

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

APPENDIX N

**APPLICABLE POLICIES GUIDING PROJECT
DEVELOPMENT**

for the

**PUBLIC REVIEW
DRAFT ENVIRONMENTAL IMPACT REPORT**

PDS2004-3300-04-004 (MUP);
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Prepared for:

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Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN		
<p><u>Land Use Element</u> Goal LU-5 Climate Change and Land Use. A land use plan and associated development techniques and patterns that reduce emissions of local greenhouse gases in accordance with State initiatives, while promoting public health.</p> <p>Policies</p> <p>LU-5.2 Sustainable Planning and Design. Incorporate into new development sustainable planning and design.</p> <p>LU-5.3 Rural Land Preservation. Ensure the preservation of existing open space and rural areas (e.g., forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, and groundwater recharge areas) when permitting development under the Rural and Semi-Rural Land Use Designations.</p>	<p>The Project has been designed to incorporate measures to reduce emissions of local GHG emissions, including water conservation design features to reduce water usage and associated GHG emissions.</p> <p>Extensive on-site preserved open space abutting the Project impact footprint (i.e., the Otay Hills Conservation Area [OHCA]), within the larger Project site, would serve as mitigation for biological impacts, helping to ensure preservation of contiguous regionally significant open space corridors. See Subchapter 4.3, <i>Biological Resources</i>, for further details.</p>	<p>Yes</p>

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Land Use Element (cont.)</u> Goal LU-6 Development—Environmental Balance. A built environment in balance with the natural environment, scarce resources, natural hazards, and the unique local character of individual communities.</p> <p>Policies</p> <p>LU-6.1 Environmental Sustainability. Require the protection of intact or sensitive natural resources in support of the long-term sustainability of the natural environment.</p> <p>LU-6.5 Sustainable Stormwater Management. Ensure that development minimizes the use of impervious surfaces and incorporates other Low Impact Development techniques as well as a combination of site design, source control, and stormwater best management practices, where applicable and consistent with the County’s LID Handbook.</p> <p>LU-6.6 Integration of Natural Features into Project Design. Require incorporation of natural features (including mature oaks, indigenous trees, and rock formations) into proposed development and require avoidance of sensitive environmental resources.</p>	<p>Extensive on-site preserved open space abutting the Project impact footprint (i.e., OHCA), within the larger Project site, would serve as mitigation for biological impacts, helping to ensure preservation of sensitive natural resources and features, as well as the regional open space network. See Subchapter 4.3, <i>Biological Resources</i>, for further details.</p> <p>The Proposed Project would be designed to conform to prevailing growth, storm water and water quality policies. See Subchapter 4.2, <i>Hydrology/Water Quality</i>, for more discussion of hydrology and water quality impacts.</p>	<p>Yes</p>

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Land Use Element (cont.)</u> LU-6.7 Open Space Network. Require projects with open space to design contiguous open space areas that protect wildlife habitat and corridors; preserve scenic vistas and areas; and connect with existing or planned recreational opportunities.</p> <p>LU-6.9 Development Conformance with Topography. Require development to conform to the natural topography to limit grading; incorporate and not significantly alter the dominant physical characteristics of a site; and to utilize natural drainage and topography in conveying stormwater to the maximum extent practicable.</p> <p>LU-6.10 Protection from Hazards. Require that development be located and designed to protect property and residents from the risks of natural and man-induced hazards.</p> <p>LU-6.11 Protection from Wildfires and Unmitigable Hazards. Assign land uses and densities in a manner that minimizes development in extreme, very high and high fire threat areas or other unmitigable hazardous areas.</p>		

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Land Use Element (cont.)</u> GOAL LU-10 Function of Semi-Rural and Rural Lands. Semi-Rural and Rural Lands that buffer communities, protect natural resources, foster agriculture, and accommodate unique rural communities.</p> <p>Policies</p> <p>LU-10.2 Development—Environmental Resource Relationship. Require development in Semi-Rural and Rural areas to respect and conserve the unique natural features and rural character and avoid sensitive or intact environmental resources and hazard areas.</p> <p>LU-10.4 Commercial and Industrial Development. Limit the establishment of commercial and industrial uses in Semi-Rural and Rural areas that are outside of Villages (including Rural Villages) to minimize vehicle trips and environmental impacts.</p>	<p>The Project includes a large area of on-site preserved open space (i.e., OHCA), which would abut the Project impact footprint. This area would be conserved and avoiding a large area of sensitive environmental resources. See Subchapter 4.3 for further details.</p> <p>The Project site is located within an area that is designated for rural uses. Some of this area would be included in the Project impact footprint, and would result in construction and mining activities. However, much of the land designated for rural uses is located within the preserved portion of the site. Environmental impacts within the Project impact footprint would be less than significant or would be reduced to less than significant levels (where feasible), with the implementation of mitigation measures identified for each environmental topic in Chapter 4.0, <i>Environmental Impacts/Environmental Consequences and Mitigation</i>. Site operations for the Proposed Project would employ approximately 10 to 15 people, which would not generate a significant amount of vehicle trips. Vehicle trips associated with extraction activities are discussed in Subchapter 4.7, <i>Traffic/Circulation</i>. All traffic impacts would be reduced to a less than significant level through incorporation of mitigation measures.</p>	<p>Yes</p>

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Land Use Element (cont.)</u> GOAL LU-12 Infrastructure and Services Supporting Development. Adequate and sustainable infrastructure, public facilities, and essential services that meet community needs and are provided concurrent with growth and development.</p> <p>Policies</p> <p>LU-12.1 Concurrency of Infrastructure and Services with Development. Require the provision of infrastructure, facilities, and services needed by new development prior to that development, either directly or through fees. Where appropriate, the construction of infrastructure and facilities may be phased to coincide with project phasing.</p> <p>LU-12.2 Maintenance of Adequate Services. Require development to mitigate significant impacts to existing service levels of public facilities or services for existing residents and businesses. Provide improvements for Mobility Element roads in accordance with the Mobility Element Network Appendix matrices, which may result in ultimate build-out conditions that achieve an improved LOS but do not achieve a LOS of D or better.</p>	<p>The planning and design of the Project has involved early cooperation and coordination with the required providers of public services and utilities. The final approval of all proposed discretionary actions and permits for on-site improvements would be predicated on the assurance of efficient, economic and timely provision of required public services and utilities.</p> <p>The proposed Project would result in significant direct and significant cumulative impacts associated with traffic. All traffic impacts would be reduced to a less than significant level through incorporation of mitigation measures.</p>	<p>Yes</p>

