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March 22, 2018

SENT VIA EMAIL AND U.S. MAIL

Bonsall Unified School District
Facilities, Maintenance and Transportation
31505 Old River Road
Bonsall, CA 92003
Attn: David Medcalf
david.medcalf@bonsallusd.com

Re: Draft Environmental Impact Report Bonsall High School

Dear Mr. Medcalf and Members of the Board of Trustees:

This firm represents SaveGirdValley.com, an unincorporated public interest group working to protect and preserve historic Gird Valley. Please find below our comments submitted on behalf of SaveGirdValley.com on the Draft Environmental Impact Report ("DEIR") for Bonsall High School ("BHS" or "the project").

Introduction

Overall, the DEIR fails to serve its fundamental purpose as an informational document. As outlined in detail below, it omits critical information and analysis and contains foundational errors which undermine its significance conclusions. As such, its conclusions are unsupported by substantial evidence and the document fails to inform the public and decision-makers of the true environmental consequences of the project. The DEIR's errors and omissions should be corrected and revised and the document recirculated for public review and comment.

The DEIR is also filled with typographical and grammatical errors which also impact its informational content and value. A partial list of these errors is attached as Exhibit A. The document should be revised and recirculated.

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Informational Omissions Render the DEIR Legally Inadequate

The California Supreme Court recently addressed when an informational omission will render a DEIR legally inadequate. See *Banning Ranch Conservancy v. City of Newport Beach* (2017) 2 Cal.5th 918. If an informational omission “substantially impair[s] an EIR’s informational function”, results “in inadequate evaluation of project alternatives and mitigation measures” or is “neither insubstantial nor merely technical”, the DEIR will be found legally inadequate. *Id.* at 942. Critically, as stated by the court, if the public, not simply the decision maker, is “deprived of a full understanding of the environmental issues raised by the ...project proposal”, a prejudicial abuse of discretion has occurred. *Id.* As presently drafted, the project DEIR deprives both the public and the BUSD Board of Trustees of a full understanding of the environmental issues raised by the project.

“The EIR is the primary means of achieving the Legislature’s considered declaration that it is the policy of the state to ‘take all action necessary to protect, rehabilitate, and enhance the environmental quality of the state.’” (*Laurel Heights Improvement Ass’n v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376, 392 [citation omitted].) “The EIR is also intended to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action.” (*Id.*) Thus, the EIR is an accountability document and the EIR process protects not only the environment but also informed self-government. (*Id.*)

“If a final environmental impact report (EIR) does not ‘adequately apprise all interested parties of the true scope of the project for intelligent weighing of the environmental consequences of the project,’ informed decision-making cannot occur under CEQA and the final EIR is inadequate as a matter of law. [Citation.]” *RiverWatch v. Olivenhain Municipal Water Dist.* (2009) 170 Cal.App.4th 1186, 1201.

As presently drafted, the DEIR does not adequately apprise the public or the Board of Trustees of the true scope of the project. It should be revised and recirculated.

Informational Infirmitities in Executive Summary, Chapter 1 Introduction and Chapter 2 Project Description

P. ES-1 – The project is justified as needed to accommodate anticipated growth in the high school population but the DEIR never sets forth any specific growth projections for the area to support this foundational premise. Other districts in the area are experiencing declining enrollment (Fallbrook Union High School District enrollments are declining). Valley Center-Pauma Unified School District recently announced teacher layoffs (<https://www.valleycenter.com/articles/school-board-lays-off-thirty-teachers-financial-crisis/>).

The DEIR should provide specific information based on credible evidence regarding levels of population growth anticipated over the next 10-20 years and in particular, levels of population growth

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of high school age children within the BUSD boundaries. At present, the DEIR fails to establish any documented need for the project.

P. ES-16 – The statement that the project would not generate Greenhouse Gas (“GHG”) emissions is false. Please revise to correctly identify the 1,932 MTCO₂e of GHG emissions produced by construction and implementation of the project (p. 3.8-16).

P. 2-1 – Infeasibility conclusions concerning expansion of Sullivan Middle School are unsupported (see discussion re: Alternatives below).

P. 2-1 – Parking spaces are inadequate for a 1,500 student high school and not in compliance with County standards (see discussion re: Transportation and Traffic impacts below).

P. 2-12 – The project fails to provide foundational safety features necessary for safe pedestrian access including sidewalks or safe evacuation by provision of secondary access (single driveway in Very High Fire Hazard Severity Zone (“VHFHSZ”) (see discussion re: Transportation and Traffic below).

P. 2-12 – 2-13 – The DEIR fails to provide critical information regarding Fire Management Zones (“FMZ”) including plant content, irrigation and maintenance necessary for fire safety in this VHFHSZ as well as potential impacts to natural habitat from fuel modification. Please clarify, consistent with USFWS/CDFW requests, whether fuel modification impacts have been incorporated into the development footprint, considered as project impacts and appropriate biological mitigation proposed. No fuel management zones should be incorporated into designated open space.

P. 3-5 – The Cumulative Projects (Figure 3-1) list is woefully incomplete and inadequate. It includes many small projects (e.g., agricultural/accessory buildings) but fails to include any description of potentially larger projects (e.g. item 15. Housing Tract). Most seriously, the DEIR completely omits other large and commonly known pending County projects in the immediate vicinity including Lilac Hills, North County Environmental Resources Recycling Facility, Newland Sierra and Warner Ranch (see County list of current projects attached as Exhibit B and Warner Ranch Cumulative projects map). The DEIR also omits the Rancho Lomas Verdes project located in the Bonsall Community Planning Area and processed in the City of Vista (see Exhibit C). The failure to include these large projects with significant impacts, renders cumulative impacts discussions in specific impact sections 3.1 through 3.15 incomplete, inadequate and in need of revision.

CEQA Guidelines section 15130(a)(1) provides: “a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts.” However, the cumulative impacts sections dealing with specific impacts are devoid of any analysis or, in some cases, do not even mention the specific projects having related and therefore cumulative impacts. This is particularly troubling given the omission of large projects in the vicinity such as the Palomar College Campus, Warner Ranch, and Newland Sierra.

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Clearly, many of these projects have reached the level of permit processing or environmental review such that information concerning their specific impacts is readily available and should properly be part of the cumulative impacts analysis. If it is “reasonable and practical to include the projects” in the cumulative impacts analysis, they should be included. *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 723.

Instead the DEIR presents a generalized, incomplete and conclusory cumulative impacts discussion. Discussion lacking even a “minimal degree of specificity or detail” is inadequate and the discussion must be more than a conclusion “devoid of any reasoned analysis.” *Whitman v. Board of Supervisors* (1979) 88 Cal.App.3d 397, 411.

Informational Infirmities in Chapter 3 Environmental Analysis

3.1 Aesthetics

The Aesthetic Impacts discussion fails to include visual view simulations or any architectural renderings of the project buildings. This information is foundational to any aesthetic impact analysis or significance conclusions. Visual simulations are a common feature of EIRs and demonstrate what a project may look like from various impacted public viewpoints. The project site is located off a County scenic highway, adjacent to other MSCP lands and the DEIR identifies the project will be seen from at least four public viewpoints. Visual simulations from these viewpoints should be prepared and provided in the DEIR, not mere conclusory descriptions.

Simulations from other public viewpoints in the immediate area are also appropriate, particularly from Monserate Hills to the east of the project site.

Public trails and pathways are planned in Gird Valley from the south to Live Oak Park to the north. See <https://www.sandiegocounty.gov/content/dam/sdc/pds/CTMP/trails-and-pathways-plan/FallbrookCommunityTrailsandPathwaysPlan.pdf>. The DEIR does not appear to identify these or the project’s potential impact on them, particularly the massive building presence seen from pathways which are intended to provide a rural, nature experience.

Likewise, detailed architectural renderings of a proposed project with descriptions of construction materials and architectural style are customary in a DEIR and necessary for an informed aesthetic impacts analysis and conclusion. At present, Figure 2-4 entitled Building Elevations located in the separate Chapter 2 of the DEIR is insufficient to allow informed decision-making concerning aesthetic impacts. Aesthetic impacts conclusions are unsupported.

It should also be noted that these elevations are not final (“final building elevations would be subject to approval of BUSD Board of Trustees as part of the entitlement process.” (p. 2-3)). Changes to the plans may result in unanalyzed and unmitigated aesthetic impacts.

3.3 Air Quality

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Project Average Daily Trips (“ADTs”) are lower than and inconsistent with other agency trip generation calculations for high schools. For example, the City of San Diego trip generation rates (Exhibit D) for a high school indicate that a high school of this size (1,500 students) generates 2,700 average daily trips, not 1,950 as indicated by the DEIR (p. 3.3-23). Accurate ADTs are critical for accurate analysis of Air Quality, GHG and Traffic impacts. Underestimating project ADTs renders Air Quality, GHG and Transportation and Traffic impact analysis infirm and in need of revision.

3.4 Biological Resources

Preliminarily, the DEIR may have used an improper baseline in connection with biological impacts. It is our understanding that before biological surveys were conducted, the district cleared the property by using goats which likely removed sensitive plant species and impacted sensitive animal habitat. This issue should be candidly addressed in the DEIR and biological reports and the appropriate baseline should be employed. The project site’s pre-clearing status should have been used to assess biological impacts and mitigation and avoidance strategies. An applicant cannot avoid the environmental review process by preemptively clearing the property of all environmental sensitivity.

The project site is designated critical habitat for the southwestern arroyo toad. Designated critical habitat for the coastal California gnatcatcher occurs a mere 500 feet east of the project site. Although focused/protocol level surveys were conducted for other species with nearby designated critical habitat (least Bell’s vireo and southwestern willow flycatcher), the consulting biologist did not conduct protocol level surveys as requested by USFWS/CDFW for the arroyo toad or focused/protocol level surveys for gnatcatchers. As such, any conclusions concerning impacts to these species or their critical habitat are unsupported in the absence of protocol level surveys which should be conducted at the appropriate time of year and under appropriate wildlife agency protocols (See Exhibit E).

Although USFWS has designated portions of the project site (16 plus acres) as critical habitat for the arroyo toad, the DEIR indicates the “primary constituent elements necessary for arroyo toad do not occur on the project site.” This conclusion cannot be reconciled with USFWS’s critical habitat designation and is unsupported in the absence of protocol level surveys.

Arroyo toads have been found in the area. See <http://www.sandiegouniontribune.com/sdut-county-supervisors-set-deadline-for-sycamore-2001feb08-story.html>. Focused studies for the species should occur.

The DEIR text and exhibits fail to specifically identify impacted acres of critical arroyo toad habitat, fail to appropriately analyze impacts, and fail to address avoidance or mitigation strategies for impacts to critical habitat. The document is informationally infirm.

The project proposes to maintain 22.4 acres as natural open space (ES 1-1) but fails to address operational impacts to this preserved open space (p. 3.4-18). Instead, the DEIR illogically and without foundation concludes that “potential operational impacts to biological resources will be minimal since

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the operational requirements of the high school are not expected to result ...beyond what will occur from construction of the project" (p. 3.4-18). USFWS/CDFW recognize and identify direct and indirect potential significant impacts from human and domestic animal intrusion onto this natural open space and sensitive areas. By failing to acknowledge the reality of operational impacts to these areas, the DEIR fails to provide any mitigation for these impacts, including permanent, ungated fencing as requested by USFWS/CDFW as follows:

A thorough discussion of mitigation measures for adverse project-related impacts on sensitive plants, animals, and habitats. Specifically, the DEIR should include/address:...

f. Measures to protect, in perpetuity, the targeted habitat values of proposed preservation and/or restoration areas from direct and indirect negative impacts. The objective should be to offset the project-induced qualitative and quantitative losses of wildlife habitat values. Permanent fencing should be installed between the impact area and biological open space and be designed to minimize intrusion into the sensitive habitats from humans and domestic animals. There should be no gates that would allow access between the development and biological open space. Additional issues that should be addressed include proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, etc.

The DEIR should be revised to candidly address operational impacts from student intrusions into protected open space and provide adequate mitigation for those impacts.

The DEIR should require, but does not reference, a mitigation monitoring and reporting program with performance standards and success criteria for the oak trees to be removed and replaced.

3.8 Greenhouse Gas Emissions

This section incorrectly states that the project won't generate GHG emissions (p. 3.8-16). Project construction and implementation will generate GHG emissions of 1,932 MTCO_{2e}. Please correct this error.

This section relies exclusively on the SCAQMD threshold (relevant to Los Angeles, Orange, Riverside and San Bernardino Counties) but fails to also address the project's consistency with the San Diego County's Guidelines for Determining Significance.

The DEIR's recitation of information concerning the County Climate Action Plan ("CAP") at p. 3.8-11 is outdated and does not reflect actions taken by the County after September 2017 and reflected at: https://www.sandiegocounty.gov/content/sdc/pds/ceqa/Climate_Action_Plan_Public_Review.html.

Contrary to the DEIR (p. 3.8-14), the County of San Diego Guidelines for Determining Significance Climate Change **are available** at the link above and should be, but are not, identified and analyzed in the DEIR.

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This section indicates the project will include solar panels if funding can be secured as well as artificial turf. Possible GHG emissions reductions from these features should be quantified and identified in the DEIR.

This section contemplates GHG emissions reductions from use of bus transportation. Please analyze the feasibility and availability of bus transportation to the project location. At present, 50% of BUSD bus routes are full or have a waiting list (See Exhibit F) and the cost of a bus pass may be cost prohibitive for many families (\$594 for 1 child for an annual pass). Conclusions regarding effects on GHG emissions from student use of bus transportation are unsupported in the absence of quantification of GHG emissions from bus use, estimated numbers of students using the bus for transportation and anticipated emissions reductions, if any, from a reduction of parent drivers.

The GHG section references the applicable regulatory scheme but contains no analysis of the project's consistency with it, including, but not limited to, AB32 GHG reduction goals, etc. The DEIR also fails to discuss project consistency with SB 32 and AB 197 requirements, including emissions cuts of 40% below 1990 levels by 2030.

The regulatory framework is considered part of the environmental setting of a project and an EIR should discuss any inconsistencies between the proposed project and applicable general and regional plans. Guidelines § 15125(d). In assessing the significance of greenhouse gas impacts, Appendix G of the CEQA Guidelines asks, whether a project conflicts with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. CEQA Guidelines section 15064.4(b) indicates a lead agency should consider all of the following factors, among others when assessing the significance of impacts from greenhouse gas emissions:

- (1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;
- (2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project;
- (3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.

As stated by the California Supreme Court in *Center for Biological Diversity v. California Dept. of Fish & Wildlife* (2015) 62 Cal.4th 204, 226:

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a greater degree of reduction may be needed from new land use projects than from the economy as a whole... new development must be more GHG-efficient than this average, given that past and current sources of emissions, which are substantially less efficient than this average, will continue to exist and emit.

In the GHG arena, as recognized in the DEIR, there are multiple, applicable policies and regulations adopted for the purpose of avoiding or mitigating the impacts of greenhouse gas emissions. However, in many cases the DEIR simply recites the policies and regulations applicable to the project without analyzing whether the project is consistent with them or contains any project design features or mitigation which will result in GHG reductions consistent with the state regulatory scheme.

3.10 Land Use and Planning

The project is inconsistent with the following plans, policies and regulations. Discussion under Impact 3.10-2 is inadequate and consistency conclusions are unsupported as the DEIR fails to identify or analyze these inconsistencies or provide avoidance or mitigation of impacts resulting from these inconsistencies. The document should be revised and recirculated.

Inconsistency with Fallbrook Community Plan

The Fallbrook Community Plan provides in pertinent part:

Goal LU 5.2: A continuing high level of public and private educational opportunities and physical school facilities in the Fallbrook area where all individuals, from the preschooler to the adult retiree, have the educational resources to realize their full potential.

