

installation of a sedimentation basin at the southern end of the project. That sedimentation basin is required to capture soil particles washed by rainfall, and to minimize potential downstream sediment deposition in order to protect water quality in Little Sycamore Canyon and downstream areas beyond. To utilize gravity flow, the sedimentation basin must be lower in elevation than the lowest area of landfill. The only area available that meets that definition is the area immediately south of the landfill area, within the Little Sycamore Creek ephemeral drainage. Thus, the only feasible location for the required sedimentation basin is that shown on the Master Development Plan, which necessarily requires impacts to wetlands.

In addition, small areas of the landfill expansion as well as the scale area would impact natural flood channels. There is no feasible alternative to the location of the scales that would avoid all impacts to wetlands and other environmentally sensitive lands. The scales must be located (i) between the landfill entrance and the waste disposal area of the landfill in order to check the load before it is deposited in the landfill waste disposal area, (ii) in an area readily accessible to and from the landfill access road, as the trucks have to easily access the scales prior to disposal of the materials; (iii) far enough from the Mast Boulevard entrance that trucks waiting for the scales will not back up onto Mast Boulevard.

There is no other location on the site other than that proposed which meets the above requirements and would result in fewer impacts to environmentally sensitive lands. The proposed scales area has been carefully designed and placed to minimize impacts to such lands, to minimize the intrusion into steep slopes and to minimize the required cuts. The proposed scales facilities are located immediately adjacent to the existing landfill access road; any other location would result in habitat fragmentation and increased "edge effects," and thus would result in greater impacts to environmentally sensitive lands than are caused by the proposed project.

Impacts to wetlands as defined by the Municipal Code would be limited and would be fully mitigated per City regulations. Impacts to wetlands as defined by the State of California would be limited to the minimum necessary and would be fully mitigated per California Department of Fish and Game regulations.

The approval of the existing landfill preceded the City's regulation of steep hillsides, and the existing landfill already has already graded or is approved to grade more than 25% of the steep slopes that originally existed on the property. As a result, even though the additional grading is minimal, strict compliance with steep hillside provisions of LDC sections 143.0150(b) and 126.0504 is not possible given that the LDC limits were already exceeded by prior City permits for the already approved landfill design. Therefore, the project applicant is requesting a deviation from strict enforcement of the provisions, as provided under LDC 143.0150(b) and LDC 126.0504, and is requesting approval under the Alternative Compliance provisions of LDC 143.0151.

The project applicant is seeking a deviation from the ESL regulations with regard to steep slopes on the basis that the Master Development Plan would expand an existing landfill primarily through vertical versus horizontal impacts to naturally occurring steep slopes. In addition, the landfill use is an essential public facility. The impact to steep slopes in the scale area, which accounts for slightly more than half of the steep slope encroachment, would be

minimized through the integration of a retaining wall into the design and the graded slope would have restricted visibility in terms of numbers of viewpoints and view duration; this ESL deviation would not result in a significant visual impact. Moreover, there is no feasible alternative to the location of the scales that would avoid all impacts to steep slopes without increasing the impacts to other environmentally sensitive lands, such as wetlands. The scales must be located (i) between the landfill entrance and the landfill itself, (ii) in an area readily accessible to and from the landfill access road, and (iii) on at least four acres. It also is required to be located far enough away from the entrance off of Mast Boulevard to avoid traffic waiting to be weighed on the scales backing up traffic on the surrounding roads.

There is no other location on the site other than that proposed which meets the above requirements and would result in fewer impacts to environmentally sensitive lands. The proposed scales area has been carefully designed and placed to minimize impacts to such lands, to minimize the intrusion into steep slopes and to minimize the required cuts. The proposed scales facilities are located immediately adjacent to the existing landfill access road; any other location would result in habitat fragmentation and increased "edge effects," and thus would result in greater impacts to environmentally sensitive lands, including steep slopes, than are caused by the proposed project.

2. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

The proposed project footprint has been located to minimize alterations to natural land forms and to ensure that the proposed project would not result in undue risk from geologic and erosional forces, flood or fire hazards. The location of the Master Development Plan within an already approved landfill site minimizes the land form alteration that any municipal solid waste landfill would require. Moreover, the design for the Sycamore Landfill was first approved by the City by CUP 6066 PC/Am, and that approval allowed the filling of much of Little Sycamore Canyon. The proposed project substantially increases the capacity for municipal solid waste disposal over the existing landfill but only minimally increases the land form alteration required.

The approval of the existing landfill preceded the City's regulation of steep hillsides, and the existing landfill already has already graded or is approved to grade more than 25% of the steep slopes that originally existed on the property. As a result, even though the additional grading is minimal, strict compliance with steep hillside provisions of LDC sections 143.0150(b) and 126.0504 is not possible given that the LDC limits were already exceeded by prior City permits for the already approved landfill design. Therefore, the project applicant is requesting a deviation from strict enforcement of the provisions, as provided under LDC 143.0150(b) and LDC 126.0504, and is requesting approval under the Alternative Compliance provisions of LDC 143.0151.

The project applicant is seeking a deviation from the ESL regulations with regard to steep slopes on the basis that the Master Development Plan would expand an existing landfill primarily through vertical versus horizontal impacts to naturally occurring steep slopes. In addition, the landfill use is an essential public facility. The impact to steep slopes in the scale

area, which accounts for slightly more than half of the steep slope encroachment, would be minimized through the integration of a retaining wall into the design and the graded slope would have restricted visibility in terms of numbers of viewpoints and view duration; this ESL deviation would not result in a significant visual impact. Moreover, there is no feasible alternative to the location of the scales that would avoid all impacts to steep slopes without increasing the impacts to other environmentally sensitive lands, such as wetlands. The scales must be located (i) between the landfill entrance and the landfill itself, (ii) in an area readily accessible to and from the landfill access road, and (iii) on at least four acres. It also is required to be located far enough away from the entrance off of Mast Boulevard to avoid traffic waiting to be weighed on the scales backing up traffic on the surrounding roads.

There is no other location on the site other than that proposed which meets the above requirements and would result in fewer impacts to environmentally sensitive lands. The proposed scales area has been carefully designed and placed to minimize impacts to such lands, to minimize the intrusion into steep slopes and to minimize the required cuts. The proposed scales facilities are located immediately adjacent to the existing landfill access road; any other location would result in habitat fragmentation and increased "edge effects," and thus would result in greater impacts to environmentally sensitive lands, including steep slopes, than are caused by the proposed project.

The proposed development areas are located immediately adjacent to existing areas approved for landfill development, or to the existing landfill access road. Moreover, all feasible mitigation measures with respect to land form alteration and site design, including sensitive grading techniques, landscaping, and site planning, have been incorporated into the proposed project.

The proposed project would not result in undue risk from geologic or erosional forces, flood or fire hazards. No moderate to large earthquakes have occurred within the greater San Diego area during historic times. The largest estimated ground acceleration at the site that would result from a Maximum Probable Earthquake (MPE) at the nearest active fault zones was calculated at 0.2 g. This would result from a magnitude 6.0 earthquake on the La Nacion fault, located approximately 7.2 miles southwest of Sycamore Landfill. There would be little or no likelihood of liquefaction, induced flooding, induced land subsidence, or major induced landslides from a major regional earthquake at the Sycamore Landfill site.

The site is not subject to any erosional forces that might preclude its use for landfill purposes. RWQCB Order No. 99-74 lists current Waste Discharge Requirements for Sycamore Landfill, and among other topics, addresses erosion control requirements. As part of the proposed project permitting process, the Regional Water Quality Control Board (RWQCB) would issue a new order addressing specific water quality and erosion issues associated with the proposed Master Development Plan design and operation. One item of Order No. 99-74 requires that "annually, by October 31, the discharger shall implement adequate erosion control measures, maintenance and repair of the landfill cover, drainage control facilities and use soil stabilization practices on all disturbed areas of the landfill to prevent erosion or flooding of the facility and to prevent surface drainage from contacting or percolating through wastes." Similar requirements would be part of the new order from RWQCB.