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Land Use Element (cont.)</u> LU-12.3 Infrastructure and Services Compatibility. Provide public facilities and services that are sensitive to the environment with characteristics of the unincorporated communities. Encourage the collocation of infrastructure facilities, where appropriate.</p>		
<p>GOAL LU-13 Adequate Water Quality, Supply, and Protection. A balanced and regionally integrated water management approach to ensure the long-term viability of San Diego County’s water quality and supply.</p> <p>Policies</p> <p>LU-13.1 Adequacy of Water Supply. Coordinate water infrastructure planning with land use planning to maintain an acceptable availability of a high quality sustainable water supply. Ensure that new development includes both indoor and outdoor water conservation measures to reduce demand.</p> <p>LU-13.2 Commitment of Water Supply. Require new development to identify adequate water resources, in accordance with State law, to support the development prior to approval.</p>	<p>The planning and design of the Project has involved early cooperation and coordination with the required providers of public services and utilities. The final approval of all proposed discretionary actions and permits for on-site improvements would be predicated on the assurance of efficient, economic and timely provision of required public services and utilities. A Service Availability Letter from OWD dated January 2002 identified adequate water resources were available for the Proposed Project with annexation into Improvement District 7.</p>	<p>Yes</p>

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Conservation and Open Space Element</u> GOAL COS-2 Sustainability of the Natural Environment. Sustainable ecosystems with long-term viability to maintain natural processes, sensitive lands, and sensitive as well as common species, coupled with sustainable growth and development.</p> <p>COS-2.1 Protection, Restoration and Enhancement. Protect and enhance natural wildlife habitat outside of preserves as development occurs according to the underlying land use designation. Limit the degradation of regionally important natural habitats within the Semi-Rural and Rural Lands regional categories, as well as within Village lands where appropriate.</p> <p>COS-2.2 Habitat Protection through Site Design. Require development to be sited in the least biologically sensitive areas and minimize the loss of natural habitat through site design.</p>	<p>A Biological Technical Report was prepared for the Proposed Project. With implementation of the mitigation measures listed in Subchapter 4.3 for significant impacts to sensitive biological resources pursuant to the regulations and requirements of the Corps, CDFW and County, all project-specific impacts would be mitigated to less than significant levels. The Proposed Project would therefore be consistent with these Conservation and Open Space Element policies. The Proposed Project also includes a reclamation plan specifically addressing the post-extraction enhancement of vegetation and wildlife.</p>	<p>Yes</p>

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Conservation and Open Space Element (cont.)</u> GOAL COS-3 Protection and Enhancement of Wetlands. Wetlands that are restored and enhanced and protected from adverse impacts.</p> <p>Policies</p> <p>COS-3.1 Wetland Protection. Require development to preserve existing natural wetland areas and associated transitional riparian and upland buffers and retain opportunities for enhancement.</p> <p>COS-3.2 Minimize Impacts of Development. Require development projects to:</p> <ul style="list-style-type: none"> • Mitigate any unavoidable losses of wetlands, including its habitat functions and values; and • Protect wetlands, including vernal pools, from a variety of discharges and activities, such as dredging or adding fill material, exposure to pollutants such as nutrients, hydromodification, land and vegetation clearing, and the introduction of invasive species. 	<p>The proposed Project would result in significant impacts to wetlands, as discussed in Subchapter 4.3. However, mitigation provided in Subchapter 4.3, would reduce impacts associated with jurisdictional impacts to a less than significant level.</p>	<p>Yes</p>

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Conservation and Open Space Element (cont.)</u> GOAL COS-4 Water Management. A balanced and regionally integrated water management approach to achieve the long-term viability of the County’s water quality and supply.</p> <p>Policies</p> <p>COS-4.3 Stormwater Filtration. Maximize stormwater filtration and/or infiltration in areas that are not subject to high groundwater by maximizing the natural drainage patterns and the retention of natural vegetation and other pervious surfaces. This policy shall not apply in areas with high groundwater, where raising the water table could cause septic system failures, moisture damage to building slabs, and/or other problems.</p>	<p>The Proposed Project has been designed to conform to prevailing storm water and water quality policies. The overall existing surface drainage patterns and flow directions at the Project site would not be altered in the ultimate (post-Project) condition, although several small, ephemeral on-site drainages would be affected during Project operations. During extraction and related operations, surface flows in the central and southern portions of the impact footprint that enter the pit would be retained, and would either infiltrate or evaporate. The associated effects to drainage patterns in these areas would be minor, however, due to the small size and ephemeral nature of the subject drainages, as well as the limited amount of associated runoff.</p>	<p>Yes</p>

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Conservation and Open Space Element (cont.)</u> GOAL COS-5 Protection and Maintenance of Water Resources. Protection and maintenance of local reservoirs, watersheds, aquifer- recharge areas, and natural drainage systems to maintain high-quality water resources.</p> <p>Policies</p> <p>COS-5.2 Impervious Surfaces. Require development to minimize the use of directly connected impervious surfaces and to retain stormwater run-off caused from the development footprint at or near the site of generation.</p> <p>COS-5.3 Downslope Protection. Require development to be appropriately sited and to incorporate measures to retain natural flow regimes, thereby protecting downslope areas from erosion, capturing runoff to adequately allow for filtration and/or infiltration, and protecting downstream biological resources.</p> <p>COS-5.4 Invasive Species. Encourage the removal of invasive species to restore natural drainage systems, habitats, and natural hydrologic regimes of watercourses.</p>	<p>The Proposed Project would be designed to conform to prevailing storm water and water quality policies. Impervious surfaces on site would be limited to minor (and temporary) areas associated with material processing facilities (e.g., crushers, etc.), administration structures (e.g., the on-site office trailer), and compaction of unpaved vehicle-equipment access and parking areas. The overall existing surface drainage patterns and flow directions at the Project site would not be altered in the ultimate (post-Project) condition, thereby providing downslope protection. Revegetation would be accomplished using native or non-invasive non-native species. The Proposed Project would comply with all stormwater requirements, ensuring no significant impacts to water quality would occur. Refer to Subchapter 4.2, <i>Hydrology/Water Quality</i>, for a detailed discussion on the Proposed Project’s stormwater filtration.</p>	<p>Yes</p>

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Conservation and Open Space Element (cont.)</u> COS-5.5 Impacts of Development to Water Quality. Require development projects to avoid impacts to the water quality in local reservoirs, groundwater resources, and recharge areas, watersheds, and other local water sources.</p>		
<p>GOAL COS-7 Protection and Preservation of Archaeological Resources. Protection and preservation of the County’s important archeological resources for their cultural importance to local communities, as well as their research and educational potential.</p> <p>Policies</p> <p>COS-7.1 Archaeological Protection. Preserve important archaeological resources from loss or destruction and require development to include appropriate mitigation to protect the quality and integrity of these resources.</p> <p>COS-7.2 Open Space Easements. Require development to avoid archeological resources whenever possible. If complete avoidance is not possible, require development to fully mitigate impacts to archaeological resources.</p>	<p>A Cultural Resources Survey was prepared for the Project site indicating the presence of several significant archaeological sites, which would be impacted by the Proposed Project. All impacts would be mitigated to less than significant levels. Refer to Subchapter 4.4, <i>Cultural Resources</i>, for details and discussion of mitigation.</p>	<p>Yes</p>