Policy LU 5.2.1: Encourage school sites to be selected to ensure a reasonable cost to the public, be adequate in size to serve the needs of the community, and permit safe direct access for the maximum number of students.

Policy LU 5.2.2: Provide safe walkways which serve the purpose of providing convenient access, as well as serving as bus stops, to school sites.

As previously indicated, the project fails to provide sidewalks and thereby fails to provide safe or convenient access and is inconsistent with Policy LU 5.2.1 and 5.2.2. This inconsistency should be identified and analyzed in the DEIR.

The Fallbrook Community Plan also provides:

Policy LU 2.4.4: Encourage a "Village Style" architecture as Craftsman, Victorian, Ranch, Colonial, Cottage Mission and Spanish architectural styles and utilization of building materials such as wood (simulated, non-combustible) rock, brick, stone or similar materials which are in harmony with the natural environment.

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The limited building elevations illustrated at Figure 2-4 provide no evidence of consistency with this policy and reflect modern, architecturally sterile design. The DEIR's failure to include any description of building materials or detailed architectural renderings render any consistency conclusions unsupported.

Inconsistency with County Major Use Permit Requirements

The DEIR acknowledges that a project of this type in a site with Limited Agricultural zoning is considered a Major Impact Services and Utilities use type requiring a Major Use Permit ("MUP"). However, the DEIR fails to identify or comply with County requirements for a MUP. Although the district may be exempt from complying with these requirements, it is not exempt from identifying them and analyzing the project's consistency with them in the body of the DEIR in order to provide the public and decision-makers with necessary information.

Because Major Impact projects, as identified by their name, can have significant impacts, the intent and purpose of a Major Use Permit is to provide for the accommodation of land uses with special site or design requirements, operating characteristics or potential adverse effects on surroundings, through review and where necessary, the imposition of special conditions of approval (See Exhibit G).

Accordingly, the Major Use Permit submittal includes a complete plot plan, architectural elevations, conceptual landscaping, grading plans, an environmental initial study, and a storm water management report. See also the lengthy submission checklist in Exhibit G. Several of these items are not included in the DEIR, including architectural elevations and grading plans.

When processed by the County, these submittal documents are sent to the applicable County Community Planning Group and Design Review Board (if any) and to affected Public Agencies for review and comment. A County of San Diego Land Use Planner will review the submittal and issue a Scoping Letter outlining project issues and requirements. The Scoping Letter will be sent to the applicant within 30 days of application submittal. When project issues and environmental requirements addressed have been resolved, a public hearing is advertised and held. Property owners within 300 feet of the project site are notified of these hearings.

The granting or denial of Major Use Permits is under the original jurisdiction of the County Planning Commission. Approved Major Use Permits have conditions that must be completed by the applicant prior to obtaining a building permit and/or prior to project occupancy or usage.

In accordance with Section 7358 of the County Zoning Ordinance, before any use permit may be granted or modified, the granting authority **must** make favorable findings concerning the following factors.

1. Harmony in scale, bulk, coverage and density. Describe the physical character of the project and its harmony with zoning regulations and adjacent property.

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2. Availability of public facilities, services and utilities. Describe the adequacy of facilities, services and utilities to serve the project. If applicable, include school, fire, police, water, sanitation and electricity/gas.

3. The harmful effect, if any, upon desirable neighborhood character. This finding should describe the surrounding area and the impact of the proposal. This finding may include any benefits of the proposal and any mitigating measures such as buffering.

4. The generation of traffic and the capacity and physical character of surrounding streets. Describe the adequacy of the streets in relation to the proposal. List and describe the surrounding streets including the number of lanes.

5. The suitability of the site for the type and intensity of use or development which is proposed. Describe the physical characteristics of the site (e.g. level with adequate drainage) and the suitability of the proposal for this particular site.

6. Project findings 1 through 5 and the project location will be consistent with the San Diego County General Plan. Describe how the project's impacts with regard to findings 1 through 5, and the specific site, will be consistent with the County General Plan.

7. The requirements of the California Environmental Quality Act (CEQA) have been complied with. This finding should describe how the project will be in compliance with the requirements of the Environmental Quality Act.

None of these procedural protections or necessary finding are provided by the district in connection with the processing of this project.

The County requirements and necessary findings for issuance of a MUP should be identified and analyzed in the DEIR and consistency of the project under the normally applicable County land use procedures identified and analyzed. This is a fundamental informational omission which should be corrected in the DEIR.

Inconsistency with MSCP

The Wildlife Agencies (US Fish and Wildlife Service ("USFWS") and California Department of Fish and Wildlife ("CDFW")) requested that the DEIR provide discussion of the project's impacts on adjacent MSCP lands (p. 6 USFWS/CDFW Letter dated June 26, 2017). The DEIR fails to provide such discussion. This is a critical informational omission because Pre-Approved Mitigation Area lands ("PAMA") are located in the project vicinity which may be impacted by the project (Exhibit H). PAMA lands are areas with high biological value in which conservation will be encouraged.

The site is part of the MSCP and subject to the **adopted** NC MSCP Planning Agreement between the County and USFWS and CDFW which includes specific Planning Goals and Conservation

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Goals. The DEIR should identify these and analyze the project's consistency with them (See Exhibit I at sections 3 and 5).

The planning agreement also requires at section 6.7.3:

In the event land within the County's jurisdiction is proposed to be annexed to another jurisdiction, the County shall request that LAFCO impose a requirement on the annexing jurisdiction that it shall enter into an agreement between the County, the annexing jurisdiction, USFWS and CDFW as part of the annexation process to ensure **that annexation would only occur when the annexation will not jeopardize the build-out of the preserve or the coverage of species within either of the Planning Areas, or compromise viable habitat linkages within the proposed preserve and that any development of the annexed lands proceeds in accordance with the Planning Goals set out in Section 3 of this Agreement and the Preliminary Conservation Goals set out in section 5 of this Agreement.**

BUSD's role is similar to an annexing jurisdiction in that it is exempt from the normal County land use and planning procedures and requirements. Under the circumstances, the DEIR should identify this agreement and its planning goals and conservation goals. At a minimum, BUSD should consult with the Wildlife Agencies regarding whether: (1) this project will jeopardize the build-out of the MSCP preserve or the coverage of species within the North County MSCP Planning Area; (2) compromise viable habitat linkages within the proposed preserve; (3) and the project is consistent with the Planning Goals and Preliminary Conservation Goals in the agreement.

In view of these informational and analytical omissions, consistency findings under Impact 3.10-2 are unsupported and should be revised to include this analysis.

Inconsistency with San Luis Rey River Park Master Plan

The DEIR contains no reference to or analysis of project consistency with the San Luis Rey River Park Master Plan ("SLRRP")¹. The SLRRP identifies planned horse trails crossing Highway 76 and extending up Gird Road to Live Oak Park. It identifies the project site as a Tier A Site – Active Recreation Area (p. 59). The project site is identified as Site A9, Fallbrook High School site and the SLRRP indicates the Fallbrook district "determined that [it] is not well suited for the development of a new high school." The SLRRP states: "The spectacular views and shallow rolling topography distinguishes this site from all other potential Tier A sites while providing unique programming opportunities" (p. 64). The SLRRP concludes: "The majority of the site should be preserved/restored as

¹<http://www.sdparcs.org/content/dam/sdc/parks/RMD/RMPs%20and%20Trails/SLRmastersummary.pdf>

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open grassland habitat with nominal additive improvements such as trail improvements and park benches” (p. 65).

This plan and the clear inconsistencies should be identified and acknowledged in the DEIR.

3.12 Public Services

This section discusses fire hazards but fails to identify inconsistencies between the project and County General Plan provisions. Policy S-3.5: Access Roads provides: “Require development to provide additional access roads when necessary to provide for safe access of emergency equipment and civilian evacuation concurrently” (p. 3.12-4). As indicated in the letter of Bob Roper, former Ventura County Fire Chief, “[s]tandard planning conditions dictate two public access points designed specifically for evacuation flows for a project of this type/size. Multiple ingress and egress points are also becoming more important beyond the requirements for fire evacuation as school districts and law enforcement are addressing ‘active shooter’ practices.” Impacts under an evacuation and/or emergency scenario for the single access proposed by the project should be analyzed and a secondary access alternative identified and analyzed.

The DEIR also fails to specifically address project consistency with Policy S-3.7: Fire Resistant Construction: “Require all new, remodeled, or rebuilt structures to meet current ignition resistance construction codes... in high fire threat areas.” Please provide specifics concerning construction materials in this VHFHSZ.

3.13 Transportation and Traffic

This section indicates there are presently no sidewalks or bike lanes on Gird Road and the DEIR contains no provision for sidewalks or bike lanes as part of the project (p. 3.13-2).²

Sidewalks or decomposed granite pathways (consistent with rural community character) will encourage pedestrian access to the site, reduce transportation impacts, GHG impacts, and air quality impacts. They are also critical to student pedestrian safety.

Likewise, increased accessibility for bicycles will reduce transportation impacts, GHG impacts, and air quality impacts. Bike lanes are also essential to the safety of student cyclists. The project should include these safety and impact reduction measures.

This section fails to analyze transportation and traffic impacts consistently with California’s Vehicle Miles Traveled (“VMTs”) model. Senate Bill 743 was signed in 2013, requiring a move away from vehicle delay and level of service (LOS) under California Environmental Quality Act (CEQA) transportation analysis. It requires the Governor’s Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts.

² This is inconsistent with p. 2-12 of the DEIR which indicates there are bike lanes on Gird Road. Please clarify.

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OPR identified VMT per capita, VMT per employee, and net VMT as new metrics for transportation analysis and in November, 2017 released a CEQA Guidelines update package. Under the circumstances, the DEIR transportation and traffic analysis should include the VMT analytical model and these updates.

The section underestimates ADTs for a high school of this size. As previously indicated, the City of San Diego's Trip Generation Manual indicates the Driveway Vehicle Trip Rate for a High School and Cumulative Vehicle Trip Rate is 1.8 trips/student. This calculates as 2,700 trips, not 1,950 as indicated by the DEIR. Please articulate the basis for the DEIR's daily trip totals.

In view of the DEIR's failure to identify all relevant cumulative projects as identified previously, please identify the 5 projects and their location referenced at p. 3.13-12 which were included in the project's study area. The section is inadequate as it fails to include a map of the study area with relevant projects and intersections clearly identified.

Provision of a single point of ingress and egress for a project of this size is insufficient; secondary access should be provided, particularly in the event of an evacuation or other emergency (See Letter of Bob Roper submitted under separate cover). Gird Road has been subject to evacuation two times in the last decade.

Under the circumstances, in the interests of student safety, traffic studies should include evacuation contingencies and an analysis of the increased, concentrated traffic resulting from evacuation including parent drivers attempting to reach children, area residents fleeing and law enforcement and fire department personnel access to the site in the midst of an evacuation or emergency situation.

Fire modeling should be part of this planning effort in order to determine necessary evacuation strategies and whether adequate time exists for safe evacuation in this VHFHSZ.

Parking Deficits

The project contemplates 60 staff members, unaccounted visitors and up to 1,500 students. The project provides a total of 199 parking spaces, 60 for staff and visitors and 139 for students (p. 2-1). There is no permitted on-street parking (p. 3.13-3). According to the County of San Diego Zoning Ordinance, Part 6: General Regulations, **the project's parking spaces are inadequate for a school of this size.**

The County Zoning Ordinance provides that a Senior High School should provide one parking space per employee, fifteen spaces for visitors and calculate necessary student parking spaces at .25 spaces per student multiplied by the total number of students (See Exhibit J). Based on the County's requirements, the project should have 60 spaces for staff, 15 for visitors and 375 spaces for students for a total of 450 spaces. **The project provides only 44% of the required parking.** This presents a

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significant traffic impact requiring identification and analysis in the DEIR and avoidance or mitigation, particularly since the project makes no provision for alternate pedestrian or bike access.

The project also fails to provide adequate required bike spaces. The County Zoning Ordinance requires calculation of bike spaces at .1 per student for a total of 150 spaces. No bike spaces are identified as part of the project in the DEIR. The failure to make any provision for bike-riding students presents a significant safety and traffic impact requiring identification and analysis and avoidance or mitigation.

3.15 Utilities

The table (3.15-1) at p. 3.15-1 entitled Existing and Projected Water Supply and Demand is useless in the absence of identification of units of measurement such as Gallons Per Day ("GPD") or Acre Feet Per Year ("AFY"). In addition, this section fails to identify the actual water demands of this project. In the absence of any information regarding the water demands of the project, including irrigation of athletic fields, landscaping and FMZs, conclusions regarding the adequacy of water supply are unsupported.

The DEIR contains no discussion concerning whether adequate water volume and pressure exists for firefighting. This information should be addressed in a revised document.

Decision makers must, under the law, be presented with sufficient facts to "evaluate the pros and cons of supplying the amount of water that the [project] will need." (*Santiago County Water Dist. v. County of Orange* (1981) 118 Cal. App. 3d 818, 829.) At present, the DEIR fails to provide any facts concerning the total water demands of this project and is inadequate.

Chapter 4 Other CEQA Considerations

Statements and conclusions concerning growth inducement are unsupported. The DEIR indicates: "Operation of the new high school is intended to accommodate anticipated growth in the BUSD high school population" (p. 4-15) but as previously indicated the DEIR provides no information concerning population growth projections generally or high school population growth specifically.

The DEIR also states: "The project would support phased development to accommodate for planned growth rather than developing in excess prior to the need" (p. 4-15). Again, there is no evidence in the DEIR concerning planned growth or specific growth projections or phased development of the project.

The DEIR's discussion of Agency Authority at p. 4-16 is incorrect and errors in Table 4-1 must be corrected. The Community of Fallbrook exercises no adoption authority over the General Plan, planning elements, local land use regulations, ordinances, air quality planning or enforcement of energy efficiency standards. These matters are all under the purview of San Diego County and its Board of Supervisors, not this unincorporated community. While Fallbrook provides input and

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recommendations on its community plan and development proposals thereunder, it does not exercise binding approval or rejection authority in connection with these matters. Please correct these errors and determine if this fundamental misunderstanding concerning Fallbrook's authority has impacted any other areas of the DEIR.

Chapter 5 Fails to Provide a Reasonable Range of Alternatives and Conclusions Regarding Infeasibility of an Alternate Location Are Unsupported

CEQA provides that "public agencies should not approve projects as proposed if there are feasible alternatives... which would substantially lessen the significant environmental effects of such projects." Pub. Res. Code §21002. An EIR must "ensure that all reasonable alternatives to proposed projects are thoroughly assessed by the responsible official." *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 203. "The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project." Guidelines §15126.6(f). Accordingly, the DEIR must "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project." Guidelines §15126.6(a).

The alternatives analyzed in the DEIR are inadequate because they fail to satisfy the foundational Public Resources Code section 21002 requirement to identify alternatives which substantially lessen the significant environmental effects of the project; in fact, aside from "Alternative 1: No Project/No Build Alternative" (which is legally required (Guidelines §15126.6(e)(3)(B))), the remaining DEIR alternatives do not reduce the project's significant environmental impacts.

In fact, "Alternative 2: No Project/Development in Accordance with the General Plan", presents a project with impacts grossly in excess of the proposed project and fails to comply with the fundamental requirement that alternatives "shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project." Guidelines §15126.6(f). This reader seriously doubts whether the scale of development imagined by this alternative would ever be approved by the County given the surrounding land uses and environmental constraints. The alternative appears to have been constructed simply as a "strawman" to make the project appear less environmentally offensive.