Other required erosion control measures are listed in Order No. 99-74. Similar control measures would be part of the new order from RWQCB. In addition, the Sycamore Landfill has approval to operate under the California General Storm Water Permit for Industrial Discharges, which addresses storm water management complete with a Storm Water Pollution Prevention Plan. The landfill implements run-on/runoff controls and other surface water best management practices (BMPs) such as desilting basins to reduce off-site erosion/siltation effects to below a level of significance. Coverage of the facility under the new Master Development Plan would continue.

There is no undue risk of a flood hazard as a result of the proposed project, since the site is not located in a flood hazard zone, according to FEMA Flood Insurance Rate Map 06073C1632F.

In general, the landfill site is not at undue risk from brush fires. The working areas of the landfill are comprised mostly areas of bare soil, with only a small working face where municipal solid waste is deposited for the day. That area is covered each day, and a new landfill cell is begun on the following day. Also, landfill employees are trained in operational procedures to be followed when dealing with hot loads and fires detected in operational areas. In the event that a waste load is received that is smoking or on fire, landfill personnel direct it to be unloaded in an unvegetated area away from the working face. Appropriate fire fighting activities are implemented immediately thereafter. A stockpile of soil to be used for fire fighting purposes is maintained near the working face.

Proposed new landfill ancillary facilities such as the administrative offices, scales/recycling area, and maintenance facilities area comply with City of San Diego brush management zone requirements. Water supplies to fight fires that may occur would be provided in accordance with City of San Diego fire regulations. Landfill vehicles, scale house, and maintenance area are equipped with suitable fire extinguishers for minor fire suppression. Evidence of landfill's resistance to brush fires was provided by the Cedar fire of October 2003. Although several hundred thousand acres of native habitat outside and inside the landfill site were burned as a result of that fire, the landfill, its ancillary facilities and equipment incurred little damage.

3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

The proposed project has been sited and designed to minimize its adverse impacts to adjacent environmentally sensitive lands, such as the MHPA, including controls on drainage, lighting, and nuisance species. The proposed project would not conflict with habitat function, configuration or long-term viability of adjacent environmentally sensitive lands, nor would it cause significant edge effects. The proposed Master Development Plan would prevent or minimize potential adverse impacts to those adjacent environmentally sensitive lands by minimizing or avoiding impacts to sensitive plants within the MHPA lands to be disturbed; keeping new proposed areas of landfill development immediately adjacent to the approved areas of landfill development, thus avoiding potential habitat fragmentation and minimizing "edge effects"; keeping new proposed areas of landfill ancillary facilities adjacent to the existing landfill access road, thus avoiding potential habitat fragmentation and minimizing

“edge effects”; complying with all City of San Diego MSCP Adjacency Guidelines; and avoiding potential operational noise and lighting impacts by conducting landfill operations behind 15 to 20-foot high berms located between operations and nearby MHPA boundaries where noted in the applicable mitigation measure. In addition, all manufactured slopes adjacent to undisturbed non-MHPA open space would be revegetated with native species upon landfill closure.

4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

The proposed development would be fully consistent with the MSCP Subarea Plan and would mitigate for impacts to sensitive biological resources in accordance with the MSCP as well as with the City's Biological Guidelines.

5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

The proposed project would not contribute to the erosion of public beaches or adversely impact local shoreline sand supply. The Sycamore Landfill is located several miles from the public beaches and the local shorelines; therefore, it is highly unlikely based on distance alone that on-site development on the already existing landfill would contribute to erosion of public beaches or adversely impact local shoreline sand supplies. In addition, the proposed project includes detention/desiltation basins on-site to reduce surface water runoff velocities to ensure that water runoff would not increase downstream siltation, contribute to the erosion of public beaches or adversely affect local shoreline sand supply.

6. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

The nature and extent of mitigation required as a condition of the PDP/SDP is reasonably related to and calculated to alleviate negative impacts created by the proposed Master Development Plan. The EIR included a site specific impact analysis for the proposed development and its impacts and associated mitigation measures. All mitigation measures identified in the EIR that are associated with this proposed development have been found to be feasible and calculated to minimize and if possible avoid negative impacts that otherwise would be created by the proposed development.

c. Supplemental Findings--Environmentally Sensitive Lands Deviations (Section 126.0504(c).)