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Conservation and Open Space Element (cont.)</u> COS-7.3 Archaeological Collections. Require the appropriate treatment and preservation of archaeological collections in a culturally appropriate manner</p> <p>COS-7.4 Consultation with Affected Communities. Require consultation with affected communities, including local tribes to determine the appropriate treatment of cultural resources.</p> <p>COS-7.5 Treatment of Human Remains. Require human remains be treated with the utmost dignity and respect and that the disposition and handling of human remains will be done in consultation with the Most Likely Descendant (MLD) and under the requirements of Federal, State and County Regulations.</p> <p>COS-7.6 Cultural Resource Data Management. Coordinate with public agencies, tribes, and institutions in order to build and maintain a central database that includes a notation whether collections from each site are being curated, and if so, where, along with the nature and location of cultural resources throughout the County of San Diego.</p>		

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Conservation and Open Space Element (cont.)</u> GOAL COS-9 Educational and Scientific Uses. Paleontological resources and unique geologic features conserved for educational and/or scientific purposes.</p> <p>Policies</p> <p>COS-9.1 Preservation. Require the salvage and preservation of unique paleontological resources when exposed to the elements during excavation or grading activities or other development processes.</p> <p>COS-9.2 Impacts of Development. Require development to minimize impacts to unique geological features from human related destruction, damage, or loss.</p>	<p>A Cultural Resources Survey was prepared for the Project site indicating the presence of the Tertiary Otay Formation at the Project site provides the potential for significant impacts to paleontological resources. This impact would be mitigated to less than significant levels. Refer to Subchapter 4.4 for details and discussion of mitigation.</p>	<p>Yes</p>

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Conservation and Open Space Element (cont.)</u> GOAL COS-10 Protection of Mineral Resources. The long-term production of mineral materials adequate to meet the local County average annual demand, while maintaining permitted reserves equivalent to a 50-year supply, using operational techniques and site reclamation methods consistent with SMARA standards such that adverse effects on surrounding land uses, public health, and the environment are minimized.</p> <p>Policies</p> <p>COS-10.1 Siting of Development. Encourage the conservation (i.e., protection from incompatible land uses) of areas designated as having substantial potential for mineral extraction. Discourage development that would substantially preclude the future development of mining facilities in these areas. Design development or uses to minimize the potential conflict with existing or potential future mining facilities. For purposes of this policy, incompatible land uses are defined by SMARA Section 3675.</p>	<p>The Proposed Project would be sited in an area suitable for mineral resource extraction. There are no incompatible land uses located adjacent to the Project site. The Proposed Project would not restrict road access to other mining facilities, areas designated for extraction, or to areas classified MRZ-2 or MRZ-3.</p> <p>The Proposed Project includes the preparation of a Reclamation Plan. The Otay Hills Reclamation Plan (EnviroMINE 2018a) is contained in Appendix B of this EIR and describes the phased reclamation of extraction areas and sets forth standards to assure adequacy of the plan measures.</p> <p>The Proposed Project would include extraction and processing of construction aggregate, and would be consistent with the County’s goal to establish permitted aggregate resources that are sufficient to satisfy 50 years of County demand.</p>	<p>Yes</p>

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Conservation and Open Space Element (cont.)</u> COS-10.2 Protection of State-Classified or Designated Lands. Discourage development or the establishment of other incompatible land uses on or adjacent to areas classified or designated by the State of California as having important mineral resources (MRZ-2), as well as potential mineral lands identified by other government agencies. The potential for the extraction of substantial mineral resources from lands classified by the State of California as areas that contain mineral resources (MRZ-3) shall be considered by the County in making land use decisions.</p> <p>COS-10.3 Road Access. Prohibit development from restricting road access to existing mining facilities, areas classified MRZ-2 or MRZ-3 by the State Geologist, or areas identified in the County Zoning Ordinance for potential extractive use in accordance with SMARA section 2764.a.</p> <p>COS-10.4 Compatible Land Uses. Discourage the development of land uses that are not compatible with the retention of mining or recreational access to non-aggregate mineral deposits.</p>		

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Conservation and Open Space Element (cont.)</u> COS-10.5 Reclamation Plans. Require all mining projects to be conducted in accordance with a reclamation plan that meets the minimum reclamation standards required by the California <i>Surface Mining and Reclamation Act</i> and the associated State Mining and Geology Board regulations. Require the reclamation plan to include a phasing plan that provides for the completion of the surface mining on each segment of the mined lands so that the reclamation can be initiated at the earliest possible time on those portions of the mined lands that will not be subject to further disturbance by the surface mining operation.</p> <p>COS-10.6 Conservation of Construction Aggregate. Encourage the continued operation of existing mining facilities and streamline the permitting of new mining facilities consistent with the goal to establish permitted aggregate resources that are sufficient to satisfy 50 years of County demand.</p> <p>COS-10.7 Recycling of Debris. Encourage the installation and operation of C&D debris recycling facilities as an accessory use at permitted (or otherwise authorized) mining facilities to increase the supply of available mineral resources.</p>		

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Conservation and Open Space Element (cont.)</u> COS-10.8 New Mining Facilities. Develop specific permit types and procedures for the authorization of new mining facilities that recognize the inherent physical effects of mining operations and the public necessity for available mineral resources adequate to meet local demand, in accordance with PRC Section 2762.</p>		
<p>GOAL COS-11 Preservation of Scenic Resources. Preservation of scenic resources, including vistas of important natural and unique features, where visual impacts of development are minimized.</p> <p>Policies</p> <p>COS-11.1 Protection of Scenic Resources. Require the protection of scenic highways, corridors, regionally significant scenic vistas, and natural features, including prominent ridgelines, dominant landforms, reservoirs, and scenic landscapes.</p>	<p>The existing visual environment in the area surrounding the Project impact footprint is composed of a large, flat mesa area and the foothills and ridgelines of the San Ysidro Mountains. During Project operation, the brightly colored equipment and the blue-gray exposed soil and rock would be strongly contrasting elements that would interrupt the continuity of the flowing lines between the mesa and the mountains. Post reclamation, the contrast would not be as strong due to the staining and vegetation proposed by the Reclamation Plan, although the slopes would still be noticeable. The smaller scale of the Proposed Project elements in relation to the mountains and mesa that comprise the vivid overall view would ensure that the Proposed Project post-reclamation would not impact the vividness of the area. Additionally, the Proposed Project elements would not interrupt views of the largest, silhouetted mountains; these would continue to provide the dominant background in eastward views of the area. Refer to Subchapter 4.10, <i>Aesthetics</i>, for a more detailed discussion of visual impacts associated with the Proposed Project.</p>	<p>Yes</p>

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Conservation and Open Space Element (cont.)</u> COS-11.3 Development Siting and Design. Require development within visually sensitive areas to minimize visual impacts and to preserve unique or special visual features, particularly in rural areas, through the following:</p> <ul style="list-style-type: none"> • Creative site planning • Integration of natural features into the project • Appropriate scale, materials, and design to complement the surrounding natural landscape • Minimal disturbance of topography • Clustering of development so as to preserve a balance of open space vistas, natural features, and community character. • Creation of contiguous open space networks 		