"Alternative 3: Phase I Only" contains fundamental errors in its calculations which must be corrected and the document revised. This alternative indicates only Phase I of the project consisting of 46,270 square feet would be constructed instead of the total project consisting of 150,500 square feet. The discussion erroneously characterizes this difference as a 30% reduction in square footage. The reduction in square footage is 104,230 square feet, a **69% reduction in square footage. Impact significance differences between the project and Alternative 3 must all be revised and corrected in the DEIR.**

At present, the DEIR offers no meaningful alternatives other than the legally required "No Project/No Build" alternative. The No Project/No Build alternative alone does not constitute the "reasonable range" of alternatives that CEQA requires. *See, e.g., Watsonville Pilots Ass'n v. City of*

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Watsonville, 183 Cal. App. 4th 1059, 1089–90 (2010) (EIR was deficient for failing to include alternative that would avoid or lessen the project’s primary growth-related significant impacts); *see also Citizens of Goleta Valley v. Bd. of Supervisors*, 52 Cal. 3d 553, 566 (1990) (“[A]n EIR for any project subject to CEQA review must consider a reasonable range of alternatives to the project . . . [that] offer substantial environmental advantages over the project proposal...”).

Alternate Location

The DEIR provides no substantial evidence in support of its failure to consider an alternate location for BHS. The DEIR’s articulated basis for the decision to omit consideration of an alternate site is the BUSD Advisory Committee proceedings and recommendations. The evidence cited in support of the decision to omit consideration of an alternate location is Appendix T which merely consists of a PowerPoint presentation which reviewed the committee’s evaluation process and recommendations.

The committee’s evaluation is not a substitute for or the equivalent of CEQA review nor is the recommendation of a committee determinative of whether an alternate location should be considered as part of the CEQA review process. The committee’s criteria do not duplicate CEQA impact analysis or address “whether any of the significant effects of the project would be avoided or substantially lessened by putting the project at another location.” Guidelines §15126.6(f)(2).

In fact, the only substantial evidence in the DEIR indicates that analysis of an alternate site was both reasonable and appropriate and at a minimum, would lessen significant transportation and traffic impacts. Save Gird Valley’s comment letter submitted in response to the Notice of Preparation indicates: “BUSD should acquire the Ocean Breeze Ranch property adjacent to its Sullivan Middle School/Bonsall High School campus in Bonsall. This property has been offered for zero down and its centralized location would reduce transportation costs and greenhouse gases (GHGs)” (Save Gird Valley NOP Comment Letter p. 8).

The DEIR alternative analysis is infirm, should have included additional alternatives, including an alternate location for BHS and must be revised.

Failure to Fully Identify and Analyze Applicable Regulatory Scheme Relating to Public Schools

California public schools are governed by a host of state laws and regulations many of which are appropriately identified in an EIR and the project’s consistency with them is a necessary and appropriate part of the environmental review process as inconsistency may demonstrate a significant environmental impact. However, the DEIR is virtually silent on these laws and regulations.

California Code of Regulations, Title 5 governs school facilities construction. Section 14001 sets forth minimum standards for educational facilities planned by school districts. Standards for school site selection are set forth at section 14010 which provides in pertinent part: “a. The net usable acreage and enrollment for a new school site shall be consistent with the numbers of acres and enrollment

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established in Tables 1-6 of the 2000 Edition, "School Site Analysis and Development" published by the California Department of Education and found at <https://www.cde.ca.gov/ls/fa/sf/guideschoolsite.asp>.

These tables indicate that for grades nine through twelve with an enrollment of 1401 to 1600 students, 38.7 usable acres are required (see Exhibit K). At 24.6 usable acres (p. ES-6), the project is patently inconsistent with these state-mandated requirements yet the DEIR neither identifies the applicable regulatory scheme nor this inconsistency.

If a school site is less than the required acreage, "the district shall demonstrate how the students will be provided an adequate educational program including physical education..." 5 Cal.Code Regs. §14010 b.

The site "shall be located within the proposed attendance area to encourage student walking and avoid extensive bussing unless bussing is used to promote ethnic diversity." ... 5 Cal.Code Regs. §14010 n. The project fails to provide sidewalks, is located in the northeastern portion of the district boundary away from most BUSD students and contemplates bussing without identification of numbers of students needing or accommodated by busses.

"The cost and complications of the following shall be considered in the site selection process and should not result in undue delays or unreasonable costs consistent with State Allocation Board standards:...5. Existence of any wildlife habitat that is on a protected or endangered species list maintained by any state or federal agency, existence of any wetlands, natural waterways, or areas that may support migratory species, or evidence of any environmentally sensitive vegetation." ... 5 Cal.Code Regs. §14010 s.

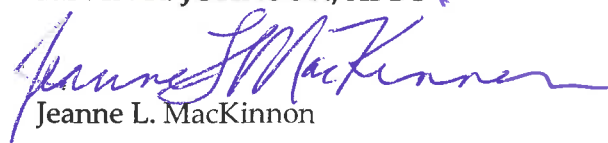
Since the project will rely on busses, the DEIR should also reference the district's transportation safety plan (required under Educ. Code §39831.3) and analyze the project's consistency with it. The DEIR should also reference the district's emergency procedures and passenger safety procedures (required under Educ. Code §39831.5) and analyze the project's consistency with these procedures.

Conclusion

Overall, and in numerous specific ways, the DEIR fails to serve its fundamental purpose as an informational document. It must be revised and recirculated so that the public and decision-makers understand the true environmental consequences of the Bonsall High School project. Thank you for your attention to these comments.

Very truly yours,

KEVIN K. JOHNSON, APLC



Jeanne L. MacKinnon

Encl. Exhibits A - K

EXHIBIT A

EXHIBIT A

BONSALL HIGH SCHOOL DEIR ERRORS

<u>PAGE</u>	<u>PARAGRAPH</u>	<u>TEXT ERROR</u>	<u>CORRECTION</u>
ES-17	Hydro-1	Missing Words	Provide missing text after – “contact with construction chemical of any.”
ES-23	Cumulative Impacts	“Confliction”	This is an obsolete word, not in common usage; “conflict” or “inconsistency” is more appropriately used here
1-4	Table 1-1 Scoping Meeting	Therese Platte	Teresa Platt
2-9	2.5.1 Events	“field light lighting”	field night lighting
3-5	Table 3-1	1 Monserate Winery Size 188 Acres	1 Monserate Winery Size 116 Acres
3.1-2,3	Project Site Setting	“with areas of rugged terrain rivers”	with areas of rugged terrain and rivers
3.9-8	Local	“would introduce 101,500 square feet”	would introduce 150,500 square feet
3.9-17	Paragraph 1	“would include would be implemented” “volume, preserve natural areas, and minimize development impact through improvements.”	Please correct and/or provide BMPs Please specify what improvements are planned
3.9-18	Groundwater Supplies and Recharge – paragraph 4	“onsite (101,900 square feet of school building floor area...”	101,900 figure is inconsistent with other stated building square footage; please correct
3.10-12	Conflict with Conservation Plans	“discussion of the MSCO, BMO, and RPO.”	discussion of the MSC P , BMO, and RPO
5-3	5.4 Review of Significant Environmental Impacts	“(2) the ability of alternatives to avoid of lessen”	(2) the ability of alternatives to avoid or lessen
5-10	Biological Resources	“ <i>chrysolepis</i>) as a result of construction of the access road in the southeast potion”	<i>chrysolepis</i>) as a result of construction of the access road in the southeast portion
5-12	Paragraph 2	“space on the site. Alternative 2wouldl”	space on the site. Alternative 2 would
5-15	5.8 Environmental Analysis of Alternative 3	“only 500 students as comparted to”	only 500 students as compared to

EXHIBIT B



Planning & Development Services

Current Projects

Brightwater Ranch:

PDS2003-3100-5306 (TM)
PDS2003-ER-03-14-007

Chinese Bible Church:

PDS2014-SPA-14-001 (SPA)
PDS2010-3300-10-037 (MUP)
PDS2012-3940-12-002 (VAC)
PDS2014-3910-95-08-007 (ER)

El Monte Sand Mining Project:

PDS2015-MUP-98-014W2
PDS2015-RP-15-001
PDS2015-ER-98-14-016B

Germann:

PDS2006-3100-5520 (TM)
PDS2005-3910-06-14-048 (ER)

Harmony Grove Village South:

PDS2015-GPA-15-002
PDS2015-SP-15-002
PDS2015-REZ-15-003
PDS2015-TM-5600
PDS2015-MUP-15-008
PDSXXXX-HLP-XXX
PDS2015-ER-08-006

Jacumba Solar:

PDS2014-MUP-14-041
PDS2014-ER-14-22-001

Lake Jennings Marketplace:

PDS2014-GPA-14-005
PDS2014-REZ-14-004
PDS2014-TM-5590
PDS2014-STP-14-019
PDS2014-ER-14-14-013

Lilac Hills Ranch:

PDS2012-3810-12-001 (SP)

Newland Sierra:

PDS2015-SP-15-001
PDS2015-GPA-15-001
PDS2015-REZ-15-001
PDS2015-TM-5597
PDSXXXX-HLP-XXX
PDS2015-ER-15-08-001

North County Environmental Resources Recycling Facility:

PDS2008-3500-08-015 (STP)
PDS2013-BC-13-0019 (BC)

PDS2008-3910-08-08-012 (ER)

Otay 250- Sunroad East Otay Mesa Business Park Specific Plan Amendment:

PDS2015-SPA-15-001

PDS2015-GPA-15-008

PDS2015-REZ-15-007

PDS2015-TM-5607

LOG NO. PDS2015-ER-15-98-190-13G

Otay Ranch Village 13 Master Planned Community Resort Village:

PDS2004-3810-04-002 (SP)

PDS2004-3800-04-003 (GPA)

PDS2004-3600-04-009 (REZ)

PDS2004-3100-5361A & B (TM)

LOG NO. PDS2004-04-19005

SCH NO. 2004101058

Otay Ranch Village 14 and Planning Areas 16 & 19

PDS2016-SP-16-002

PDS2016-GPA-16-008

PDS2016-REZ-16-006

PDS2016-TM-5616

PDS2016-STP-16-027

PDS2106-ER-16-19-006

Rough Acres Ranch:

PDS2012-3300-12-021 (MUP)

PDS2012-ER-12-21-005

Soitec Solar Development Final Program EIR and Administrative Record:

PDS2012-3800-12-010 (GPA)

PDS2012-3910-120005 (ER)

TIERRA DEL SOL: PDS2012-3300-12-010 (MUP)

PDS2012-3600-12-005 (REZ)

PDS2012-3921-77-046-01 (AP)

RUGGED SOLAR: PDS2012-3300-12-007 (MUP)

SCH NO. 2012121018

Sweetwater Place

PDS2014-GPA-14-003

PDS2014-REZ-14-003

PDS2014-TM-5588

PDS2014-STP-14-015

PDS2014-ER-14-19-005

Sweetwater Vistas:

PDS2015-SPA-15-002

PDS2015-GPA-15-006

PDS2015-REZ-15-008

PDS2015-TM-5608

PDS2015-MUP-89-015W4

PDS2015-STP-15-016

PDS2015-ER-89-015I

Tule Wind Groundwater Monitoring:

PDS2009-3300-09-019

LOG NO. PDS2009-ER-09-021-001

Valliano Specific Plan:

PDS2013-SP-13-001
PDS2013-GPA-13-001
PDS2013-REZ-13-001
PDS2013-TM-5575
PDS2014-MUP-14-019
PDS2013-STP-13-003
PDS2013-ER-13-08-002

Warner Ranch:

PDS2006-3810-06-002 (SP)
PDS2006-3800-06-009 (GPA)
PDS2006-3600-06-011 (REZ)
PDS2006-3100-5508 (TM)
PDS2011-3500-11-007 (STP)
PDS2006-3000-06-040 (AD)
PDS2006-3910-0602020 (ER)



FIGURE 1-27
Cumulative Projects Map

SOURCE: DataGlobe 2008; Terra Environmental Services, A/RPS

WARNER RANCH PROJECT - ENVIRONMENTAL IMPACT REPORT

DUDEK

6653

EXHIBIT C



County of San Diego

MARK WARDLAW
DIRECTOR

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KATHLEEN A. FLANNERY
ASSISTANT DIRECTOR

January 5, 2018

Patsy Chow
City Planner / Deputy Community Development Director
City of Vista
200 Civic Center Drive
Vista, CA 92084

Via e-mail to: pchow@cityofvista.com

COMMENTS ON THE NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE RANCHO LOMAS VERDES PROJECT

The County of San Diego (County) reviewed the City of Vista's (City) Notice of Preparation of a Draft Environmental Impact Report (DEIR) for the Rancho Lomas Verdes Tentative Map (TM) and Annexation resubmittal dated December 7, 2017 (Project).

The County previously submitted three comment letters dated July 24, 2017, July 21, 2016, and July 25, 2014, and a letter from the Bonsall Community Sponsor Group dated July 16, 2014 (Attachment A). The County appreciates the opportunity to review the Project and offers the following comments for your consideration. Please note that none of these comments should be construed as County support for this Project or the associated annexation.

GENERAL

1. The project is located in the Bonsall Community Planning area. The environmental document should address any impacts and inconsistencies with the County General Plan and Bonsall Community Plan, which is part of the County General Plan.
2. The City should coordinate with the Bonsall Community Sponsor Group regarding the proposed TM and annexation.

BIOLOGY

1. The Project is located partially within the County's draft Multiple Species Conservation Program (MSCP) North County Plan (Draft North County Plan) Pre-Approved Mitigation Area (PAMA) (Attachment B). The PAMA is the area within which the preserve will be assembled for the North County Plan. As such, annexation of these lands out of the County would preclude their inclusion within the proposed PAMA, reduce the size of PAMA, and could affect the viability of the PAMA in this area.

2. Given the Project's location within PAMA, environmental documentation for the Project should address potential impacts to the County's Draft North County Plan, and specifically potential impacts that would occur from removing lands from PAMA. Per a Planning Agreement regarding the North County Plan between the County, the United States Fish and Wildlife Service (USFWS), and the California Department of Fish and Wildlife (CDFW), there are specific requirements regarding annexations (refer to Section 6.7.3). The relevant excerpt of the Planning Agreement is provided below. The County will continue to work with the City and the Local Agency Formation Commission (LAFCO) to ensure that the annexation meets the terms stipulated within the Planning Agreement.
 - a. "In the event land within the County's jurisdiction is proposed to be annexed to another jurisdiction, the County shall request that LAFCO impose a requirement on the annexing jurisdiction that it shall enter into an agreement between the County, the annexing jurisdiction, USFWS and CDFW as part of the annexation process to ensure that annexation would only occur when the annexation will not jeopardize the buildout of the preserve or the coverage of species within either of the Planning Areas, or compromise viable habitat linkages within the proposed preserve, and that any development of the annexed lands proceeds in accordance with the Planning Goals set out in section 3 of this Agreement and the Preliminary Conservation Goals set out in section 5 of this Agreement. The agreement shall also set forth the resulting responsibilities for ongoing maintenance and enforcement of the terms of this Agreement as they relate to the annexed land. Issuance of Take Authorizations to the annexing jurisdiction or amendment of the annexing jurisdiction's Take Authorizations, if any are already in place, may be required in order to authorize Take on the annexed land."
3. The County strongly encourages the City to work cooperatively to appropriately analyze and disclose potential impacts that may arise from the proposed Project and annexation, including impacts to the development of the North County Plan Preserve and, devise feasible mitigation measures and/or design features that minimize or avoid identified impacts thereby enabling the County to continue its confident pursuit of the North County Plan.
4. Additional information regarding the North County Plan MSCP is available at: <http://www.sandiegocounty.gov/content/sdc/pds/mscp/nc.html>

TRANSPORTATION/TRAFFIC

1. The County acknowledges that the Applicant's June 29, 2017 rebuttal to stakeholder comments confirmed that the "full width right-of-way of East Vista Way along the project frontage will be included in the annexation. This ensures that this segment of Vista Way will be maintained by the City."
2. The County did not receive a response to the comments concerning annexation to City boundary (see County letter dated July 21, 2016 – Attachment A). The County recommends that the project include the annexation of East Vista Way from the current City/County boundary northward to the northerly boundary of project parcel APN 170-170-34. This will ensure that this segment of East Vista Way will be maintained by the City of Vista.
3. The County understands the most current Traffic Impact Analysis (TIA) was prepared on January 30, 2015. Because of the extended period of time that has elapsed, the County recommends updating the

existing traffic conditions. The County recommends that this analysis include potential traffic impacts to Gopher Canyon Road (from East Vista Way to I-15).