The supplemental findings are necessary because the Sycamore Landfill Master Development Plan project does not fully comply with the development regulations prescribed by the City of San Diego Environmentally Sensitive Lands regulations. Specifically, the Master Development Plan cannot avoid impacts to 0.62 acres of City of San Diego ESL-definition wetlands as required by Section 143.0141(b) of the Municipal Code or impacts to

0.86 acres of wetlands meeting California Dept. of Fish & Game definitions; or impacts to steep slope lands in excess of provisions of Section 143.0142 of the Municipal Code.

Impacts to environmentally sensitive lands would be mitigated in accordance with all applicable regulations and mitigation ratios, and have conferred with the appropriate wildlife agencies.

1. There are no feasible measures that can further minimize the potential adverse effects on environmentally sensitive lands.

There are no feasible measures that can further minimize potential adverse effects on identified environmentally sensitive lands.

The new scales and sedimentation basin associated with the landfill expansion would directly impact 0.62 acre of City of San Diego jurisdictional habitat, including 0.35 acre of riparian areas and 0.27 acre of natural flood channel. The wetlands impacts are primarily related to installation of a sedimentation basin at the southern end of the project. That sedimentation basin is required to capture soil particles washed by rainfall, and to minimize potential downstream sediment deposition in order to protect water quality in Little Sycamore Canyon and downstream areas beyond. To utilize gravity flow, the sedimentation basin must be lower in elevation than the lowest area of landfill. The only area available that meets that definition is the area immediately south of the landfill area, within the Little Sycamore Creek ephemeral drainage. Thus, the only feasible location for the required sedimentation basin is that shown on the Master Development Plan, which necessarily requires impacts to wetlands.

In addition, small areas of the landfill expansion as well as the scale area would impact natural flood channels. There is no feasible alternative to the location of the scales that would avoid all impacts to wetlands and other environmentally sensitive lands. The scales must be located (i) between the landfill entrance and the waste disposal area of the landfill in order to check the load before it is deposited in the landfill waste disposal area, (ii) in an area readily accessible to and from the landfill access road, as the trucks have to easily access the scales prior to disposal of the materials; (iii) far enough from the Mast Boulevard entrance that trucks waiting for the scales will not back up onto Mast Boulevard.

There is no other location on the site other than that proposed which meets the above requirements and would result in fewer impacts to environmentally sensitive lands. The proposed scales area has been carefully designed and placed to minimize impacts to such lands, to minimize the intrusion into steep slopes and to minimize the required cuts. The proposed scales facilities are located immediately adjacent to the existing landfill access road; any other location would result in habitat fragmentation and increased "edge effects," and thus would result in greater impacts to environmentally sensitive lands than are caused by the proposed project.

There also would be minimal long-term disturbance to jurisdictional areas associated with the proposed transmission line relocation: (0.01 to Corps non-wetland waters of the U.S. and 0.01 to CDFG streambeds). There are no transmission line relocation jurisdiction impacts to City of San Diego jurisdictional areas.

The proposed project has been designed to minimize its wetland impacts, but cannot further avoid them because regulations that require the protection of water quality demand that the sedimentation basin be built, and topographic and geographic characteristics of the site demonstrate that the proposed location is the natural site for such a basin given that water runs downhill. Also, the proposed facilities are essential to the safe operation of the landfill and therefore must remain part of the proposed project. The proposed project has been designed to have the minimum impact on environmentally sensitive lands feasible, but due to regulatory, site and design constraints, the proposed project cannot completely avoid certain impacts to environmentally sensitive lands, as further discussed below.

The EIR analyzed Wetland Impact Reduction Alternatives that may reduce some impacts to wetlands, but that would require modifications to the design and/or location of the proposed sedimentation basin. While all of these alternative sedimentation basin scenarios would reduce impacts to non-wetland jurisdictional waters by 0.1 to 0.2 acre, they are infeasible because, among other reasons: (1) four of the five identified alternatives would not provide adequate detention capacity for a 100-year storm event, which is a requirement the landfill must meet; (2) three of the five alternatives would require disturbance in areas not currently owned by the proposed project applicant; (3) all five of the identified alternatives would entail an increase in project-related impacts to sensitive upland biological resources, including MHPA lands and Diegan coastal sage scrub habitat which supports sensitive floral/faunal species; and (4) all five alternatives entail costs that exceed those identified for the Master Development Plan, and are not reasonable considering the overall scope and cost of the proposed project.