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Conservation and Open Space Element (cont.)</u> GOAL COS-13 Dark Skies. Preserved dark skies that contribute to rural character and are necessary for the local observatories.</p> <p>Policies</p> <p>COS-13.1 Restrict Light and Glare. Restrict outdoor light and glare from development projects in Semi-Rural and Rural Lands and designated rural communities to retain the quality of night skies by minimizing light pollution.</p> <p>COS-13.2 Palomar and Mount Laguna. Minimize, to the maximum extent feasible, the impact of development on the dark skies surrounding Palomar and Mount Laguna observatories to maintain dark skies which are vital to these two world-class observatories by restricting exterior light sources within the impact areas of the observatories.</p>	<p>The Project site is located more than 15 miles from Mts. Palomar and Laguna, and is therefore within the Outdoor Lighting Ordinance Zone B. Consistent with the County of San Diego Outdoor Lighting Ordinance (Division 9, Sections 59.101-59.15 of the San Diego County ZO) and this Conservation and Open Space Element policy, outdoor lighting at the Project site, such as security lighting, would be low-sodium, less than 4,050 lumens and fully shielded. See Subchapter 4.10 for more discussion of this issue.</p>	<p>Yes</p>

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Conservation and Open Space Element (cont.)</u> GOAL COS-14 Sustainable Land Development. Land use development techniques and patterns that reduce emissions of criteria pollutants and GHGs through minimized transportation and energy demands, while protecting public health and contributing to a more sustainable environment.</p> <p>Policies</p> <p>COS-14.8 Minimize Air Pollution. Minimize land use conflicts that expose people to significant amounts of air pollutants.</p> <p>COS-14.9 Significant Producers of Air Pollutants. Require projects that generate potentially significant levels of air pollutants and/or GHGs such as quarries, landfill operations, or large land development projects to incorporate renewable energy, and the best available control technologies and practices into the project design.</p> <p>COS-14.10 Low-Emission Construction Vehicles and Equipment. Require County contractors and encourage other developers to use low-emission construction vehicles and equipment to improve air quality and reduce GHG emissions.</p>	<p>The Proposed Project would not be located directly adjacent to any sensitive receptors and would not result in any land conflicts that expose people to significant amounts of air pollutants. The Proposed Project includes the use of dust control systems utilizing BACT, as well as a number of other BMPs as part of the project design to reduce operational air pollutants. Construction contractors would be encouraged to use low-emission construction vehicles and equipment during the construction of the Proposed Project. See Subchapter 4.6, <i>Air Quality</i>, for more discussion of air quality impacts.</p>	<p>Yes</p>

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Safety Element</u> GOAL S-3 Minimized Fire Hazards. Minimize injury, loss of life, and damage to property resulting from structural or wildland fire hazards.</p> <p>Policies</p> <p>S-3.1 Defensible Development. Require development to be located, designed, and constructed to provide adequate defensibility and minimize the risk of structural loss and life safety resulting from wildland fires.</p> <p>S-3.2 Development in Hillsides and Canyons. Require development located near ridgelines, top of slopes, saddles, or other areas where the terrain or topography affect its susceptibility to wildfires to be located and designed to account for topography and reduce the increased risk from fires.</p> <p>S-3.3 Minimize Flammable Vegetation. Site and design development to minimize the likelihood of a wildfire spreading to structures by minimizing pockets or peninsulas, or islands of flammable vegetation within a development.</p>	<p>The Proposed Project itself would not involve the development of any permanent structures that might be vulnerable to wildfires; structures on site would consist of mining and processing equipment and a modular office trailer. However, existing vegetation near these structures would be cleared in preparation for mining activities, creating a buffer at least 100 feet wide. As noted in Subchapter 4.8, <i>Hazardous Materials, Public Health and Safety</i>, a fire originating at the project site could present a public safety impact to nearby inhabited residential, commercial, or industrial structures, the closest of which is the Calpine Power Plant located approximately 65 feet from the northwestern boundary of the Project impact footprint. Mitigation measures would be implemented to reduce this hazard to a less than significant level. These measures include clearing of vegetation and the maintenance of a vegetation management zone, as well as maintenance of vegetation to ensure adequate road clearance. Access roads would be provided and would comply with County Fire Code Section 902. Fire protection services would be provided to the site by SDRFPD, which has a facility located within five minutes travel time of the site.</p>	<p>Yes</p>

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Safety Element (cont.)</u></p> <p>S-3.4 Service Availability. Plan for development where fire and emergency services are available or planned.</p> <p>S-3.5 Access Roads. Require development to provide additional access roads when necessary to provide for safe access of emergency equipment and civilian evacuation concurrently.</p> <p>S-3.6 Fire Protection Measures. Ensure that development located within fire threat areas implement measures that reduce the risk of structural and human loss due to wildfire.</p> <p>S-3.7 Fire Resistant Construction. Require all new, remodeled, or rebuilt structures to meet current ignition resistance construction codes and establish and enforce reasonable and prudent standards that support retrofitting of existing structures in high fire threat areas.</p>		

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Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Safety Element (cont.)</u> GOAL S-4 Managed Fuel Loads. Managed fuel loads, including ornamental and combustible vegetation.</p> <p>Policies</p> <p>S-4.1 Fuel Management Programs. Support programs consistent with State law that require fuel management/ modification within established defensible space boundaries and when strategic fuel modification is necessary outside of defensible space, balance fuel management needs to protect structures with the preservation of native vegetation and sensitive habitats.</p> <p>S-4.2 Coordination to Minimize Fuel Management Impacts. Consider comments from CAL FIRE, U.S. Forest Service, local fire districts, and wildlife agencies for recommendations regarding mitigation for impacts to habitat and species into fuel management projects.</p>	<p>The Proposed Project includes the establishment of a vegetation management zone of at least 100 feet wide around all processing and management facilities. These zones would be installed during construction and would be maintained annually. An annual vegetation management inspection would be conducted to assure compliance with the Conceptual Fire Protection Plan. The report would also be submitted to the SDRFPD Fire Chief and the County PDS Fire Marshal.</p>	<p>Yes</p>

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Safety Element (cont.)</u> GOAL S-6 Adequate Fire and Medical Services. Adequate levels of fire and emergency medical services (EMS) in the unincorporated County.</p> <p>Policies</p> <p>S-6.1 Water Supply. Ensure that water supply systems for development are adequate to combat structural and wildland fires.</p>	<p>The mitigation measure identified for reducing fire hazards associated with the Proposed Project to a less than significant level includes the requirement for installation of a fire hydrant at the intersection nearest to the site. The installation of an operable fire hydrant is required prior to the introduction of combustible material to the site.</p>	Yes
<p>GOAL S-7 Reduced Seismic Hazards. Minimized personal injury and property damage resulting from seismic hazards.</p> <p>Policies</p> <p>S-7.1 Development Location. Locate development in areas where the risk to people or resources is minimized. In accordance with the California Department of Conservation Special Publication 42, require development be located a minimum of 50 feet from active or potentially active faults, unless an alternative setback distance is approved based on geologic analysis and feasible engineering design measures adequate to demonstrate that the fault rupture hazard would be avoided.</p>	<p>A Geotechnical Evaluation Report was prepared for the Proposed Project. Implementation of design measures defined in the report would avoid or reduce potential geologic and soils impacts to less than significant levels. Furthermore, there would be no permanent residential, commercial or institutional structures on site that could be subject to seismic risk or damage. The Proposed Project would, therefore, be consistent with all relevant Safety Element goals.</p>	Yes