WATERSHED PROTECTION PROGRAM

1. The proposed Project includes the construction of large impervious surface areas that may generate potential pollutant and hydromodification impacts to adjacent private parcels, municipal storm sewer system (MS4), and local receiving waters located in the unincorporated County. Therefore, the Project may need to consider the following items:
 - a. San Diego Municipal Storm Water Permit Order No. R9-2013-0001, (as amended by Order Nos. R9-2015-0001 and R9-2015-0100). Although this Project is technically not subject to the Municipal Stormwater Permit, it is recommended that the Project implement permanent Site Design, Source Control, Pollutant Control, and Hydromodification Management practices in accordance with the County Model Best Management Practice (BMP) Design Manual: http://www.sandiegocounty.gov/content/sdc/dpw/watersheds/DevelopmentandConstruction/BMP_Design_Manual.html. County staff is available as a resource to assist in project design to minimize impacts from stormwater runoff leaving the Project site.
 - b. Construction BMPs and associated plans for conformance with the State of California's Construction General Permit
 - c. The Bacteria Project 1 Total Maximum Daily Load (TMDL) for Twenty Beaches and Creeks in the San Diego Region includes load reduction requirements for the Lower San Luis Rey River hydrologic area (from the Monserrate Narrows west to the Pacific Ocean). The Environmental Document and the Stormwater Quality Management Plan (SWQMP) should evaluate the Project's potential to impact water quality, specifically, evaluate any potential for runoff to contribute bacteria into the County's municipal storm sewer system (MS4) and downstream receiving waters. The County, along with the City of Oceanside, City of Vista and Caltrans, has developed a Water Quality Improvement Plan (WQIP) for the watershed management area as required by the San Diego Municipal Storm Water Permit Order No. R9-2013-0001, (as amended by Order Nos. R9-2015-0001 and R9-2015-0100). The WQIP identifies priority water quality conditions, establishes numeric goals for bacteria in the watershed, and identifies potential sources and implementation strategies to achieve the numeric goals. This plan was developed through a public process and provides an evaluation of current water quality conditions that can be used as a tool for assessing water quality impacts. Information on the WQIP effort can be found at: <http://www.projectcleanwater.org/san-luis-rey-water-quality-improvement-plan/>.

FLOOD CONTROL

1. The County did not receive a response regarding flood control comments from our previous comment letter dated July 24, 2017. These comments are repeated here for the City's consideration in preparation of the DEIR.
 - a. Based on the County's review of the Hydrology/Hydraulics Study (6/8/17), the Project appears to follow the County's methodology and procedures. However, if any of the drainage facilities are proposed to be owned or maintained by the County (i.e., Flood Control District), the County requires

the detention basin calculations to be completed using the FEMA-approved software, HEC-HMS, and the hydraulic portion of the study (pipe design) to be completed in the WSPGW software (Water Surface Pressure Gradient for Windows).

VECTOR CONTROL PROGRAM

1. The Vector Control Program (VCP) respectfully requests that DEIR address potential impacts from possible mosquito breeding sources created by CIP projects, and that the Projects be designed and constructed in a manner to minimize those impacts.
 - a. Specifically, ensure construction-related depressions created by grading activities, vehicle tires, and excavation do not result in depressions that will hold standing water. In addition, ensure drains, BMPs, detention ponds, and other structures do not create a potential mosquito breeding source. Any area that is capable of accumulating and holding at least ½ inch of water for more than 96 hours can support mosquito breeding and development. Finally, if habitat remediation is required for the Projects, the design should be consistent with guidelines for preventing mosquito habitat creation.
 - b. Please note, the VCP has the authority pursuant to state law and County Code to order the abatement of any mosquito breeding that does occur either during construction or after the Project is completed that is determined to be a vector breeding public nuisance. The VCP will exert that authority as necessary to protect public health if the Project is not designed and constructed to prevent such breeding.
 - c. For your information, the County of San Diego Guidelines for Determining Significance for Vectors can be accessed at:
http://www.sandiegocounty.gov/content/dam/sdc/pds/docs/vector_guidelines.pdf and the California Department of Public Health Best Management Practices for Mosquito Control in California is available at: <http://www.cdph.ca.gov/HealthInfo/discond/Documents/BMPforMosquitoControl07-12.pdf>
 - d. The VCP appreciates the opportunity to participate in the environmental review process for this Project. If you have any questions regarding these comments, please contact Daniel Valdez at 858-688-3722 or by e-mail at Daniel.Valdez@sdcounty.ca.gov.

Ms. Chow
January 5, 2018
Page 5

The County appreciates the opportunity to comment on this Project. We look forward to receiving future documents related to this Project and providing additional assistance at your request. If you have any questions regarding these comments, please contact Timothy Vertino, Land Use / Environmental Planner, at (858) 495-5468, or via e-mail at timothy.vertino@sdcounty.ca.gov.

Sincerely,



Eric Lardy, AICP
Group Program Manager, Advance Planning Division
Planning & Development Services

E-mail cc: Darren Gretler, Chief of Staff, Board of Supervisors, District 5
 Vincent Kattoula, CAO Staff Officer, LUEG
 Peter Eichar, Planner Manager, PDS
 Nick Ortiz, Project Manager, PDS
 Jeff Kashak, Land Use / Environmental Planner, DPW
 Mary Bennett, Administrative Analyst, DEH

Enclosure: Attachment A: July 24, 2017, July 21, 2016, and July 25, 2014 County comment letters, and July
 16, 2014 Bonsall Community Sponsor Group letter
 Attachment B: MSCP Location Map

EXHIBIT D



San Diego Municipal Code

Land Development Code

Trip Generation Manual

Revised May 2003



Printed on recycled paper

This information, document, or portions thereof, will be made available in alternative formats upon request.

TABLE 1 (Continued)

May 2003

TRIP GENERATION RATE SUMMARY
(WEEKDAY)

LAND USE	DRIVEWAY (1) (2) VEHICLE TRIP RATE	CUMULATIVE (8) VEHICLE TRIP RATE	PEAK HOUR AND IN/OUT RATIO AM (IN:OUT) PM (IN:OUT)
EDUCATION (3)			
University (4 years or higher)	2.5 trips/student; 100 trips/acre	2.5 trips/student; 100 trips/acre	10% (9:1) 9% (3:7)
Community College (2 years)	1.6 trips/student; 18 trips/1,000 sq. ft.; 80 trips/acre	1.6 trips/student; 18 trips/1,000 sq. ft.; 80 trips/acre	12% (9:1) 8% (3:7)
High School	1.8 trips/student; 50 trips/acre; 11 trips/1,000 sq. ft.	1.8 trips/student; 50 trips/acre; 11 trips/1,000 sq. ft.	20% (8:2) 14% (3:7)
Junior High/Middle School	1.4 trip/student; 12 trips/1,000 sq. ft.; 40 trips/acre	1.4 trips/student; 12 trips/1,000 sq. ft.; 40 trips/acre	24% (7:3) 7% (3:7)
Elementary School	2.9 trips/student; 39 trips/1,000 sq. ft.; 136 trips/acre	2.9 trips/student; 39 trips/1,000 sq. ft.; 136 trips/acre	31% (6:4) 19% (4:6)
Day Care Center	5 trips/child; 80 trips/1,000 sq. ft.	5 trips/child; 80 trips/1,000 sq. ft.	19% (5:5) 18% (5:5)
FINANCIAL INSTITUTION (Bank or Credit Union) (5)			
Excluding drive-through	150 trips/1,000 sq. ft.; 1,000 trips/acre	112.5 trips/1,000 sq. ft.; 750 trips/acre	4% (7:3) 8% (4:6)
With drive-through	200 trips/1,000 sq. ft.; 1,500 trips/acre	150 trips/1,000 sq. ft.; 1,125 trips/acre	5% (6:4) 10% (5:5)
Drive-through only	250 trips/acre	187.5 trips/acre	3% (5:5) 13% (5:5)
HOSPITAL (3)			
Convalescent/Nursing	3 trips/bed	3 trips/bed	7% (6:4) 7% (4:6)
General	20 trips/bed; 20 trips/1,000 sq. ft.; 300 trips/acre	20 trips/bed; 20 trips/1,000 sq. ft.; 300 trips/acre	9% (7:3) 10% (3:7)
HOUSE OF WORSHIP (4)			
General	15 trips/1,000 sq. ft.; quadruple rates for days of	9 trips/1,000 sq. ft.; quadruple rate for days of	4% (8:2) 8% (5:5)
Without School or Day Care	5 trips/1,000 sq. ft.; quadruple rates for days of assembly	5 trips/1,000 sq. ft.; quadruple rate for days of	4% (8:2) 8% (5:5)
INDUSTRIAL			
Industrial/Business Park (some commercial included) (3)	16 trips/1,000 sq. ft.; 200 trips/acre	16 trips/1,000 sq. ft.; 200 trips/acre	12% (8:2) 12% (2:8)
Small Industrial Park (7) *	15 trips/1,000 sq. ft.; 120 trips/acre	15 trips/1,000 sq. ft.; 120 trips/acre	11% (9:1) 12% (2:8)
Large Industrial Park *	8 trips/1,000 sq. ft.; 100 trips/acre	8 trips/1,000 sq. ft.; 100 trips/acre	11% (9:1) 12% (2:8)
Manufacturing/Assembly	4 trips/1,000 sq. ft.; 50 trips/acre	4 trips/1,000 sq. ft.; 50 trips/acre	20% (9:1) 20% (2:8)
Rental Storage	2 trips/1,000 sq. ft.; 30 trips/acre	2 trips/1,000 sq. ft.; 30 trips/acre	6% (5:5) 9% (5:5)
Scientific Research and Development	8 trips/1,000 sq. ft.; 80 trips/acre	8 trips/1,000 sq. ft.; 80 trips/acre	16% (9:1) 14% (1:9)
Truck Terminal	10 trips/1,000 sq. ft.; 7 trips/bay; 80 trips/acre	10 trips/1,000 sq. ft.; 7 trips/bay; 80 trips/acre	9% (4:6) 8% (5:5)
Warehousing	5 trips/1,000 sq. ft.; 60 trips/acre	5 trips/1,000 sq. ft.; 60 trips/acre	15% (7:3) 16% (4:6)
LIBRARY (3)			
Less than 100,000 sq. ft.	50 trips/1,000 sq. ft.; 400 trips/acre	20 trips/1,000 sq. ft.	2% (7:3) 10% (5:5)
100,000 sq. ft. or more		16 trips/1,000 sq. ft.	2% (7:3) 10% (5:5)

* Small amount of local serving commercial included. May have multiple shifts.

EXHIBIT E

SURVEY PROTOCOL FOR THE ARROYO TOAD

May 19, 1999

The following guidelines are provided to facilitate accurate assessments of the presence or absence of the federally listed endangered arroyo toad (*Bufo microscaphus californicus*). Accurate survey data are needed to provide the U.S. Fish and Wildlife Service (Service) with sufficient information to respond to requests for Federal permits and licenses. Currently, surveys performed in accordance with these guidelines will not require a permit under section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended. However, permits to conduct arroyo toad surveys may be required in the future. In all cases, extreme care must be taken when conducting surveys to avoid inadvertently injuring or killing toads, or damaging their habitat. These guidelines are not meant to be used for long-term monitoring of projects or the overall status of populations; guidelines for such monitoring efforts should be developed with the assistance of the Service for specific cases.

The Service recommends that the following survey guidelines be used to determine if arroyo toads are present in the vicinity of proposed activities, but cautions that negative surveys during a year of severe weather (e.g., drought, extended rainy season, cold weather) may be inconclusive. Contact the appropriate field office (addresses and phone numbers below) before conducting surveys for additional information.

- 1) Areas within one kilometer (1 km) of arroyo toad sites (documented by the presence of eggs, larvae, juveniles, or adults) that have suitable habitat shall be presumed to have arroyo toads.
- 2) If the sole purpose of surveys is to determine the presence or absence of the arroyo toad, surveys shall cease immediately upon determination that arroyo toad eggs, larvae, juveniles, or adults are present in the survey area. The arroyo toad locations shall be recorded on a USGS 1:24,000 (7.5 minute) map
- 3) To be reasonably confident that arroyo toads are not present at a site, at least six (6) surveys must be conducted during the breeding season, which generally occurs from March 15 through July 1, with at least seven (7) days between surveys. Extreme weather conditions can cause variations in the breeding season; these conditions should be fully considered when developing a schedule of surveys. If uncertainty exists as to whether environmental conditions are suitable (see guideline #9 below), contact the appropriate field office for further information.
- 4) At least one survey shall be conducted per month during April, May, and June.
- 5) Surveys shall include both daytime and nighttime components conducted within the same 24-hour period (except when arroyo toads have been detected in the survey area).
- 6) Daytime surveys shall include an assessment and mapping of: a) arroyo toad habitat suitability, and b) the presence of arroyo toad eggs, larvae, or juveniles. Extreme caution must be used to avoid crushing arroyo toads that are burrowed into sand bars and banks, or lodged in depressions in the substrate (sand, gravel, soil). Arroyo toads will use trails and roads up to

several hundred meters from breeding sites while foraging; therefore, caution must be taken to not disturb, injure, or kill arroyo toads when using these roads and trails.

7) Daytime surveys shall be conducted by walking slowly along stream margins and in adjacent riparian habitat, visually searching for (but not disturbing) eggs, larvae, and juveniles. If necessary, surveyors may walk within the stream, taking care not to disturb or create silt deposits within breeding pools. If stream crossings are necessary, these should be on the downstream ends of potential breeding pools or in fast-flowing channels to minimize the likelihood of stirring up silt deposits. Arroyo toad eggs are usually laid in shallow water (less than four inches deep), and are susceptible to being smothered by silt that may be raised by walking in or across breeding pools.

8) Nighttime surveys (assuming eggs, larvae, and/or juveniles have not been detected) shall be conducted by walking slowly and carefully on stream banks. Surveyors should stop periodically and remain still and silent for approximately 15 minutes at appropriate sites to wait for arroyo toads to begin calling. The same cautions used for daytime surveys to avoid disturbing, injuring, or killing arroyo toads shall be incorporated.

9) Nighttime surveys must be conducted between one hour after dusk and midnight, when air temperature at dusk is 55 degrees Fahrenheit or greater. Surveys should not be conducted during nights when a full or near-full moon is illuminating the survey area or during adverse weather conditions such as rain, high winds, or flood flows.

10) Nighttime surveys must be conducted as silently as possible, because talking or other human-generated noises may cause arroyo toads to stop calling or leave the creek. Strong headlights or flashlights may be used to visually locate and identify adult arroyo toads, and flash photography may be used to document sightings of solitary individuals; otherwise lighting should be kept to a minimum.

