of the County's fair share contribution for maintenance costs and for any future reclassification/reconfiguration for City roadways and intersections to mitigate the impacts from the proposed project.
 - Identification of designated truck routes and impacts to City roadways.
 - Analysis of impacts and mitigation measures for opening day, intermediate, and at full build-out.
3. A Health Risk Assessment, including air quality impacts associated with this project, should be included as a technical study for the environmental analysis. The impacts should include not just the proposed project site, but also the traffic routes identified to access the site.

Sincerely,



Cecilia Gallardo, AICP
Assistant Deputy Director
Development Services Department

CG: ALM

cc: Anna L. McPherson, AICP, Senior Planner, Development Services Department
Laura Ball, Senior Planner, Park and Recreation Department
Theresa Millette, AICP, Senior Planner, City Planning and Community Investment

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net



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March 22, 2011

DPLU - PPCC

Mr. Jim Bennett

San Diego County Department of Planning & Land Use

5201 Ruffin Road, Suite B, MS 0650
San Diego, CA 92123-1666

Re: SCH#2005051151; CEQA Notice of Preparation (NOP) draft Environmental Impact Report (DEIR); for the: **"Otay Hills Aggregate Mining and Inert Debris Landfill Project; Specific Plan Amendment, MUP, and Reclamation Plan;"** located in the Otay Mesa area of southwestern San Diego County, California

Dear Mr. Bennett:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources. The NAHC wishes to comment on the above-referenced proposed Project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. The NAHC Sacred Lands File (SLF) search resulted in; **Native American cultural resources were not identified** within the 'area of potential effect (APE)', based on the USGS coordinates of the project location. However, there are Native American cultural resources in close proximity to the APE (adjacent USGS sections). The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254.10.

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American

contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources.

Furthermore we recommend, also, that you contact the California Historic Resources Information System (CHRIS) for pertinent archaeological data within or near the APE, at (916) 445-7000 for the nearest Information Center in order to learn what archaeological fixtures may have been recorded in the APE.

Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA (42 U.S.C 4321-43351) and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq*, and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation.

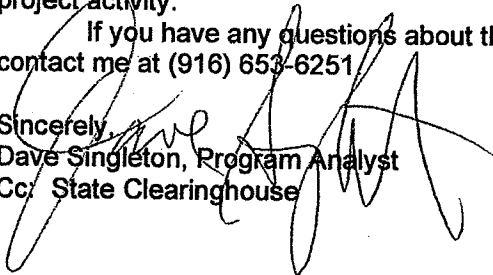
Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

The response to this search for Native American cultural resources is conducted in the NAHC Sacred Lands Inventory, established by the California Legislature (CA Public Resources Code 5097.94(a) and is exempt from the CA Public Records Act (c.f. California Government Code 6254.10) although Native Americans on the attached contact list may wish to reveal the nature of identified cultural resources/historic properties. Confidentiality of "historic properties of religious and cultural significance" may also be protected under Section 304 of the NHA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251

Sincerely,
Dave Singleton, Program Analyst
Cc: State Clearinghouse



Native American Contact List

San Diego County

March 22, 2011

Barona Group of the Capitan Grande
Edwin Romero, Chairperson
1095 Barona Road Diegueno
Lakeside , CA 92040
sue@barona-nsn.gov
(619) 443-6612
619-443-0681

Sycuan Band of the Kumeyaay Nation
Danny Tucker, Chairperson
5459 Sycuan Road Diegueno/Kumeyaay
El Cajon , CA 92021
ssilva@sycuan-nsn.gov
619 445-2613
619 445-1927 Fax

La Posta Band of Mission Indians
Gwendolyn Parada, Chairperson
PO Box 1120 Diegueno/Kumeyaay
Boulevard , CA 91905
gparada@lapostacasino.
(619) 478-2113
619-478-2125

Viejas Band of Kumeyaay Indians
Anthony R. Pico, Chairperson
PO Box 908 Diegueno/Kumeyaay
Alpine , CA 91903
jrothau@viejas-nsn.gov
(619) 445-3810
(619) 445-5337 Fax

San Pasqual Band of Mission Indians
Allen E. Lawson, Chairperson
PO Box 365 Diegueno
Valley Center, CA 92082
allenl@sanpasqualband.com
(760) 749-3200
(760) 749-3876 Fax

Kumeyaay Cultural Historic Committee
Ron Christman
56 Viejas Grade Road Diegueno/Kumeyaay
Alpine , CA 92001
(619) 445-0385

lipay Nation of Santa Ysabel
Virgil Perez, Spokesman
PO Box 130 Diegueno
Santa Ysabel, CA 92070
brandietaylor@yahoo.com
(760) 765-0845
(760) 765-0320 Fax

Campo Kumeyaay Nation
Monique LaChappa, Chairperson
36190 Church Road, Suite 1 Diegueno/Kumeyaay
Campo , CA 91906
(619) 478-9046
miachappa@campo-nsn.gov
(619) 478-5818 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Otay Hills Aggregate Mining and Inert Debris Landfill Project; located in the Otay Mesa area of southwestern San Diego County, California; SCH#2005051151.