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Safety Element (cont.)</u> S-7.2 Engineering Measures to Reduce Risk. Require all development to include engineering measures to reduce risk in accordance with the California Building Code, Uniform Building Code, and other seismic and geologic hazard safety standards, including design and construction standards that regulate land use in areas known to have or potentially have significant seismic and/or other geologic hazards.</p>		
<p>GOAL S-8 Reduced Landslide, Mudslide, and Rock Fall Hazards. Minimized personal injury and property damage caused by mudslides, landslides, or rock falls.</p> <p>Policies</p> <p>S-8.1 Landslide Risks. Direct development away from areas with high landslide, mudslide, or rock fall potential when engineering solutions have been determined by the County to be infeasible.</p> <p>S-8.2 Risk of Slope Instability. Prohibit development from causing or contributing to slope instability.</p>	<p>A Geotechnical Evaluation Report was prepared for the Proposed Project. Implementation of design measures defined in the report would avoid or reduce potential geologic and soils impacts to less than significant levels. Furthermore, there would be no permanent residential, commercial or institutional structures on site that could be subject to seismic risk or damage. The Proposed Project would, therefore, be consistent with all relevant Safety Element goals.</p>	<p>Yes</p>

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Safety Element (cont.)</u> GOAL S-10 Floodway and Floodplain Capacity. Floodways and floodplains that have acceptable capacity to accommodate flood events.</p> <p>Policies</p> <p>S-10.3 Flood Control Facilities. Require flood control facilities to be adequately sized, constructed, and maintained to operate effectively.</p> <p>S-10.4 Stormwater Management. Require development to incorporate low impact design, hydromodification management, and other measures to minimize stormwater impacts on drainage and flood control facilities.</p> <p>S-10.5 Development Site Improvements. Require development to provide necessary on- and off-site improvements to stormwater runoff and drainage facilities.</p> <p>S-10.6 Stormwater Hydrology. Ensure development avoids diverting drainages, increasing velocities, and altering flow rates to off-site areas to minimize adverse impacts to the area's existing hydrology.</p>	<p>The overall drainage patterns associated with the Project impact footprint and related up- and downstream areas would be maintained after Project completion, with drainage alteration occurring during and after Project operations to be minor in nature and extent.</p> <p>The Proposed Project design does not include a substantial storm drain system, based on the described lack of permanent structures such as paved roads and buildings that require extensive storm drain facilities. Proposed drainage structures include a series of unlined swales, brow ditches and/or berms to collect and convey runoff into appropriate areas including a proposed detention basin, drainage outlets, and water quality features required for NPDES Industrial Permit and other storm water standard conformance.</p> <p>Project implementation would also not generate adverse effects related to hydromodification, because the Proposed Project would result in an overall net reduction of flows from the impact footprint, and would regulate flows from the northwestern outlet to pre-development levels. See Subchapter 4.2, <i>Hydrology/Water Quality</i>, for more discussion of hydrology and water quality impacts.</p>	<p>Yes</p>

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Safety Element (cont.)</u> GOAL S-11 Controlled Hazardous Material Exposure. Limited human and environmental exposure to hazardous materials that pose a threat to human lives or environmental resources.</p> <p>Policies</p> <p>S-11.1 Land Use Location. Require that land uses involving the storage, transfer, or processing of hazardous materials be located and designed to minimize risk and comply with all applicable hazardous materials regulations.</p> <p>S-11.3 Hazards-Sensitive Uses. Require that land uses using hazardous materials be located and designed to ensure sensitive uses, such as schools, hospitals, day care centers, and residential neighborhoods, are protected. Similarly, avoid locating sensitive uses near established hazardous materials users or High Impact Industrial areas where incompatibilities would result.</p>	<p>Implementation of the Proposed Project would involve the on-site use, storage, and, if applicable, off-site disposal of hazardous materials related to mining equipment and vehicles. Specific materials identified for use/storage as part of Project operations include diesel fuel, gasoline, lubricants (e.g., grease and engine oil), solvents (for equipment maintenance), and coolant. The Proposed Project would comply with applicable regulatory requirements. The Proposed Project is not located near schools, hospitals, day care centers, or a residential neighborhood. The Proposed Project does not include the placement of any sensitive uses near an established hazardous materials user.</p>	<p>Yes</p>

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Safety Element (cont.)</u> GOAL S-12 Adequate Law Enforcement Facilities. Timely development of law enforcement facilities in locations that serve the unincorporated areas of the County.</p> <p>Policies</p> <p>S-12.1 New Law Enforcement Facilities. Coordinate new law enforcement facilities and services with new development in ways that sustain the provision of comprehensive services at levels consistent with substantially similar areas of the County.</p>	<p>Police protection services for the Proposed Project would be provided through the County Sheriff’s Department. Altered police services or facilities for the Proposed Project would not be necessary, and the Proposed Project would not require the construction of new or physically altered police protection facilities.</p>	Yes
<p><u>Noise Element</u> GOAL N-1 Land Use Compatibility. A noise environment throughout the unincorporated County that is compatible with the land uses.</p> <p>Policies</p> <p>N-1.1 Noise Compatibility Guidelines. Use the Noise Compatibility Guidelines (Table N-1) and the Noise Standards (Table N-2) as a guide in determining the acceptability of exterior and interior noise for proposed land uses.</p>	<p>The proposed on-site land use would include a mining operation. No significant direct or cumulative noise impacts would occur to the proposed mining operation.</p>	Yes

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Noise Element (cont.)</u> N-1.2 Noise Management Strategies. Require the following strategies as higher priorities than construction of conventional noise barriers where noise abatement is necessary:</p> <ul style="list-style-type: none"> • Avoid placement of noise sensitive uses within noisy areas • Increase setbacks between noise generators and noise sensitive uses • Orient buildings such that the noise sensitive portions of a project are shielded from noise sources • Use sound-attenuating architectural design and building features • Employ technologies when appropriate that reduce noise generation (i.e. alternative pavement materials on roadways). <p>N-1.3 Sound Walls. Discourage the use of noise walls. In areas where the use of noise walls cannot be avoided, evaluate and require where feasible, a combination of walls and earthen berms and require the use of vegetation or other visual screening methods to soften the visual appearance of the wall.</p>		