11) Pairs of arroyo toads are very sensitive to disturbances, particularly waves or ripples (calling males are less easily disturbed). Therefore, surveyors must not enter the water near amplexing or courting pairs, and must immediately leave the vicinity upon their discovery.

12) A final report, to be submitted within 30 days of each field season or positive survey shall be prepared that includes survey dates and times, names of surveyor(s), air temperature, estimated wind speed, lighting conditions, a description of the survey methods used, and survey locations plotted on a USGS 1:24,000 (7.5 minute) map.

13) The results of a field survey may not be valid for any of the following reasons: a) surveys were conducted in a manner inconsistent with this protocol, b) surveys were incomplete, c) surveys were conducted during adverse conditions or during a season of severe weather conditions, or d) reporting requirements were not fulfilled. In such cases, the Service may request that additional surveys be conducted.

The final report should be provided to the appropriate Service field office:

For surveys in Monterey, San Luis Obispo, Santa Barbara, and Ventura Counties, Los Angeles County west of Highway 405, and the desert portions of Los Angeles and San Bernardino Counties, reports should be sent to the Ventura Fish and Wildlife Office, 2493 Portola Road, Suite B, Ventura, California 93003 (phone: (805) 644-1766).

For surveys in Los Angeles County east of Highway 405 and south of the desert, Orange, Riverside, Imperial, San Diego, and montane and cismontane San Bernardino Counties, reports should be sent to the Carlsbad Fish and Wildlife Office, 2730 Loker Avenue West, Carlsbad, California 92008 (phone: (760) 431-9440).

If a surveyor thinks that a specific project warrants alterations in this protocol, the Service should be contacted prior to the onset of surveys to discuss and possibly grant permission for proposed modifications. We would appreciate receiving any comments or ideas on these guidelines or recommendations for their improvement. For additional information, please contact the Ventura Fish and Wildlife Office at (805) 644-1766 or the Carlsbad Fish and Wildlife Office at (760) 431-9440.

A handwritten signature in black ink, appearing to read "Diane K. Noda".

Diane K. Noda
Field Supervisor

EXHIBIT F

Bus Pass Seats Available

2017-2018

**Updated 8/23/2017; seats available are subject to change*

Route	Status
Pala to BES	6 on the waiting list
Pala to SMS	11 on the waiting list
Pala to BHS	12 seats available
Rancho to BES	8 seats available
Rancho to Sullivan	12 on the waiting list
Rancho to BHS	10 seats available
BW to SMS	Full, 0 on the waiting list
BW to BHS	21 seats available

EXHIBIT G



County of San Diego, Planning & Development Services
**APPLICANT'S GUIDE TO MAJOR USE
PERMITS, MODIFICATIONS AND MINOR
DEVIATIONS**
ZONING DIVISION

Please use this Applicant's Guide to determine whether your application is complete before you bring it in for filing. Please review the following sections to determine which forms are required to be submitted as hardcopies.

PURPOSE OF A USE PERMIT

The intent and purpose of a Major Use Permit is to provide for the accommodation of land uses with special site or design requirements, operating characteristics or potential adverse effects on surroundings, through review and where necessary, the imposition of special conditions of approval. Most County zoning designations include a list of land uses that require approval of a Major Use Permit.

PROCESS

Please review the [MUP coversheets](#) for submittal requirements:

A Major Pre-Application conference is required to process a Major Use Permit (this requirement is waived for Cell-Sites). Once the Major Pre-Application Meeting has been completed, the Major Use Permit application package may be submitted.

The Major Use Permit submittal typically includes a complete plot plan, architectural elevations, conceptual landscaping, grading plans, an environmental initial study, and a storm water management report. Please review the following sections to determine which forms are required to be submitted in hardcopy. These submittal documents are sent to the applicable County Community Planning Group and Design Review Board (if any) and to affected Public Agencies for review and comment. A County of San Diego Land Use Planner will review the submittal and issue a Scoping Letter outlining project issues and requirements. The Scoping Letter will be sent to the applicant within 30 days of application submittal. When project issues and environmental requirements addressed have been resolved, a public hearing is advertised and held. Property owners within 300 feet of the project site are notified of these hearings.

The granting or denial of Major Use Permits is under the original jurisdiction of the County Planning Commission. Approved Major Use Permits have conditions that must be completed by the applicant prior to obtaining a building permit and/or to project occupancy or usage. Amendment of existing Major Use Permits is done by processing either a Use Permit Modification application, or, if it is a minor change to the approved plot plans only (a change of 10% or less), a Minor Deviation.



County of San Diego, PDS, Zoning Division
APPLICANT'S GUIDE TO MAJOR USE PERMITS, MODIFICATIONS AND MINOR DEVIATIONS

Continued

In accordance with Section 7358, of the Zoning Ordinance, before any use permit may be granted or modified, the granting authority **must** make favorable findings concerning the following factors. You should keep these findings in mind when you are completing the application and preparing your plot plans.

1. **Harmony in scale, bulk, coverage and density.** Describe the physical character of the project and its harmony with zoning regulations and adjacent property.
2. **Availability of public facilities, services and utilities.** Describe the adequacy of facilities, services and utilities to serve the project. If applicable, include school, fire, police, water, sanitation and electricity/gas.
3. **The harmful effect, if any, upon desirable neighborhood character.** This finding should describe the surrounding area and the impact of the proposal. This finding may include any benefits of the proposal and any mitigating measures such as buffering.
4. **The generation of traffic and the capacity and physical character of surrounding streets.** Describe the adequacy of the streets in relation to the proposal. List and describe the surrounding streets including the number of lanes.
5. **The suitability of the site for the type and intensity of use or development which is proposed.** Describe the physical characteristics of the site (e.g. level with adequate drainage) and the suitability of the proposal for this particular site.
6. **Project findings 1 through 5 and the project location will be consistent with the San Diego County General Plan.** Describe how the project's impacts with regard to findings 1 through 5, and the specific site, will be consistent with the County General Plan.
7. **The requirements of the California Environmental Quality Act (CEQA) have been complied with.** This finding should describe how the project will be in compliance with the requirements of the Environmental Quality Act.

MORATORIA

Your project may be affected by moratoria or other limitations. As moratoria are subject to change prior to filing an application, consult the Planning and Development Services for current restrictions. Consult the Department of Environmental Health (858) 565-5173 to learn if there are any sewage disposal or other health problems.

DOCUMENTS

- ☐ **Discretionary Permit Application Form (PDS-346).** Complete the front of this form. The back of this form will be completed by PDS staff at the time of submittal.



County of San Diego, PDS, Zoning Division
APPLICANT'S GUIDE TO MAJOR USE PERMITS, MODIFICATIONS AND MINOR DEVIATIONS

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- ☐ **Supplemental Application Form (PDS-346S).** The purpose of this supplement is to provide a thorough description of the proposed use. This part of the application is very important because it provides information which is used in the analysis of the project and preparation of recommendations and conditions of the permit. All relevant information should be described including the purpose, capacity, hours of operation, number and area of buildings, number of parking spaces, signs, phasing and access. If the application requests Variances you should list these Variances with reasons. Please use extra sheets if necessary. If this application is a modification of an existing permit, you should describe the existing operation, the modification and give reasons for the modification.

- ☐ **Environmental Documents**
One (1) copy of an Application for Environmental Initial Study (AEIS) (PDS-367).

OR

A letter requesting a determination that the previously certified Negative Declaration (ND) or EIR adequately covers the project (see PDS-366).

OR

If the project is categorically exempt from environmental review pursuant to State Guidelines for implementation of the California Environmental Quality Act (CEQA), no environmental documentation is needed.

- ☐ **Resource Protection Ordinance.** A Resource Protection Ordinance Study is required to determine if sensitive lands are located on the property and whether the Resource Protection Regulations should be applied. Please refer to PDS-374 AND PDS-394 for additional information. (Not required for Wireless facilities at time of application)

- ☐ **Evidence of legal parcel (PDS-320).** See [Policy G-3](#). Top half must be completed and signed.

- ☐ **Disclosure Statement (PDS-305).** Must be completed, signed and dated.

- ☐ **Agent Authorization (if applicable).** A signed letter authorizing the applicant to apply for the permit is necessary if the applicant is not the owner(s). See Section 7354 of The Zoning Ordinance.

- ☐ **Service Availability Letters.** Applicant should complete top portion of these forms and the agencies should complete the bottom. Some of these service availability letters would not apply in certain applications. If you are uncertain, please contact Zoning for further information (858) 565-5981.

- ☐ **School Service Letter(s) (PDS-399SC).** Must be completed and signed by each school district (elementary and high school).

- ☐ **Sewer Service Letter (PDS-399S).** Must be completed and signed by the district or public agency which would provide sewer service for the project.



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- ☐ **Water Service Letter** (PDS-399W). Must be completed and signed by the district or public agency which would provide water service for the project.
- ☐ **Fire Service Letter** (PDS-399F). Must be completed and signed by the district or public agency which would provide fire protection service for the project.
- ☐ **Public Notice** (PDS-514, 515, 516, 524). This Department must notify all property owners within 300 feet of the subject property and a minimum of 20 different property owners (Board Policy I-49). In order to complete the notification the following must be submitted with the application – refer to PDS-516 for detailed instructions:
 - ☐ a. Separate sheets (11" x 17") of the San Diego Assessor's map(s) showing the entire property outlined in red with a green line encircling the property at a distance of 300 feet from the property line. Each parcel lying wholly or in part within the 300 feet shall have its number colored yellow with a "highlighter" pen or colored pencil. Assessor's maps must be 11" x 17" (full size) at true scale **and not reduced**.
 - ☐ b. A typed list of all affected property owner's parcels highlighted in yellow as above; by Assessor's Parcel Number with names and address. Minimum of **20 different property owners**. The addresses must be the property owner and not the leaser or renter.
 - ☐ c. One set of gummed labels on 8½" x 11" sheets containing the names and addresses of all property owners. These labels are necessary for a possible appeal. The names on these labels must match names on the typed list.
 - ☐ d. One set of stamped (**use ONLY USPS "Forever" stamps**), and addressed (typed) plain (no letterhead) envelopes (4¼" x 9½" business size) for each property owner on the list. If a property owner has several parcels, you need only submit one envelope. No enclosed business cards are allowed. Planning & Development Services will provide the return address at intake.
- ☐ **Complete Public Notice Certification** (PDS-514). This form, signed by the applicant, certifies that the names and addresses submitted with the public notice package are from the latest adopted San Diego Assessor's Tax Roll. You should be aware that if any of this information is incorrect, the processing may be delayed.
- ☐ **Supplemental Public Notice**. Board of Supervisors Policy I-49, Item 2, pertains to the notification of apartment buildings and mobilehome parks. Comply with the requirements listed in the **Supplemental Public Notice Procedure** (PDS-298) and submit a completed **Supplemental Public Notice Certification** (PDS-299).
- ☐ **Vicinity Map and Project Summary** (PDS-524). Must be completed and a vicinity map prepared according to the instructions on the form.



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- ☐ **Hazardous Waste and/or Substance Site Verification Form (PDS-580).** Please consult the San Diego County list of hazardous waste and/or Substance Sites compiled by the State of California. The list is available at the PDS Zoning Division.
- ☐ **Posting of Notices (PDS-298).** Applicants should use the guidelines provided when posting Notices of Permit Applications. Failure to post or comply with the guidelines may result in delays of processing your project.
- ☐ **Acknowledgment of Filing Fees and Deposits (PDS-126).** Applicant should sign the back of the application to acknowledge that additional deposits may be required after the initial deposit. This assists the County in seeking full recovery of the processing costs (Board of Supervisors Policy B-29).
- ☐ **Storm Water Quality Management Plan.** Two (2) copies of a Storm Water Quality Management Plan. See ([LUEG:SW](#)) for more info.
- ☐ **Notice to Applicants for Site Plans, Variances, Administrative Permits and Use Permits (PDS-581).**
- ☐ **Plot Plan.** All plot plans should contain sufficient information to describe the project. The following is a list of information pertinent to a Major Use Permit plot plan. All of this information may not be pertinent to every proposal, but where applicable it should be included. (One (1) additional Plot Plan for wireless facilities in addition to those required above. See pages 8 and 9 for other requirements.)
- ☐ **Number of copies** – see [Coversheet of application](#). (One additional plot plan required for Wireless facilities. See Page 8 for other requirements)
- ☐ **Size** – Plot plans must be folded to an 8½" x 11" size with the lower right hand corner exposed. Multiple sheets must be stapled into sets.
- ☐ **Legibility** – The plot plan must be legible. Faded prints or excessively dark prints that are difficult to read or reproduce clearly are not acceptable.
- ☐ **North Arrow/Scale** – A north arrow is necessary to establish the direction. An engineer's scale is required (e.g., 1 inch = 20 feet) on all plot plans. DO NOT USE an Architect's scale.
- ☐ **Assessor's Number** – Include the Assessor's Book, page and parcel number on the plot plan.
- ☐ **Dimensions** – Show the following dimensions: Exterior property lines, width of roads and easements, size of structures, setbacks from property lines and centerlines to existing and/or proposed structures, distances between detached structures, parking areas and driveways.



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- ☐ **Elevations** – Complete architectural elevations of all sides of the building(s) are required. Indicate structure heights/dimensions and whether existing or proposed. All finish materials must be indicated on the drawing. Elevations should be shown on a separate drawing.
- ☐ **Structures** – Show all existing and proposed structures and their dimensions and floor area, including buildings, sheds, storage areas and recreation facilities such as swimming pools and playgrounds. Indicate number of stories of buildings. Indicate if structures are existing or proposed. Label buildings and open area as to their use. Show fences, wall trash enclosures or dumpster locations. Indicate heights where applicable.
- ☐ **Pedestrian and Vehicular Circulation and Parking** – Show walkways, driveways, entrances, exits and parking lot areas with all dimensions. Label handicapped parking. Show contiguous streets with centerlines and all easements. Show parking for service and delivery vehicles and loading and unloading areas.
- ☐ **Drainage** – Indicate any natural drainage (including streams) and any proposed drainage systems. Show the slopes of the property and any proposed grading.
- ☐ **Existing Natural Features** – Indicate trees with over 6" trunk diameter, streams, rock outcroppings, location of flood zones. Extensive natural features may be shown on a separate drawing.
- ☐ **Landscape Areas** – Areas suitable for landscaping and areas of required landscaping must be shown. Include the size and species of both existing and proposed plantings. Indicate any removal of existing trees. Extensive landscaping information may be shown on a separate drawing.
- ☐ **Buffering and Screening** – Show areas to be screened and materials for screening.
- ☐ **Signs** – Show all existing signs to remain and proposed signs. Include elevation drawings with area and height dimensions and construction materials indicated and the proposed method of illumination.
- ☐ **Lighting** – Show locations and types of all project lighting.
- ☐ **Utilities** – Show utility lines and easements.
- ☐ **Grading** – A preliminary grading plan must be filed with a Major Use Permit conforming to all requirements of Section 87.203 of the San Diego County Code of Regulatory Ordinances, except that it shall not be required to show the estimated grading starting and completion dates. The level of detail required may be less than would be required for actual construction, but shall be sufficient to permit analysis of all on-site and off-site environmental impacts and mitigation measures. (See Section 7354 of the San Diego County Zoning Ordinance)



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- ☐ **The preliminary grading plan** shall be on a separate sheet and cannot be incorporated into the plot plan for the project.
- ☐ **Fencing** – Show existing and proposed fencing including heights and materials.
- ☐ **Phasing** – Indicate any phasing of the project. Phasing is particularly useful in large multi-structured projects such as churches. This may reduce the need for future permit modification to accommodate projected growth.