Native American Contact List
San Diego County
March 22, 2011

Jamul Indian Village
Kenneth Meza, Chairperson
P.O. Box 612
Jamul , CA 91935
jamulrez@sctdv.net
(619) 669-4785
(619) 669-48178 - Fax

Diegueno/Kumeyaay

Inaja Band of Mission Indians
Rebecca Osuna, Spokesperson
2005 S. Escondido Blvd. Diegueno
Escondido , CA 92025
(760) 737-7628
(760) 747-8568 Fax

Mesa Grande Band of Mission Indians
Mark Romero, Chairperson
P.O. Box 270 Diegueno
Santa Ysabel, CA 92070
mesagrandeband@msn.com
(760) 782-3818
(760) 782-9092 Fax

Kumeyaay Cultural Repatriation Committee
Steve Banegas, Spokesperson
1095 Barona Road Diegueno/Kumeyaay
Lakeside , CA 92040
(619) 742-5587 - cell
(619) 742-5587
(619) 443-0681 FAX

Kumeyaay Cultural Heritage Preservation
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Campo , CA 91906
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(619) 478-9505
(619) 478-5818 Fax

Ewilaapaay Tribal Office
Will Micklin, Executive Director
4054 Willows Road Diegueno/Kumeyaay
Alpine , CA 91901
wmicklin@leaningrock.net
(619) 445-6315 - voice
(619) 445-9126 - fax

Kwaaymii Laguna Band of Mission Indians
Carmen Lucas
P.O. Box 775 Diegueno -
Pine Valley , CA 91962
(619) 709-4207

Ewilaapaay Tribal Office
Michael Garcia, Vice Chairperson
4054 Willows Road Diegueno/Kumeyaay
Alpine , CA 91901
michaalg@leaningrock.net
(619) 445-6315 - voice
(619) 445-9126 - fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Otay Hills Aggregate Mining and Inert Debris Landfill Project; located in the Otay Mesa area of southwestern San Diego County, California; SCH#2005051151.

Native American Contact List

San Diego County

March 22, 2011

Ipai Nation of Santa Ysabel
Clint Linton, Director of Cultural Resources
P.O. Box 507 Diegueno/Kumeyaay
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cjlinton73@aol.com

Kumeyaay Cultural Repatriation Committee
Bernice Paipa, Vice Spokesperson
P.O. Box 1120 Diegueno/Kumeyaay
Boulevard, CA 91905
(619) 478-2113

Manzanita Band of the Kumeyaay Nation
Leroy J. Elliott, Chairperson
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This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Otay Hills Aggregate Mining and Inert Debris Landfill Project; located in the Otay Mesa area of southwestern San Diego County, California; SCH#2005051151.

ATTACHMENT I: ESTIMATE OF DISCRETIONARY PROCESSING TIME AND COSTS

Project Name: Otay Hills Quarry
 Project Number: P04-004, RP10-001
 Staff Completing Schedule: Jim Bennett
 Decision-Making Body: Planning Commission and Board of Supervisors
 Date Schedule Produced/Revised: 4/27/2011

TASK/ACTIVITY	Estimated Duration (Days)	Estimated Completion Date	Actual Completion Date
APPLICATION SUBMITTAL			
DETERMINATION THAT AN EIR IS REQUIRED			
DPLU reviews project application "completeness", completes planning and scoping of EIR	30	5/17/2004	2/23/2004
DPLU meets with applicant to discuss need for EIR, scope and schedule	14	7/1/2004	4/15/2004
Applicant submits documents for Public Review of Notice of Preparation (NOP)	7	7/8/2004	6/17/2004
DPLU completes advertises and distributes NOP	10	5/25/2005	5/15/2005
Public review of NOP	30	6/24/2005	
DPLU receives and distributes public comments on NOP to Applicant (180 period for resubmittal of DEIR begins here)	3	6/27/2005	
DPLU meets with County Counsel, holds Kick-off Meeting with applicant/consultant. Discuss project schedule	10	7/7/2005	
Applicant submits 1st Draft EIR and Planning Documentation	120	10/25/2005	4/16/2007
DPLU reviews 1st Draft EIR, holds county counsel briefing, attends DRT	60	6/15/2007	9/6/2007
Meeting with applicant	7	9/13/2007	
REVISED PROJECT DESCRIPTION - DETERMINATION THAT NEW EIR REQUIRED			
DPLU reviews project application "completeness", completes planning and scoping of EIR	30	1/17/2011	10/8/2010
DPLU meets with applicant to discuss need for EIR, scope and schedule	14	1/31/2011	1/17/2011
Applicant submits documents for Public Review of Notice of Preparation (NOP)	7	1/31/2011	
DPLU completes advertises and distributes NOP	20	3/17/2011	
Public review of NOP	30	4/18/2011	
DPLU receives and distributes public comments on NOP to Applicant (180 period for resubmittal of DEIR begins here)	3	4/21/2011	4/27/2011
DPLU meets with County Counsel, holds Kick-off Meeting with applicant/consultant. Discuss project schedule	10	5/9/2011	
Applicant submits 1st Draft EIR and Planning Documentation	120	7/1/2011	
DPLU reviews 1st Draft EIR, holds county counsel briefing, attends DRT	60	8/30/2011	
Meeting with applicant	7	9/6/2011	
Applicant submits 2nd Draft EIR and Planning Documentation*	35	10/4/2011	
DPLU reviews 2nd Draft EIR, holds county counsel briefing*	45	11/18/2011	
Meeting with applicant	7	11/25/2011	
Applicant submits 3rd Draft EIR and Planning Documentation*	30	12/19/2011	
DPLU reviews 3rd Draft EIR, holds county counsel briefing*	30	1/18/2012	
Meeting with applicant	7	1/25/2012	
Applicant produces copies of documents, submits DEIR and copies of documents	10	1/30/2012	
DPLU completes distribution paperwork, advertises and distributes Draft EIR	14	2/13/2012	
Public Review of Draft EIR	45	3/29/2012	
DPLU transmits Public Comments to Applicant	3	4/2/2012	
DPLU holds meeting with applicant to discuss approach to address public comments, discuss project schedule	10	4/9/2012	