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Noise Element (cont.)</u> GOAL N-2 Protection of Noise Sensitive Uses. A noise environment that minimizes exposure of noise sensitive land uses to excessive, unsafe, or otherwise disruptive noise levels.</p> <p>Policies</p> <p>N-2.1 Development Impacts to Noise Sensitive Land Uses. Require an acoustical study to identify inappropriate noise level where development may directly result in any existing or future noise sensitive land uses being subject to noise levels equal to or greater than 60 CNEL and require mitigation for sensitive uses in compliance with the noise standards listed in Table N-2.</p>	<p>A noise analysis was prepared for the Project. This analysis used the standards cited in Tables N-1 and N-2 in the Noise Element of the County General Plan. Direct and cumulative traffic noise impacts would be significant to three houses along Otay Mesa Road. These direct and cumulative impacts would not be mitigated because noise barriers in excess of 20 feet would be required to fully mitigate impacts; however, this mitigation would not comply with the County Zoning Ordinance. Therefore, this mitigation, while feasible, would probably not be permitted by the County and is unlikely to be desired by the residences of the houses. Residences may request the construction of shorter noise walls in front of their property; however, the walls would not fully mitigate impacts. Accordingly, impacts are conservatively assessed as significant and unmitigated.</p>	No
<p>GOAL N-3 Groundborne Vibration. An environment that minimizes exposure of sensitive land uses to the harmful effects of excessive groundborne vibration.</p> <p>Policies</p> <p>N-3.1 Groundborne Vibration. Use the Federal Transit Administration and Federal Railroad Administration guidelines, where appropriate, to limit the extent of exposure that sensitive uses may have to groundborne vibration from trains, construction equipment, and other sources.</p>	<p>Blasting associated with the Proposed Project would occur at a distance in excess of 500 feet of the closest sensitive receptor. Based on a typical blast vibration level of 1.0 inch per second PPV at 50 feet reference distance, the expected PPV at a distance of 500 feet is less than 0.01. This level of vibration would be less than significant to any human receptor.</p>	Yes

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO GENERAL PLAN (cont.)		
<p><u>Noise Element (cont.)</u> GOAL N-6 Temporary and/or Nuisance Noise. Minimal effects of intermittent, short-term, or other nuisance noise sources to noise sensitive land uses.</p> <p>Policies</p> <p>N-6.2 Recurring Intermittent Noise. Minimize impacts from noise in areas where recurring intermittent noise may not exceed the noise standards listed in Table N-2 but can have other adverse effects.</p> <p>N-6.3 High-Noise Equipment. Require development to limit the frequency of use of motorized landscaping equipment, parking lot sweepers, and other high-noise equipment if their activity will result in noise that affects residential zones.</p> <p>N-6.4 Hours of Construction. Require development to limit the hours of operation as appropriate for non-emergency construction and maintenance, trash collection, and parking lot sweeper activity near noise sensitive land uses.</p>	<p>The loudest noise during construction of the project would be from the continuous use of a breaker, which would create an hourly noise level of less than 75 dBA L_{EQ} at distances greater than 500 feet. There are no NSLUs within this distance. Accordingly, construction noise impacts would be less than significant.</p>	<p>Yes</p>

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
OTAY SUBREGIONAL PLAN		
Land Use Land Use Goal. Provide a land use pattern sensitive to the opportunities and the constraints of the subregion.	The presence of construction aggregate resources in this relatively undeveloped yet accessible area represents a significant opportunity to serve a growing demand in the region, while causing relatively minimal environmental impacts. Thus, implementation of the Proposed Project would be consistent with this Land Use Goal.	Yes
Land Use Policy 4. Discourage Polluting Industries Policy: The County will discourage industries that display pollution or other nuisance characteristics from locating near the Mexican border.	Standard BMPs and BACT would be incorporated into the project design to prevent pollution of air, water and land. Refer to Subchapters 4.2, <i>Hydrology/Water Quality</i> ; 4.5, <i>Noise</i> ; 4.6, <i>Air Quality</i> ; and 4.8, <i>Hazardous Materials, Public Health and Safety</i> , for further discussion of this issue.	Yes
Land Use Policy 6. Encourage Other Interim Uses Policy: The County will encourage interim uses on portions of Otay Mesa including opportunities for public recreation and spectator events.	The Proposed Project constitutes a long-term interim use that would allow future development consistent with underlying land use designations following reclamation.	Yes
Land Use Policy 10. Review Proposed Development in the (24) Impact Sensitive Area: The County will consider more intensive development than normally allowed in the (24) Impact Sensitive designation areas where justification for such development is presented. A Major Use Permit will be required in these instances.	The nearest designated (24) Impact Sensitive Area is more than two miles away from the Project site. The Proposed Project would have a less than significant impact on these areas.	Yes

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
OTAY SUBREGIONAL PLAN (cont.)		
<p><u>Land Use (cont.)</u> Land Use Policy 11. Specific Plan Policy – East Otay Mesa Specific Plan: The focus of this Specific Plan is industrial development. The purpose of the Specific Plan is to establish a planning framework for a comprehensive approach to the development of the East Otay Mesa area. Development of this area shall be in accordance with all County goals, objectives and policies.</p>	<p>The Proposed Project includes an MUP that would make it consistent with the EOMSP. It would be consistent with all applicable County goals, objectives and policies (as discussed in this table).</p>	Yes
<p><u>Public Services and Facilities</u> Policy 1: Formulate Public Facilities Program and Financing Plan. The County will encourage and support public service and facility planning and programming for the Otay Mesa and will work with all affected property owners and developers to assure equitable financing of such services and facilities.</p>	<p>The planning and design of the Proposed Project has required the applicant to coordinate both land use planning and facilities planning with County and City of San Diego staff, as well as numerous service agencies and districts (e.g., Otay Water District).</p>	Yes
<p><u>Conservation</u> Conservation Goal. Protect environmental resources.</p>	<p>Project design elements and mitigation measures would minimize biological, cultural and aesthetic impacts, landslide danger, erosion, silting and fire hazard, and other environmental impacts. Restoration/revegetation would be implemented after each phase of mineral extraction as part of the project design. Refer to Chapter 9.0, <i>List of Mitigation Measures and Project Design Features for Proposed Project</i>, for further information.</p>	Yes
<p>Conservation Policy 1: Protect RCAs Policy. The County will protect the sensitive biological resources within the resource conservation areas adopted in the Conservation Element.</p>	<p>The nearest designated RCA, Otay Mountain RCA, overlaps the Proposed Project impact footprint, although Otay Mountain itself is located approximately 3.5 miles northeast of the Project site. Any potential Project biological impacts to the RCA would be addressed under the MSCP; therefore, sensitive biological resources within the RCA would be protected with implementation of the Proposed Project.</p>	Yes

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
OTAY SUBREGIONAL PLAN (cont.)		
<p><u>Conservation (cont.)</u> Conservation Policy 2: Develop Adequate Preservation Methods Policy. The County will carefully review any proposed development in the RCAs through the environmental review process and Major Use Permit process required by the “V” and “P” special area designations.</p>	<p>The nearest designated RCA Otay Mountain RCA, overlaps the Proposed Project impact footprint, although Otay Mountain itself is located approximately 3.5 miles northeast of the Project site. Any potential Project biological impacts to the RCA would be addressed under the MSCP review process; therefore, sensitive biological resources within the RCA would be protected with implementation of the Proposed Project.</p>	Yes
EAST OTAY MESA BUSINESS PARK SPECIFIC PLAN		
<p><u>Land Use Element</u> Policy LU-1. Accommodate the forecasted mixed industrial uses in East Otay Mesa.</p>	<p>The Proposed Project would involve aggregate production over an period of up to over 100 years. Reclamation of the site would allow future development of the site according to the EOMSP land use designations.</p>	Yes
<p>Policy LU-9. Provide for interim land uses that are compatible with the planned industrial and commercial land uses.</p>	<p>The Proposed Project would result in the development of a long-term mining operation that would allow future development consistent with underlying land use designations after reclamation. Policy LU-9 allows for a maximum initial interim period of five years, unless a finding is made that the propose use has an overriding significant economic benefit to the region. The State of California, Department of Conservation has determined that there is a significant shortfall of permitted, long-term aggregate reserves. The South County area is a high development region, including the City of Chula Vista and the unincorporated community of East Otay Mesa, and is, therefore, particularly in need of a long term, dependable source of high quality aggregate located close enough to feasibly serve the area. This economic benefit would justify this long-term interim use.</p>	Yes