NOTE: It is important to note that, if approved, the Use Permit Plot plan will dictate the development of the property. Anything shown on the building permit application that is not shown on the approved Use Permit Plot Plan will not be allowed. Changes to the Use Permit after approval requires a Modification or Minor Deviation of the Use Permit.

MINOR DEVIATION

The intent of a Minor Deviation is to allow for convenience in the changing of plot plans for Major Use Permits by allowing staff, acting for the Director of PDS, to make changes through an administrative procedure which takes less time and money than a Modification which requires a public hearing. The maximum allowed change in a Minor Deviation is an increase or decrease of 10% in area or height in relation to any building, yard, open space, work area or parking. To grant a Minor Deviation, a finding must be made that the Deviation: 1) does not constitute a substantial change to the Use Permit, and 2) will not adversely affect adjacent properties. See Section 7609 of The Zoning Ordinance for details. You should be aware that any decision to approve or disapprove a Minor Deviation is final and cannot be appealed. Applicants are advised to confer with staff prior to submittal of any Minor Deviation.

MATERIALS REQUIRED FOR A MINOR DEVIATION ARE:

- ☐ **Application** (PDS-346 & 346S). Be sure to include the permit number and describe the intent of the Minor Deviation on the PDS-346S.
- ☐ **Plot Plans**. Six (6) copies for Major Use Permits. Your plot plans should clearly show the proposed change(s). It is often helpful to show both the existing plan and the proposed changes by the use of dashed or dotted lines.
- ☐ **Applicable Fees**. Please refer to PDS-369 for appropriate fees.
- ☐ **Stormwater Management Plan**. Two (2) copies of a Stormwater Management Plan
- ☐ **A request for a Minor Deviation to a Major Use Permit for a planned residential development** must either be filed by the Homeowners Association or include authorization to file from the Homeowners Association.



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APPLICANT'S GUIDE TO MAJOR USE PERMITS, MODIFICATIONS AND MINOR DEVIATIONS

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MORE INFORMATION

You may visit or call PDS Zoning at (858) 565-5981. Zoning Ordinance regulations about Major Use Permits, and application forms, are available at the PDS website:

<http://www.sdcountry.ca.gov/pds>

ADDITIONAL MAJOR USE PERMIT REQUIREMENTS FOR WIRELESS FACILITIES

- ☐ PLOT PLAN – One (1) additional plot plan. In addition to the requirements for Major Use Permits, all plot plans shall show:
 - ☐ The height of the facility with evidence that the proposed facility is designed to the minimum height required. If the tower will exceed the maximum permitted height limit as measured from grade, include a discussion in the required report of the physical constraints (topographic features, etc.) making the additional height necessary.
 - ☐ The lease area of the proposed facility clearly identified.
- ☐ If the facility frequency is 1,200 megahertz or less submit a copy of the Federal Communications Commission Licensing Application Form 601, Main Form, Pages 1 through 4, Schedule A, Page 1, Schedule D, Page 1 and Schedule H, Pages 1 through 3.
- ☐ Three (3) copies of a Geographic Service Area map identifying the geographic service area for the subject installation and the applicant's existing sites in the local service network associated with the gap the facility is meant to close and a description of how this service area fits into and is necessary for the company's service network.
- ☐ Three (3) copies of a Visual Impact Analysis showing the maximum silhouette, viewshed analysis, color and finish palette and proposed screening, photo simulations and a map depicting where the photos were taken.
- ☐ If applicable (see Sections 6986.A and B of the Zoning Ordinance); If the proposed facility is not in a preferred zone and is not in a preferred location the applicant shall provide an Alternate Site Analysis for all preferred sites that could potentially serve the same area as the proposed site. This Alternate Site Analysis must include a discussion regarding the approved cell sites within the area to demonstrate why collocation was not a feasible option for the proposed project. Furthermore, it must also include a discussion of preferred zones and preferred locations. Preferred zones shall include all commercial and industrial zoned properties within the search ring and properties within an approved Wireless Community Master Plan.
- ☐ Three (3) copies of a Concept Landscape Plan showing all proposed landscaping, screening and proposed irrigation with a discussion of how the chosen material at maturity will screen the site.



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- ☐ If located in a County Park, a letter of concurrence with the application from the Director, Department of Parks and Recreation.
- ☐ A letter stating the applicant's willingness to allow other carriers to co-locate wherever technologically and economically feasible and aesthetically desirable.
- ☐ Three (3) copies of a report containing the following:
 - ☐ Description of anticipated maintenance and monitoring program.
 - ☐ Manufacturer's specifications for all noise generating equipment and a depiction of the equipment location in relation to adjoining properties.
 - ☐ If not in a preferred zone or preferred location as identified in Section 6986, provide a map of the geographical area and a discussion of preferred sites that could serve the same area as the proposed site and a description of why each preferred site is not technologically or legally feasible.
 - ☐ Listing of hazardous materials to be used on-site.
 - ☐ If high visibility facility, the value of the proposed facility.
- ☐ If accessed via private road easement, proof of access to a publicly maintained road for the purpose of the cell facility must be provided.
- ☐ If being proposed on a parcel of land with an existing SFD or other structure being serviced by a septic system (not connected to a sewer district), a copy of the certified As-Built plans must be provided.

EXHIBIT H

San Diego County



EXHIBIT I

Planning Agreement

by and among

**the County of San Diego,
the California Department of Fish and Wildlife, and
the United States Fish and Wildlife Service**

regarding the

**North and East County
Multiple Species Conservation Program Plans:
Natural Community Conservation Program Plans and
Habitat Conservation Plans**

Revised and Amended

May 12, 2014

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Exhibit F - Natural Communities And Acreages Within The MSCP East County Plan Study Area	

Proposed North and East County MSCP Plans Planning Agreement

This Planning Agreement for the planning and preparation of the North and East County Multiple Species Conservation Program (MSCP) Plans ("Plans"), each of which is a joint Natural Community Conservation Program Plan (NCCP Plan) and Habitat Conservation Plan, is entered into as of the Effective Date by and among the County of San Diego, the California Department of Fish and Wildlife ("CDFW"), and the United States Fish and Wildlife Service ("USFWS"). These entities are referred to collectively as "Parties" and each individually as a "Party." The CDFW and USFWS are referred to collectively as "Wildlife Agencies." The North and East County MSCP Plans are separate natural community conservation program plans/habitat conservation plans covering different areas of unincorporated San Diego County (Exhibit A), and will complement the MSCP South County Subarea Plan adopted in 1997.

1. Definitions

Terms used in this Planning Agreement that are defined in the Natural Community Conservation Planning Act have the meanings set forth in Fish and Game Code Section 2805. The following terms as used in this Planning Agreement will have the meanings set forth below.

1.1. "Board of Supervisors" means the County of San Diego Board of Supervisors.

1.2. "CEQA" means the California Environmental Quality Act, Public Resources Code, Section 21000, *et seq.*

1.3. "CESA" means the California Endangered Species Act, California Fish and Game Code, Section 2050, *et seq.*

1.4. "County" means the government of the County of San Diego.

1.5. "Covered Activities" means the activities that will be addressed in the Plans and for which the Local Agency will seek a NCCP Plan permit pursuant to Fish and Game Code, Section 2835 and an incidental take permit pursuant to Section 10 of the federal Endangered Species Act.

1.6. "Covered Species" means those listed and non-listed species identified in the approved Plans to be conserved and managed consistent with the approved Plans such that, through approval of the Plans, CDFW and the USFWS authorize their take under state and/or federal law.

1.7. "CDFW" means the California Department of Fish and Wildlife.

1.8. "Effective Date" means the date by which all of the Parties to the Planning Agreement have signed it.

1.9. "FESA" means the federal Endangered Species Act, 16 United States Code Section 1530, *et seq.*

1.10. "Habitat Conservation Plan" or "HCP" means a conservation plan prepared pursuant to Section 10(a)(1)(B) of FESA.

1.11. "Implementation Agreement" means the agreement required pursuant to Fish and Game Code Section 2820, subdivision (b) and authorized under 14 U.S.C. Section 1539 (a)(2)(B) which defines the terms for the implementation of the Plans.

1.12. "Listed Species" means those species designated as candidate, threatened, or endangered pursuant to CESA and/or listed as threatened or endangered under FESA.

1.13. "Local Agency" means the County of San Diego.

1.14. "MSCP" means Multiple Species Conservation Program.

1.15. "Natural Community Conservation Program Plan" or "NCCP Plan" means a conservation plan created pursuant to Fish and Game Code, Section 2801, *et seq.*

1.16. "Natural Community Conservation Planning Act" or "NCCPA" means Fish and Game Code, Section 2800, *et seq.*

1.17. "NEPA" means the National Environmental Policy Act, United States Code Section 4321, *et seq.*

1.18. "Plans" means both the North and East County MSCP Plans, each of which is a joint NCCP Plan and HCP.

1.19. "Planning Area" means the geographic areas proposed to be addressed in the North and East County MSCP Plans as described in Exhibit A. Specifically, this refers to the unincorporated private and County-owned land over which the County of San Diego has land use jurisdiction.

1.20. "Steering Committee" means the interest group that will be comprised of key representatives that will participate in the development of the North and East County MSCP Plans. The North County MSCP Plan will use the term "Stakeholder Group" for key interest group representatives; however, this group will serve the same function as a Steering Committee.

1.21. "Study Area" means all lands in the project boundary of the North and East County MSCP Plan Study Areas (i.e., private land and public lands) with the exception of Tribal lands.

1.22. "Planning Area" means the unincorporated lands in the project boundary of the North and East County MSCP Plan Areas over which the County of San Diego has land use jurisdiction (i.e., private parcels and County-owned land).

1.23. "USFWS" means the United States Fish and Wildlife Service.

1.24. "Wildlife Agencies" means the CDFW and the USFWS, collectively.

2. Background

2.1. Natural Community Conservation Planning Act

The NCCPA was enacted to encourage broad-based planning to provide for effective protection and conservation of the state's wildlife resources while continuing to allow appropriate development and growth. The purpose of natural community conservation planning is to provide for the conservation of biological diversity by protecting biological communities at the ecosystem and landscape scale. Conservation of biological diversity includes protecting sensitive and more common species, natural communities, and the ecological processes necessary to sustain ecosystems over time. An NCCP Plan identifies and provides for the measures necessary to conserve and manage natural biological diversity within a Planning Area, while allowing compatible and appropriate economic development, growth, and other human uses.

2.2. Purposes of NCCP Planning Agreements

The purposes of NCCP Planning Agreements are to:

- Define the Parties' goals and commitments with regard to preparation of the Plans;
- Define the geographic scope of the conservation Planning Areas;
- Identify a preliminary list of natural communities and species known or reasonably expected to be found in those communities, that are intended to be the initial focus of the Plans;
- Identify preliminary conservation objectives for the Planning Areas;
- Establish a process for the inclusion of independent scientific input into the planning process;
- Ensure coordination between the Wildlife Agencies, particularly with respect to FESA and CESA;
- Establish a process to review interim development within the Planning Areas that will help achieve the preliminary conservation objectives and preserve options for establishing a viable reserve system or equivalent long-term conservation measures; and
- Ensure public participation and outreach throughout the planning process.

2.3. Compliance with CESA and FESA

The Planning Areas contain valuable biological resources, including native species of wildlife and their habitat. Among the species within the Planning Areas are certain species that are protected, or may be protected in the future, under CESA and/or FESA. The Parties intend for the Plans to satisfy the

requirements of an HCP under Section 10(a)(1)(B) of FESA, and of an NCCP Plan under the NCCPA, to serve as the basis for take authorizations under both acts.

The NCCPA provides that after the approval of an NCCP Plan, CDFW may permit the taking of any covered species, listed or non-listed, whose conservation and management is provided consistent with the NCCP Plan. Take of state-listed species may be authorized pursuant to CESA during preparation of the Plans. After approval of the Plans, state-authorized take may be provided pursuant to the NCCPA.

FESA provides that after the approval of an HCP, USFWS may permit the taking of wildlife species covered in the HCP if the HCP and permit application meet the requirements of section 10(a)(2)(A) and (B) of FESA. Take authorization for federally listed wildlife species covered in the HCP shall generally be effective upon approval of the HCP and issuance of an incidental take permit. Take authorization for non-listed wildlife species covered in the HCP becomes effective if and when the species is listed pursuant to FESA. Take authorization during plan preparation for wildlife species listed pursuant to FESA may be provided pursuant to individual permits issued pursuant to section 10(a)(1)(B), or consultations under section 7 of FESA. Although there is no take of plants under FESA and thus USFWS is not able to authorize take of plants, USFWS may include plants as covered species for purposes of extending federal assurances for them provided the MSCP North and East County Plans meet Section 10 issuance criteria and they provide conservation benefits to plants.

2.4. Section 7 of FESA

To the extent allowed under law, the Parties intend that the mitigation and minimization measures included in the Plans, once approved by the USFWS and included as a condition of federal incidental take permits to the Local Agency, will be incorporated into future Section 7 consultations between the USFWS and the United States Army Corps of Engineers, the United States Bureau of Reclamation, or other applicable federal agencies regarding Covered Activities that may adversely affect Covered Species or their habitat.

2.5. Concurrent Planning for Wetlands and Waters of the United States

The Local Agency intends to address impacts to wetlands and waters of the United States and changes to the bed, bank, or channel of rivers, streams and lakes resulting from Covered Activities in the Planning Areas. Based on the Plans, the Local Agency may seek future programmatic permits or authorizations under the Clean Water Act and Section 1601 (or Section 1603) of the Fish and Game Code as necessary for Covered Activities. The Parties agree to work together to explore the feasibility of undertaking concurrent but separate planning regarding these permits. However, such programmatic permits or authorizations are not necessary for approval of the Plans or for the issuance of take permits.

2.6. Assurances

2.6.1. FESA

The Parties anticipate that the USFWS will provide assurances pursuant to applicable federal law and regulations then in effect upon issuance of the federal incidental take permits to the Local Agency.

2.6.2. NCCPA

The Parties anticipate that if the Plans meet the criteria for an NCCP Plan permit under Section 2835 of the Fish and Game Code, CDFW will provide assurances consistent with its statutory authority upon approval of the Plans and issuance of NCCP Plan permits to the Local Agency. Under Section 2820(f) of the Fish and Game Code, CDFW may provide assurances for plan participants commensurate with the level of long-term conservation and associated implementation measures provided in the Plans. In order to ensure that state regulatory assurances are legally binding, such provisions will be included in an Implementation Agreement.

3. Planning Goals

The planning goals include the following:

- Provide for the conservation and management of Covered Species;
- Preserve aquatic and terrestrial resources through conservation partnerships with the Local Agency;
- Allow for appropriate and compatible growth and development that are consistent with applicable laws;
- Provide a basis for permits necessary to lawfully take Covered Species;
- Provide a comprehensive means to coordinate and standardize mitigation and compensation requirements of FESA, CESA, CEQA, NEPA, and NCCPA within the Planning Areas;
- Provide a less costly, more efficient project review process which results in greater conservation values than project-by-project, species-by-species review; and
- Provide clear expectations and regulatory predictability for persons carrying out Covered Activities within the Planning Areas.

4. Planning Areas and Plan Participants

Implementation of the Plans will preserve a network of habitat and open space, protect biodiversity, and also enhance the region's quality of human life. Many natural communities in the region are considered sensitive because they have been greatly reduced in distribution by development. San Diego County contains 300-400 plant and animal species that are: federally and/or state listed as endangered, threatened, or rare; proposed or candidates for listing; or otherwise considered sensitive.