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 Decision-Making Body: Planning Commission and Board of Supervisors
 Date Schedule Produced/Revised: 4/27/2011

TASK/ACTIVITY	Estimated Duration (Days)	Estimated Completion Date	Actual Completion Date
Applicant submits 1st Draft Responses to Public Comment (RTC) and EIR Errata	30	5/9/2012	
DPLU reviews 1st Draft Responses to Public Comments and EIR Errata	25	6/4/2012	
Applicant submits 2nd Draft RTC and EIR Errata*	21	6/25/2012	
DPLU reviews 2nd draft RTC & EIR Errata, meets with applicant / consultant to finalize responses for I-119 review*	14	7/9/2012	
DPLU attends DRT prior to initiating I-119 review	5	7/16/2012	
Applicant submits Draft RTC & EIR Errata for I-119 review & 1st draft EIR Findings for staff review	5	7/23/2012	
Board Policy I-119 Review of Responses to Comments and DEIR	40	8/27/2012	
DPLU reviews I-119 comments, meets with Counsel, transmit comments to applicant, set meeting with applicant	7	9/3/2012	
Applicant submits revised RTC, EIR Errata, and EIR Findings, meets with DPLU to review changes	14	9/17/2012	
DPLU reviews RTC, EIR Errata & Findings and sends to Counsel for review OR meet with Counsel if 2 nd I-119 review not necessary	14	10/1/2012	
Second Board Policy I-119 Review of RTC, EIR Errata and Findings*	30	10/17/2012	
DPLU meets with County Counsel to finalize RTC, EIR Errata, and Findings*	10	10/29/2012	
Applicant makes final revisions, produces copies of FEIR, CEQA Findings and RTCs and pays Fish and Game Fees	7	11/5/2012	
DPLU attends Director briefing to make project recommendation	7	11/12/2012	
DPLU finalizes project resolution/decision, completes findings, conditions, draft staff report and begins preparation of Board Letter	30	11/28/2012	
DPLU management and County Counsel review staff report, obtain concurrences from other Departments	10	12/10/2012	
DPLU finalizes legal advertisement for hearing, newspaper advertises Planning Commission Hearing	7	12/17/2012	
Planning Commission Hearing	14	12/31/2012	
DPLU Finalizes draft Board Letter, include Planning Commission Recommendation	7	1/7/2013	
DPLU management and County Counsel review Board Letter, obtain concurrences from other Departments	10	1/17/2013	
DPLU finalizes legal advertisement for hearing, Board Hearing advertised in newspaper	7	1/24/2013	
Board of Supervisors Hearing	18	2/11/2013	

COST ESTIMATE SUMMARY		
Total Discretionary Cost Estimate		\$356,763
Deposits/Fees Paid to Date		\$186,452
Account Balance		\$9,448
Estimated County Costs Remaining		\$170,311
Fish and Game Fees		\$2,842
% Expended of Total Cost Estimate		49.61%

PROJECT SCHEDULE ASSUMPTIONS	COST ESTIMATE ASSUMPTIONS
Project description remains consistent throughout process	Cost estimate includes DPLU costs & applicable DPW, DPR, & DEH costs
Applicant will submit information in accordance with schedule	Estimate is based on relative cost of projects of similar complexity
The project will not be continued by decision maker or appealed	Cost estimate does not include applicant's consultant/engineering costs
DPW, DEH and DPR issues will be resolved concurrently.	Does not include County costs for post discretionary review (e.g. final map)
Bolded tasks are under the control of applicant/consultant.	Costs assume project schedule assumptions are maintained
<i>Italicized tasks are completed concurrently with other tasks.</i>	Costs will be paid at installments throughout the process
* Task can be eliminated if earlier draft documents are adequate.	If project is over budget, cost estimate will be revised
Hearing date is subject to decision making body availability and schedule	The State of CA adjusts Fish and Game Fees annually for inflation
Dates which fall on a holiday have an actual completion date the first business day after such holiday.	Project will be processed with an Environmental Impact Report