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
EAST OTAY MESA BUSINESS PARK SPECIFIC PLAN (cont.)		
<p><u>Land Use Element (cont.)</u> Policy LU-10. Protect and conserve steep slopes and biologically sensitive areas in the Specific Plan Area.</p> <p>Policy LU-12. Protect and conserve significant cultural resource sites (archaeological and historical sites) in the Specific Plan Area.</p>	<p>Approximately one-fifth (21.7 acres) of the 105-acre Project impact footprint contains slopes at 25 percent or greater, which the County defines as steep slopes land; all of these steep slopes would be impacted by the Proposed Project. Steep slopes and biologically sensitive areas in the remainder of the Project site (305 acres) would not be impacted. Project design elements and mitigation measures would minimize biological and cultural resource impacts. Restoration/revegetation would be implemented after each phase of mineral extraction as part of the project design. Refer to Subchapters 4.1, <i>Geological Resources</i>; 4.3, <i>Biological Resources</i>; 4.4, <i>Cultural</i>; and 4.8, <i>Hazardous Materials, Public Health and Safety</i>, for further information.</p>	Yes
<p><u>Circulation Element</u> Policy C-15. Assure that necessary, feasible road improvements are provided to mitigate project impacts.</p>	<p>Roads would be developed to EOMSP and County design standards and all Project impacts would be mitigated to less than significant levels. Refer to Subchapter 4.7, <i>Transportation/Circulation</i>, for further discussion.</p>	Yes

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
EAST OTAY MESA BUSINESS PARK SPECIFIC PLAN (cont.)		
<p><u>Urban Design Element</u> Policy UD-1. Encourage the preservation and enhancement of visually prominent landforms and areas of special scenic beauty, particularly the San Ysidro Mountain foothills and the valley walls of Johnson and O’Neal Canyons.</p>	<p>The Project would impact a small portion of the foothills (approximately 0.8 mile), or approximately 8 percent of the 10-mile stretch (linear distance) that spans from the Otay Mountain area to the San Miguel Mountain area. Impacts would be limited to within approximately 1,500 feet (at its widest point) east of the mesa, near the outer edges and lower elevations of the foothills. Foothills at higher elevations between the impact footprint and Otay Mountain would be preserved within the OHCA. The Project would not disrupt the overall visual environment of the foothills or the mountains, as detailed in Subchapter 4.10, <i>Aesthetics</i>. Additionally, although some of the vegetation could be more sparse than under existing conditions, the Project’s proposed Reclamation Plan includes a Revegetation Plan that would provide continuity with the natural hillsides and the flatter mesa areas surrounding the Project site.</p> <p>The Project would not include any development or impacts within O’Neal or Johnson Canyons. No significant effects would result to scenic views to or from these areas of special scenic beauty. Refer to Subchapter 4.10 for further discussion.</p>	Yes
<p><u>Urban Design Element (cont.)</u> Policy UD-5. Promote high quality design of buildings and landscaping on private property throughout East Otay Mesa to create a strong identity and image of high quality urban design for the area.</p>	<p>There would be no permanent buildings on site. Landscaping would be provided where appropriate in accordance with the EOMSP. See Section 2.1.2 for a discussion of these project design elements.</p>	Yes
<p>Policy UD-7. All utility lines shall be underground. Traffic signal vaults, electrical transformers, telephone switchboards and other such structures shall be located underground or appropriately screened with landscaping or architectural treatment acceptable to the County.</p>	<p>All utility improvements would be implemented consistent with EOMSP and County standards. Refer to Subchapter 4.11, <i>Public Services and Utilities</i>.</p>	Yes

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
EAST OTAY MESA BUSINESS PARK SPECIFIC PLAN (cont.)		
<p><u>Public Facilities Element</u> Policy PF-1. Require development proposals to provide water service to meet the needs of development in East Otay Mesa.</p> <p>Policy PF-5. Provide a reclaimed water distribution system to conserve potable water usage.</p> <p>Policy PF-6. Provide a storm drainage system for East Otay Mesa that minimizes surface water degradation, reduces soil erosion, promotes natural beauty, and is otherwise consistent with the Best Management Practices of the Clean Water Act.</p> <p>Policy PF-7. Coordinate with Franchise Utility Providers to provide dry utilities to serve East Otay Mesa.</p> <p>Policy PF-8. The entire East Otay Mesa Specific Plan Area shall be supported by adequate fire protection and emergency medical services.</p> <p>Policy PF-9. Provide adequate fire protection and emergency medical services in East Otay Mesa concurrent with need.</p> <p>Policy PF-10. The County shall provide law enforcement services for East Otay Mesa consistent with Countywide policies.</p>	<p>The planning and design of the Project has involved early cooperation and coordination with the required providers of public services and utilities. The final approval of all proposed discretionary actions and permits for on-site improvements would be predicated on the assurance of efficient, economic and timely provision of required public services and utilities.</p>	<p>Yes</p>

**Appendix N
 APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT**

Goal/Policy	Project Compliance	Consistent?
COUNTY NOISE ORDINANCE		
<p>The County Noise Ordinance (San Diego County Code of Regulatory Ordinances, Title 3, Division 6, Chapter 4, Section 36.404) establishes noise standards to control excessive noise generated in the County. The purpose of the noise ordinance is to protect, create, and maintain an environment free from noise and vibration that may jeopardize the health or welfare, or degrade the quality of life. The allowable noise limits depend upon the County’s zoning district and time of day. The one-hour average sound level for rural residential development (such as much of the land adjacent to the Proposed Project) is 45 dB between 10 PM and 7 AM and 50 dB between 7 AM and 10 PM.</p> <p>With regard to construction noise, Section 36.410(c) states that “it shall be unlawful to operate any construction equipment so as to cause at or beyond the property line of any property upon which a legal dwelling unit is located an average sound level greater than 75 dB between the hours of 7:00 AM through 7:00 PM, Monday through Saturday, excluding legal holidays.”</p>	<p>If residences were to be developed within 385 feet of the Project impact footprint area of current or future planned extraction, noise impacts from the Project would exceed 60 dB CNEL and would be significant. Therefore, if residences were to be developed within 385 feet of the Project impact footprint area of current or future planned extraction, non-transportation related noise impacts from the Project would be significant (Impact N-2). Excavation within 72 feet of the property line of a developed residence requires a temporary 10-foot high noise control barrier. The barrier must extend beyond the operational locations to break the line of sight for any location on the NSLU within 72 feet of the equipment operations.</p> <p>In addition, the Noise Report analysis indicates that vibration impacts of the Proposed Project would be less than significant. Therefore, the Proposed Project would be consistent with the County Noise Ordinance. Refer to Subchapter 4.5, <i>Noise</i>, for more information.</p>	Yes