4.1 Geographic Scope

Each of the Plans is a separate NCCP Plan/HCP covering different areas of unincorporated San Diego County (Exhibit A). The Plans will complement the South County MSCP Subarea Plan adopted by the County of San Diego Board of Supervisors in 1997.

4.1.1 North County MSCP Plan

The North County MSCP Plan Study Area covers approximately 311,800 acres and extends: to the Riverside County line to the north; to the existing South County MSCP Subarea Plan boundary around Lake Hodges, Rancho Santa Fe, San Pasqual Valley, Mount Woodson, and Fernbrook to the south; to the eastern edge of Camp Pendleton Marine Base and the northern coastal cities of San Diego County to the west; and to the Cleveland National Forest to the east (Exhibit A). The North County MSCP Plan includes the communities of Bonsall, De Luz, Fallbrook, Harmony Grove, Lilac, Pala, Pauma Valley, Rainbow, Rincon Springs, Twin Oaks Valley, Valley Center and much of Ramona. The incorporated cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista are excluded from the Study Area and will be planned as the Multiple Habitat Conservation Program, sponsored by SANDAG.

4.1.2 East County MSCP Plan

The East County MSCP Plan Study Area covers approximately 1.6 million acres and is bounded on the west generally by the western boundary of the Cleveland National Forest, on the north by Riverside County, and on the east predominantly by Imperial County, and the south by Mexico (Exhibit A). The East County MSCP Plan includes the backcountry communities of Central Mountain, Cuyamaca, Descanso, Pine Valley, Desert/Borrego Springs, Julian, Mountain Empire, Boulevard, Jacumba, Lake Morena/Campo, Potrero, Tecate, portions of Dulzura, and Palomar/North Mountain, all of which are within the jurisdictional boundary of the unincorporated San Diego County.

The County of San Diego has land use authority over private parcels and County-owned land in the unincorporated County which is approximately 27 percent (418,930 acres) of the East County MSCP Plan Study Area. This area is referred to as the Planning Area. The other 73 percent of the Study Area includes land owned by other public agencies with separate land use plans that are not under the jurisdiction of the County.

4.1.3 Excluded Lands

Military lands, Tribal lands, lands owned or managed by non-signatory public agencies, state or federal agencies, or water and school districts are excluded from the Study Areas unless they consent and are willing to voluntarily participate in the Plans. The County will coordinate planning efforts with these entities to determine where and how conservation strategies will be able to complement one another. The North and East County MSCP Plans for the unincorporated area will be stand-alone plans and the Study Areas' excluded lands will not be relied upon for conserving and gaining coverage from the Wildlife Agencies for listed and other sensitive species.

4.2 Local Agency

The Local Agency is the local sponsor of the Plans. As part of this planning process, the Local Agency has committed to undertake a collaborative, systematic approach to protecting the Planning Areas' ecologically significant resources, including candidate, threatened, and endangered species and their habitats, open space, and working landscapes, and to ensure that the Covered Activities comply with applicable federal and state laws.

4.3 California Department of Fish and Wildlife

CDFW is the agency of the state of California authorized to act as trustee for the state's wildlife. CDFW is authorized to approve NCCP Plans pursuant to the NCCPA, administer and enforce CESA and other provisions of the Fish and Game Code, and enter into agreements with federal and local governments and other entities for the conservation of species and habitats pursuant to CESA and the NCCPA.

4.4 United States Fish and Wildlife Service

The USFWS is an agency of the United States Department of the Interior authorized by Congress to administer and enforce FESA with respect to terrestrial wildlife, certain fish species, insects and plants, and to enter into agreements with states, local governments, and other entities to conserve threatened, endangered, and other species of concern. The NCCPA and this Planning Agreement require coordination with USFWS with respect to FESA.

5. Preliminary Conservation Objectives

The preliminary conservation objectives intended to be achieved through the Plans are to:

- Provide for the protection of species, natural communities, and ecosystems on a landscape level;
- Preserve the diversity of plant and animal communities throughout the Planning Areas;
- Protect threatened, endangered, or other special status plant and animal species, and minimize and mitigate the take or loss of proposed Covered Species;

- Identify and designate biologically sensitive habitat areas;
- Preserve habitat and contribute to the recovery of Covered Species;
- Reduce the need to list additional species;
- Set forth species-specific goals and objectives; and
- Set forth specific habitat-based goals and objectives expressed in terms of amount, quality, and connectivity of habitat.

5.1 Conservation Elements

5.1.2 Ecosystems, Natural Communities, and Species List

The Plans will employ a strategy that focuses on the conservation of ecosystems, natural communities, and ecological processes in the Planning Areas. In addition, where appropriate, the Plans will employ species-specific measures to minimize and mitigate for negative impacts, and species-specific measures for conservation and management.

Preliminary lists of the endangered, threatened, candidate, or other sensitive species known from, or reasonably expected to be found in, the Planning Areas, and that are intended to be the initial focus of the Plans are provided in Exhibit C for the North County MSCP Plan and Exhibit D for the East County MSCP Plan. The lists identify species that the Parties will evaluate for inclusion in the Plans, and they are not necessarily the final Covered Species lists for the Plans. The Parties acknowledge that inclusion of a particular species as a Covered Species in the Plans will require separate determination by CDFW and USFWS that the Plans adequately provide for conservation of the species in accordance with state and/or federal permit issuance requirements. The natural communities that are mapped for the North County and East County MSCP Plan Study Areas are listed in Exhibits E and F, respectively.

5.1.3 Conservation Areas and Viable Habitat Linkages

The Plans will establish conservation areas throughout the Planning Areas and provide linkages, where appropriate, between the conservation areas within the Planning Areas. They will also identify where linkages between the conservation areas and important habitat areas outside the Planning Areas should occur. The conservation areas will include a range of environmental gradients and ecological functions, and will address edge effects and other reserve design principles.

5.1.4 Project Design

The Plans will ensure that development projects are appropriately designed to avoid and/or minimize negative on-site and off-site impacts to biological resources and to adequately mitigate for those impacts.

6. Preparing the Plans

The Parties intend that this Planning Agreement will fulfill the NCCPA requirements pertaining to planning agreements and will establish a mutually agreeable process for preparing the Plans that fulfills the requirements of the NCCPA and FESA. As described below, the process used to develop the Plans will incorporate independent scientific input and analysis, and include extensive public participation with ample opportunity for comment from the general public and (as solicited by the Local Agency) for advice from a key groups.

6.1 Best Available Scientific Information

The Plans will be based on the best available scientific information, including, but not limited to:

- Principles of conservation biology, community ecology, landscape ecology, individual species' ecology, and other scientific knowledge and thought;
- Thorough information about all natural communities and proposed Covered Species on lands throughout the Planning Areas; and
- Advice from well-qualified, independent scientists.

6.2 Data Collection

The Parties agree that information regarding the subjects briefly described below in Section 6.2.1 is important for preparation of the Plans. The Parties therefore agree that data collection for preparation of the Plans should be prioritized to develop more complete information on these subjects. Preference should be given to collecting data essential to address conservation requirements of natural communities and proposed Covered Species. The independent science advisory process and analysis of existing information may reveal data gaps currently not known that are necessary for the full and accurate preparation of the Plans. Data needed for preparation of the Plans may not be known at this time nor identified herein. Therefore, the Parties anticipate that data collection priorities may be adjusted from time to time during the planning process. All data collected for the preparation and implementation of the Plans will be made available to the Wildlife Agencies in hard and digital formats, as requested.

6.2.1 The data anticipated to be developed for the North and East County MSCP Plans include the following topic areas.

- a. GIS database and baseline data inventory. Data layers will be developed for sensitive species locations, vernal pool locations, natural communities (using a classification system based on Holland 1986), topography, soils, climate zones, land use, ownership, and resource management status. The natural communities mapped in the North County and East County MSCP Plan Study Areas are listed in Exhibits E and F, respectively.
- b. Preserve design criteria. The preserve design criteria and conservation goals will include the basic principles and tenets of conservation biology and the coarse filter goals.

- c. **Habitat modeling and analysis.** Habitat modeling and analysis will be used to extrapolate biological data and knowledge in a consistent and comprehensive manner across the Study Areas.
- d. **Analysis of gaps in protection.** The gap analysis will be used primarily to identify, at a coarse scale, areas of potentially high habitat value that are currently not well protected (areas “at risk”).
- e. **Preserve design using MARXAN** which is a Reserve Selection Algorithm (RSA) Model. The RSA approach will be used to identify preserve design alternatives and will be used to form the structure of the overall preserve design which may include Pre-Approved Mitigation Areas (PAMA).
- f. **Preserve design (e.g., identification of PAMA).** Identification of the PAMA boundaries will involve converting the biologically based reserve design output of the RSA model into a format that can be understood and implemented.
- g. **Conservation analysis.** The conservation analysis will provide detailed species-specific analyses of the level of conservation and take expected from the implementation of the Plans. The analysis will include the ultimate biological effects from the establishment of the PAMA and from the adherence to the Local Agency’s Biological Mitigation Ordinance and other documents associated with the Plans.

6.3 Independent Scientific Input

The Local Agency and CDFW intend to include independent scientific input and analysis to assist in the preparation of the Plans. For that purpose, independent scientists representing a broad range of disciplines, including conservation biology and locally-relevant ecological knowledge, will, at a minimum:

- Recommend scientifically sound conservation strategies for species and natural communities proposed to be covered by the Plans;
- Recommend a set of reserve design principles that address the needs of species, landscapes, ecosystems, and ecological processes in the planning areas proposed to be addressed by the Plans;
- Recommend management principles and conservation goals that can be used in developing a framework for the monitoring and adaptive management components of the Plans; and
- Identify data gaps and uncertainties so that risk factors can be evaluated.

The independent scientists may be asked to provide additional feedback on key issues during preparation of the Plans, and may prepare reports regarding specific scientific issues throughout the process, as deemed necessary by the Local Agency and CDFW.

Design and implementation of the science advisory process must be done in a coordinated fashion and with the mutual agreement of the Local Agency and CDFW. The Local Agency and CDFW will establish funding and payment procedures. The independent science advisory process will include the preparation of a detailed scope of work, input from technical experts, and production of a report by the scientists. In addition, the Local Agency and CDFW will make the report available for use by all participants and the public during the planning process.

6.4 Public Participation

The Local Agency will prepare the Plans in an open and transparent process with an emphasis on obtaining input from a balanced variety of public and private interests including state, local, and Tribal governments, landowners, conservation organizations, agricultural commissioners, agricultural organizations, and the general public. The planning process will provide for thorough public review and comment, and include representatives from key interest groups who will review the Plans throughout the preparation of the Plans. To assist in the preparation of the Plans, the Local Agency will form a Steering Committee.

6.4.1 Steering Committee

Steering Committee members are expected to come from a diverse group of interests in the County representing the agricultural community, environmental groups, the development community, landowner groups, conservation groups, and public agencies. Throughout the preparation of the North and East County MSCP Plans, the Steering Committee will examine the NCCP Planning/HCP policies, review drafts of parts of the Plans, and serve as a sounding board and assist in the preparation of the Plans. Staff from the Wildlife Agencies will work with the Steering Committee to provide technical expertise and share information for the preparation and implementation of the Plans.

6.4.2 Outreach

The Local Agency, in concert with the Steering Committee, will provide access to information to persons interested in the Plans. The Parties expect and intend that public outreach regarding preparation of the Plans will be conducted largely by and through the Steering Committee meetings. In addition, the Local Agency will continue to hold public meetings to present key decisions regarding the preparation of the Plans to allow the public the opportunity to comment on and inquire about the decisions. Other outreach efforts will include status updates in the County of San Diego Planning & Development Services' e-Blast, maintenance of the County's MSCP website (www.mscp-sandiego.org), press releases, and related activities.

6.4.3 Availability of Public Review Drafts

The Local Agency will designate and make available for public review in a reasonable and timely manner "public review drafts" of pertinent planning documents including, but not limited to, plans, memoranda of

understanding, maps, conservation guidelines, and species coverage lists. Such documents will be made available by the Local Agency at least ten working days prior to any public hearing addressing these documents. This obligation will not apply to all documents drafted during preparation of the Plans. However, the Local Agency will periodically designate various pertinent documents drafted during preparation of the Plans as “public review drafts”, and will make these documents available to the public. The Parties agree the internet website, www.mscp-sandiego.org, will be one of the principal means of making documents available for public review, as well as more traditional means such as distribution and display of hard copies of such documents.

6.4.4 Public Hearings

Public hearings regarding preparation of the Plans will be planned and conducted in a manner that satisfies the requirements of CEQA, NEPA, and any other applicable state or federal laws.

6.4.5 Public Review and Comment Period Prior to Adoption

The Local Agency will make the proposed draft Plans and Implementation Agreements available for public review and comment for a minimum of 90 days before adoption. The Local Agency expects to fulfill this obligation by distributing the draft Plans and Implementation Agreements with the draft environmental impact reports prepared for the Plans pursuant to CEQA and/or the draft environmental impact statements prepared for the Plans pursuant to NEPA.

6.5 Covered Activities

Covered Activities under the Plans are those activities that may result in authorized take or loss of Covered Species that will be identified and addressed in the Plans. Covered Activities may include: those land uses over which the Local Agency have land use authority; certain agricultural activities over which the Local Agency exercise control for purposes of the Plans; and adaptive habitat management and monitoring activities in the Planning Areas. The Parties intend that the Plans will allow Covered Activities in the Planning Areas to be carried out in compliance with NCCPA, CESA, and FESA.

6.6 Interim Project Processing

The Parties recognize that before the Wildlife Agencies approve the Plans, certain projects and activities may be proposed within the Planning Areas. The Parties agree to the guidelines provided in the attached Interim Review Process (Exhibit B) to: (1) ensure that development, construction, annexation of land from the County's jurisdiction into another jurisdiction, and other projects or activities approved or initiated in the Planning Areas before completion of the Plans are consistent with the preliminary conservation objectives (Section 5) and do not compromise successful completion and implementation of the Plans; (2) facilitate CEQA, CESA, and FESA compliance for interim projects subject to these laws; and (3) ensure that processing of interim projects is not unduly delayed during preparation of the Plans.

6.7 Protection of Habitat Land During the Planning Process

6.7.1 Conservation Lands Acquired/Protected

The Parties may elect to preserve, enhance, or restore, either by acquisition or other means (*e.g.*, conservation easements, designated setbacks), lands in the Planning Areas that contain native species of wildlife or natural communities prior to approval of the Plans. The Local Agency will consult with the Wildlife Agencies regarding potential lands to be protected. The Wildlife Agencies agree, as appropriate, to credit such lands, using March 22, 2000 (the day the Board of Supervisors approved and authorized the Clerk of the Board to execute an agreement for planning consulting services required to prepare the North County MSCP Plan) as the date such crediting will commence toward the potential land acquisition or habitat protection requirements of the Plans, provided that the lands are permanently conserved and managed and contribute to the conservation strategy for the North and East County Plans.

6.7.2 Mitigation Lands

Lands, or portions of lands, acquired or otherwise protected solely to mitigate the impacts of specific projects, actions, or activities approved prior to approval by the Wildlife Agencies of the Plans will be considered as mitigation only for those projects, actions, or activities. Such lands will be considered during the Plans' analysis, but will not count toward future mitigation obligations of the Plans.