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY RESOURCE PROTECTION ORDINANCE (RPO)		
The County RPO provides development controls for unique topography, ecosystems and natural characteristics within the County deemed to be fragile, irreplaceable and vital to the general welfare of the County’s residents. The resources protected by the County include wetlands, floodplains, steep slopes, sensitive biological habitats, and prehistoric and historic sites. Additionally, the County requires avoidance of impacts to 80 percent of County Group A and B sensitive plants.	Pursuant to Section 86.605(d)(3) in Chapter 6 of Ordinance 9842, sand, gravel or mineral extraction projects such as the Proposed Project would be exempt from RPO requirements, provided that certain mitigation measures regarding restoration/revegetation are implemented as a condition of a Major Use Permit. Implementation of the Proposed Project would include restoration/revegetation consistent with the required mitigation measures after each phase of mineral extraction as part of the project design. In addition, project design elements and mitigation measures would minimize biological and cultural impacts, slide danger, erosion, silting and fire hazard. Refer to Subchapters 4.1, <i>Geological Resources</i> ; 4.3, <i>Biological Resources</i> ; 4.4, <i>Cultural Resources</i> ; and 4.8, <i>Hazardous Materials, Public Health and Safety</i> , for further information.	Yes
COUNTY ZONING ORDINANCE		
The County Zoning Ordinance identifies the permitted uses of the project site, consistent with the land use designations of the General Plan and the Otay Subregional Plan.	<p>The Project impact footprint is currently zoned (per the EOMSP) as S88, Specific Plan Use Regulations (maximum residential density of 0.5 du per acre and lot size of 30,000 square feet for Mixed Industrial). The S88 zoning designation allows extractive uses under an MUP according to Section 3.2 of the EOMSP for Subarea 2. The Proposed Project includes an MUP that would make it consistent with the S88 designation (with any conditions of approval attached).</p> <p>Zoning designations beyond the Project impact footprint, in the larger Project site are either S88 (Specific Plan) or S90 (Holding Area), which primarily allows community services, interim uses, or uses which, with appropriate development designators, will not prematurely commit the land to a particular use or intensity of development.</p>	Yes

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
COUNTY OF SAN DIEGO LIGHT POLLUTION CODE		
<p>Within Zone B (more than 15 miles from Mts. Palomar and Laguna), outdoor lighting, such as security or parking lot lighting must be less than 4,050 lumens and fully shielded.</p>	<p>The Project site is located more than 15 miles from Mts. Palomar and Laguna, and is therefore within the Outdoor Lighting Ordinance Zone B. Consistent with the County of San Diego Outdoor Lighting Ordinance (Division 9, Sections 59.101-59.15 of the San Diego County Zoning Ordinance), outdoor lighting at the Project site, such as security or parking lot lighting, would be less than 4,050 lumens and fully shielded.</p>	Yes
NATURAL COMMUNITY CONSERVATION PLANNING PROGRAM		
<p>The MSCP has been prepared to meet the requirements of the NCCP Act of 1991, Federal ESA, and California ESA. It is a comprehensive, long-term habitat conservation plan that addresses the needs of multiple species by identifying key areas for preservation as open space in order to link core biological areas into a regional wildlife preserve. The County's MSCP Subarea Plan (County 1997) implements the MSCP within the unincorporated areas under the jurisdiction of the County.</p>	<p>The Project site is located within the South County Segment of the County's MSCP Subarea Plan. With implementation of the mitigation measures listed in Subchapter 4.3, <i>Biological Resources</i>, for significant impacts to MSCP-covered sensitive biological resources, pursuant to the regulations and requirements of the USFWS, Corps, CDFW and County, all MSCP-covered project-specific direct and indirect impacts related to the Proposed Project would be mitigated to less than significant levels. The Project proposes an amendment to the MSCP to authorize impacts to MSCP Amendment areas. In addition, the County is undergoing an Amendment to the MSCP to gain take authorization for the QCB. If the County Amendment is not approved prior to this Project, this Project would require a Section 7 or Section 10(a) Federal take permit to authorize impacts to the QCB. Should the County-initiated Amendment be approved, this Project would be fully consistent with the NCCPP would not be subject to any additional requirements regarding amendments to the County MSCP Subarea Plan or other further requirements related to the QCB. If the Major Amendment areas to the north and east of the Project site become incorporated into the MSCP Preserve System, the Project site would be a biologically important extension of the largest tract of protected County open space in southern San Diego County. Being located adjacent to developed areas would also make the Project site an important buffer area for adjacent undeveloped open space.</p>	Yes

Appendix N APPLICABLE POLICIES GUIDING PROJECT DEVELOPMENT		
Goal/Policy	Project Compliance	Consistent?
NATURAL COMMUNITY CONSERVATION PLANNING PROGRAM (cont.)		
	If the County Amendment is not approved prior to this Project, impacts to QCB would not be under the purview of the MSCP; instead, this Project would require a Section 7 or Section 10(a) Federal take permit to authorize impacts to the QCB. In either case, the Proposed Project would be consistent with the MSCP.	
COUNTY OF SAN DIEGO BIOLOGICAL MITIGATION ORDINANCE (BMO)		
The BMO is the mechanism by which the County implements the MSCP at the project level within the unincorporated areas to attain the goals set forth in the County MSCP Subarea Plan. The BMO contains design criteria and mitigation standards which, when applied to projects requiring discretionary permits, protect habitats and species and ensures that a project does not preclude the viability of the MSCP Preserve System. In this way, the BMO promotes the preservation of lands that contribute to contiguous habitat core areas or linkages.	Pursuant to Section 86.503(a)(9) of the BMO, sand, gravel or mineral extraction projects such as the Proposed Project would be exempt from BMO requirements, provided that the Project is consistent with the County General Plan, the MSCP Plan, and the Subarea Plan, and certain mitigation measures regarding avoidance of sensitive species and restoration/revegetation are implemented. In the case of the Proposed Project, restoration/revegetation consistent with the required mitigation measures would be implemented after each phase of mineral extraction as part of the project design. In addition, project design elements and mitigation measures would minimize all other biological impacts (refer to Subchapter 4.3, <i>Biological Resources</i> , for further information).	Yes
CALIFORNIA SURFACE MINING AND RECLAMATION ACT		
Under SMARA (Public Resources Code Section 2719 et. seq.), all extractive operations are required to have a Reclamation Plan approved by the lead agency (in this case, the County), defining the activities to be carried out when extraction has been completed to return the land to a useful, approved alternative purpose.	A Reclamation Plan has been prepared for the Proposed Project; as a result, the Proposed Project would be consistent with SMARA.	Yes

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