6.7.3 Annexation of Lands

In the event land within the County's jurisdiction is proposed to be annexed to another jurisdiction, the County shall request that LAFCO impose a requirement on the annexing jurisdiction that it shall enter into an agreement between the County, the annexing jurisdiction, USFWS and CDFW as part of the annexation process to ensure that annexation would only occur when the annexation will not jeopardize the buildout of the preserve or the coverage of species within either of the Planning Areas, or compromise viable habitat linkages within the proposed preserve, and that any development of the annexed lands proceeds in accordance with the

Planning Goals set out in section 3 of this Agreement and the Preliminary Conservation Goals set out in section 5 of this Agreement. The agreement shall also set forth the resulting responsibilities for ongoing maintenance and enforcement of the terms of this Agreement as they relate to the annexed land. Issuance of Take Authorizations to the annexing jurisdiction or amendment of the annexing jurisdiction's Take Authorizations, if any are already in place, may be required in order to authorize Take on the annexed land.

6.8 Implementation Agreement

The NCCPA requires that any NCCP Plan approved by CDFW include an Implementation Agreement that contains provisions for:

- conditions of species coverage;
- measures to ensure the long-term protection of habitat reserves and/or other conservation measures;
- implementation of mitigation and conservation measures;
- terms for suspension or revocation of the take permit;
- procedures to amend the Plan and Implementation Agreement;
- implementation of monitoring and adaptive management;
- oversight of Plan effectiveness and funding;
- periodic reporting; and
- annexation of lands.

While the Plans are being developed, the Parties will negotiate draft Implementation Agreements that will satisfy the requirements of the NCCPA and FESA and include specific provisions and procedures for the implementation, monitoring, and funding of the Plans. Drafts of the Implementation Agreements will be made available for public review and comment with the final public review draft of the Plans.

7. Commitment of Resources

7.1 Funding

The Parties agree that they will work together to bring available funding to the planning effort.

7.1.1 Local Funding

The Local Agency recognizes that, as prospective applicants for state and federal permits, they have the primary responsibility for developing plans that meets applicable legal requirements and that, as a result, the preparation and implementation of the Plans must be funded primarily from locally assured sources.

7.1.2 CDFW Assistance with Funding and CDFW Costs

CDFW agrees to cooperate with the other Parties in identifying and securing, where appropriate and available, federal and state funds earmarked for natural community conservation planning. The Parties agree

that the Local Agency shall not provide reimbursement to CDFW for its participation in the planning phase of the Plans as provided in Fish and Game Code, Section 2810, except as provided in Section 8.7 of this Planning Agreement. CDFW's commitments and obligations under this Planning Agreement are subject to the availability of appropriated funds and the written commitment of funds by an authorized CDFW representative.

7.1.3 USFWS Assistance with Funding

The USFWS agrees to cooperate with the other Parties in identifying and securing, where appropriate, federal and state funds earmarked for habitat conservation planning purposes. Potential federal funding sources may include: the USFWS' Cooperative Endangered Species Conservation Fund; Land and Water Conservation Fund; and land acquisition grants or loans through other federal agencies such as the Environmental Protection Agency, the Army Corps of Engineers, or the Departments of Agriculture or Transportation. The commitments of the USFWS under this Planning Agreement are subject to the requirements of the federal Anti-Deficiency Act (31 U.S.C. section 1341) and the availability of appropriated funds. The Parties acknowledge that this Planning Agreement does not require any federal agency to expend its appropriated funds unless and until an authorized officer of that agency provides for such expenditures in writing.

7.2 Expertise of Wildlife Agencies

Subject to funding and staffing constraints, the Wildlife Agencies agree to provide technical and scientific information, analyses, and advice to assist the Local Agency with the timely and efficient preparation of the Plans.

8. Miscellaneous Provisions

8.1 Public Officials Not to Benefit

No member of or delegate to Congress will be entitled to any share or part of this Planning Agreement, or to any benefit that may arise from it.

8.2 Statutory Authority

The Parties will not construe this Planning Agreement to require any Party to act beyond or in a manner inconsistent with its statutory authority.

8.3 Multiple Originals

This Planning Agreement may be executed by the Parties in multiple originals, each of which will be deemed to be an official original copy.

8.4 Effective Date

The Effective Date is the date by which all of the Parties to the Planning Agreement have signed it.

8.5 Duration

This Planning Agreement will be in effect until the Plans are approved and permitted by the Wildlife Agencies, but shall not be in effect for more than five

years following the Effective Date, unless extended by amendment. This Planning Agreement may be terminated pursuant to section 8.7 below.

8.6 Amendments

This Planning Agreement can be amended only by written agreement of all Parties.

8.7 Termination and Withdrawal

Subject to the requirement in Section 8.7.1 of the Planning Agreement, any party may withdraw from this Planning Agreement upon 30 days' written notice to the other Parties. The Planning Agreement will remain in effect as to all non-withdrawing Parties unless the remaining Parties determine that the withdrawal requires termination of the Planning Agreement. This Planning Agreement can be terminated only by written agreement of all Parties.

8.7.1 Funding

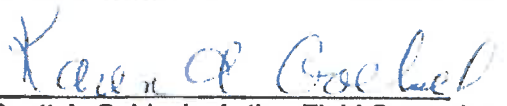
In the event that federal or state funds have been provided to assist with Plan preparation or implementation, any Party withdrawing from this Planning Agreement shall return to the granting agency unspent funds awarded to that Party prior to withdrawal. A withdrawing Party shall also provide the remaining Parties with a complete accounting of the use of any federal or state funds it received regardless of whether unspent funds remain at the time of withdrawal. In the event of termination of this Planning Agreement, all Parties who received funds shall return any unspent funds to the grantor prior to termination.

9. SIGNATURE

Dated: 5/13, 2014 COUNTY OF SAN DIEGO

By: 
Sarah Aghassi, Deputy Chief Administrative Officer

Dated: 5-12, 2014 UNITED STATE FISH AND WILDLIFE SERVICE

By: 
Fern Scott A. Sobiech, Acting Field Supervisor, Carlsbad
Field Office

Dated: 5/16, 2014 CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

By: 
Sandy Morey, Deputy Director

EXHIBIT J

PART SIX: GENERAL REGULATIONS

GENERAL PROVISIONS

6000 TITLE AND PURPOSE.

The provisions of Section 6000 through Section 6999, inclusive, shall be known as the General Regulations. The purpose of these provisions is to set forth certain of the regulations which apply throughout the County or in several zones, and to clarify and amplify additional regulations applying within San Diego County.

6005 APPLICATION.

The General Regulations apply to all zones and all uses of land unless otherwise stated. Violation of the General Regulations is a violation of the Zoning Ordinance.

6010 OFFICIAL ZONE MAP.

The boundaries of all zones shall be shown on an Official Zone Map maintained by the Director. Whenever the boundaries of zones are changed, or property is reclassified to another zone, the Director shall alter the Official Zone Map to reflect such changes.

6015 UNCERTAINTY OF BOUNDARIES.

Where uncertainty exists as to the boundaries of any zone, the following rules of construction shall apply:

- a. Along Line. Where such boundaries are indicated as approximately following street and alley lines or lot lines, such lines shall be construed to be such boundaries.
- b. Unsubdivided Property. Where a zone boundary divides a lot, or parcel, the location of such boundaries, unless the same are indicated by dimension, shall be determined by the use of the scale appearing on said zoning map.
- c. Vacated or Abandoned Street or Alley. Where a public street or alley is officially vacated or abandoned, the area of comprising such vacated street or alley shall acquire the classification of the property to which it reverts.

Senior High School Auditorium, Basketball Stadium, or Football Stadium <i>(whichever has the greatest occupancy)</i> Bicycle Parking	The Sum of the Following: 1 Parking space per employee 15 Parking spaces for visitors 0.25 Parking spaces per student 0.2 Parking space per seat minus employee, visitor, and student spaces provided above 0.1 Bike space per student
College and University (Educational institutions beyond the 12 th grade) Auditorium, Basketball Stadium, or Football Stadium <i>(whichever has the greatest occupancy)</i> Bicycle Parking	The Sum of the Following: 0.7 Parking spaces per faculty member/staff 0.3 Parking spaces per student 25 Parking spaces for visitors 0.2 Parking space per seat minus employee, visitor, and student spaces provided above 0.05 Bike space per student
Other Educational Institutions Including Private or Charitable Institutions Offering Instruction, Training, or Learning Opportunities <i>When located in a commercial center consisting of 10 KSF GFA or more and this use does not comprise more than 25% of the total GFA of the commercial center, this section does not apply. See Section 6762 Retail Sales and Services.</i> Bicycle Parking	1 Parking space per employee plus The Greater of the Following: 0.5 Parking space per student/trainee, OR 0.3 Parking space per KSF GFA 0.1 Bike space per student
MEDICAL CARE FACILITIES	
Hospital Acute, General Bicycle Parking	2.5 Parking spaces per bed 0.05 Bike space per car space but not less than 3
Medical Office Bicycle Parking	5 Parking spaces per KSF GFA 0.1 Bike space per car space but not less than 3
Other Medical Care Facilities Other Facilities Providing Overnight Medical Care (e.g. mental/psychiatric institutions, intermediate care homes, nursing homes, etc.) Bicycle Parking	0.33 Parking spaces per bed 0.05 Bike space per car space but not less than 3

Note: KSF GFA: Thousand Square Feet of Gross Floor Area

(Added by Ord. No. 10251 (N.S.) adopted 2-6-13. Formerly Sec. 6766, 6770 & 6772.)

EXHIBIT K

Site requirements for grades nine through twelve (cont)

Type of Outdoor Facility	Enrollment 1201 to 1400 Facilities Required	Enrollment 1401 to 1600 Facilities Required	Enrollment 1601 to 1800 Facilities Required	Enrollment 1801 to 2000 Facilities Required	Enrollment 2001 to 2200 Facilities Required	Enrollment 2201 to 2400 Facilities Required
G Field Area 260 feet by 260 feet						
H Field Area 260 feet by 460 feet	2	2	3	3	3	3
K Hardcourt Area 100 feet by 120 feet	3	3	3	4	4	4
L Field Area 360 feet by 360 feet	1	1	1	1	1	1
M Field Area 300 feet by 750 feet	1	1	1	1	1	1
N Hardcourt Area 100 feet by 110 feet	6	6	7	7	7	8
O Field Area 200 feet by 360 feet	1	1	1	1	2	2
P Apparatus Area 1000 square feet	5	5	6	6	7	7
Percentage factor for layout	15	15	15	15	10	10

Site requirements for grades nine through twelve (cont)

Area Use	Enrollment up to 400 Usable Acres Required	Enrollment 401 to 600 Usable Acres Required	Enrollment 601 to 800 Usable Acres Required	Enrollment 801 to 1000 Usable Acres Required	Enrollment 1001 to 1200 Usable Acres Required
Physical Education	13.8	15.6	17.6	19.5	19.8
Buildings and Grounds	3.3	4.0	5.1	6.3	7.6
Parking and Roads	2.1	3.6	4.4	5.2	6.1
Total acres without CSR	19.2	23.2	27.1	31.0	33.5
Added Buildings and Grounds for CSR	0.4	0.6	0.8	1.0	1.2
Added Parking and Roads for CSR	0.1	0.2	0.2	0.3	0.3
Total acres with CSR	19.7	24.0	28.1	32.3	35.0

Site requirements for grades nine through twelve (cont)

Area Used	Enrollment 1201 to 1400 Usable Acres Required	Enrollment 1401 to 1600 Usable Acres Required	Enrollment 1601 to 1800 Usable Acres Required	Enrollment 1801 to 2000 Usable Acres Required	Enrollment 2001 to 2200 Usable Acres Required	Enrollment 2201 to 2400 Usable Acres Required
Physical Education	20.4	20.4	23.9	24.2	25.0	25.3
Buildings and Grounds	8.9	10.1	11.4	12.7	13.9	15.2
Parking and Roads	7.1	8.2	9.2	10.2	11.2	12.2
Total acres without CSR	36.4	38.7	44.5	47.1	50.1	52.7
Added Buildings and Grounds for CSR	1.4	1.6	1.8	2.0	2.1	2.3

Added Parking and Roads for CSR	0.4	0.5	0.5	0.6	0.6	0.7
Total acres with CSR	38.2	40.8	46.8	49.7	52.8	55.7

Note: If field area L, Baseball Field, includes bleachers and dugouts, the site should be increased 0.3 acres.

If field area M, Football Field and Track, includes a stadium, the site should be increased by 1.7 acres.

If the school program includes aquatics and requires both swimming and diving pools, the site should be increased 0.6 acres.

Table 7 - Site Requirements for County Community Schools, Community Day Schools, and Continuation High Schools

Area Use	Enrollment 5 to 20 Square Feet and Usable Acres Required	Enrollment 21 to 40 Square Feet and Usable Acres Required	Enrollment 41 to 60 Square Feet and Usable Acres Required	Enrollment 61 to 90 Square Feet and Usable Acres Required	Enrollment 91 to 120 Square Feet and Usable Acres Required	Enrollment 121 to 150 Square Feet and Usable Acres Required	Enrollment Over 150 Square Feet and Usable Acres Required
Buildings and Grounds in Square Feet	5,000	10,000	15,000	20,000	28,000	34,000	34,000 plus 200 square feet per pupils in excess of 150 enrollment
Parking and Roads in Square Feet	8,000	16,000	24,000	36,000	48,000	60,000	400 square feet per pupil for the total number of pupils
Physical Education in Square Feet	16,000	16,000	24,000	36,000	48,000	60,000	400 square feet per pupil for the total number of pupils
Total Square Feet Recommended	29,000	42,000	63,000	92,000	124,000	154,000	
Acres	0.7	1.0	1.5	2.2	2.9	3.6	

Figure 1. Basic Unit A (Illustrated)

Basic Unit A space module is 90 feet by 120 feet. Instructor may mark courts with chalk lines to make one teaching station of end soccer 60 feet by 100 feet or one teaching station of two hand polo courts 40 feet by 60 feet or other field games as desired for grades 1, 2, 3

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Figure 2. Field Areas for Grades 1, 2, and 3 (Illustrated)

Use one Unit A space module that is 90 feet by 120 feet (10,800 square feet) for an enrollment up to 150.

Use two Unit A space modules (each module 90 feet by 120 feet for a total of 21,600 square feet) for a maximum enrollment of 300. The two units are placed side by side.

Use three Unit A space modules (each module 90 feet by 120 feet for a total of 32,400 square feet) for a maximum enrollment of 450. The three units are placed side by side.

Use four Unit A space modules (each module 90 feet by 120 feet for a total of 43,200 square feet) for a maximum enrollment of 600. The four units could be placed side by side or placed as a square.

The modules may be blocked into various geometrical patterns or planned as separate units. The architect is free to make the site layout as he/she thinks best, provided the appropriate number of modules is included and the facilities are identified and dimensioned.

Figure 3. Basic Unit B (Illustrated)

Basic Unit B space module is 60 feet by 75 feet. The layout of the Basic Unit B module will vary.

A sample of the Basic Unit B space module is illustrated showing some typical activities for 75 children. The activities show an area that is 20 feet by 75 feet for running and relays (four lanes), another area that is 15 feet by 40 feet for hopscotch and shuffleboard (the shuffleboard is 6 feet by 40 feet), and an area that is 20 feet by 40 feet showing four-square court and a tetherball court, and one area that is 40 feet by 40 feet to be used as the instructor sees fit.

Figure 4. Hardcourt Areas for Grades 1, 2, and 3 (Illustrated)

Use one Unit B space module that is 60 feet by 75 feet (4,500 square feet) for an enrollment up to 75.

Use two Unit B space modules (each module 60 feet by 75 feet for a total of 9,000 square feet) for a maximum enrollment of 150. The two units are placed side by side.

Use four Unit B space modules (each module 60 feet by 75 feet for a total of 18,000 square feet) for a maximum enrollment of 300. The four units are placed side by side.

Use six Unit B space modules (each module 60 feet by 75 feet for a total of 27,000 square feet) for a maximum enrollment of 450. Three units could be placed side by side with the three additional units placed beneath.