The applicant proposes to mitigate all impacts to wetlands in accordance with all applicable local, state and federal regulations. Impacts to 0.35 acre of mule fat scrub (wetland) inside the MHPA shall be mitigated at a 2:1 ratio, for a total mitigation requirement of 0.70 acre of wetlands, and impacts to 0.27 acre of natural flood channel (wetland) inside the MHPA shall be mitigated at a 2:1 ratio, for a total mitigation requirement of 0.54 acre. Mitigation amounts will comply with City of San Diego requirements, as listed in Mitigation Measures Bio-13, Bio-14, Bio-14a, Bio-14b, Bio-14c, and Bio-15 of the EIR. That mitigation includes use of 0.94 acres of mitigation credits previously created by the landfill operator at the landfill site during past wetland mitigation efforts, which provides enough wetland mitigation to cover the 1:1 creation component for mitigation requirements associated with Corps, CDFG, and City jurisdictional impacts (0.85 acre of riparian areas and streambed maximum) under the current proposed Master Development Plan, and purchase of 0.30 of an acre of credits in the Rancho Jamul Wetland Mitigation Bank. The Rancho Jamul Wetland Mitigation Bank includes the San Diego River Watershed as a secondary service area.

It is important to note that the 1:1 wetland mitigation has already been implemented and signed off on by the resource agencies "in advance" and the majority of the wetland mitigation (0.94 acre) occurs on site. The mitigation would result in "no net loss" of wetlands. Impacts to 0.62 acre of City jurisdiction shall be mitigated at a 2:1 ratio, for a total of 1.24 acres of City jurisdictional mitigation. The remaining 0.30 acre of City-required wetland mitigation obligation shall be provided in the Rancho Jamul Wetland Mitigation Bank.

The proposed project also would have some unavoidable impact to steep slopes. The Master Development Plan would impact approximately 30 acres of steep slopes, 17 of which are associated with the proposed scale area. The previously approved permits granted by the City for the existing landfill have already exceeded the LDC's limits for grading in steep slopes, thus expansion of the landfill cannot comply. The proposed project's deviation is appropriate because the Master Development Plan would expand an existing landfill primarily through vertical rather than horizontal expansion, thus minimizing grading impacts to naturally occurring steep slopes. Moreover, the landfill is an essential public facility, and the need for its expansion is well documented by the City's Planning Commission, City Council, and Franchise Agreement and by the County's *Integrated Waste Management Plan Siting Element*, which discuss the need for expanded capacity at this existing, centrally located municipal solid waste disposal facility. The visual impact to steep slopes in the scale area would be minimized through integration of a retaining wall into the design and the graded slope would have restricted visibility in terms of numbers of viewpoints and view duration; this ESL deviation would not result in a significant visual impact.

A project alternative that would exclude steep slope areas located on the western side of the proposed project has been addressed in the Draft EIR (Reduced Footprint Alternative). While implementation of that alternative would avoid steep hillside lands, it would result in a loss of approximately 20 mcy of landfill capacity, the equivalent of 27% or more of the entire County's 2004 estimate of landfill capacity (Siting Element, CIWMP, May 2004). The capacity lost by avoiding the steep slopes would have to be provided elsewhere for the City's waste disposal, and any alternative location most likely would also have impacts to steep slopes. The only other alternative would be to haul the waste out of the region, at additional costs to the environment, as well as fiscal costs associated with reliance on an out-of-region facility.

Reduction in proposed capacity would require that a new landfill site for the region be identified, permitted, and developed sooner than would be required under the proposed Master Development Plan. Any such new landfill would likely have the same or more severe impacts to environmentally sensitive lands than those posed by the proposed Master Development Plan. The only alternative landfill sites identified within the City of San Diego, within ten miles of Sycamore Landfill, and not developed or surrounded by development are in Oak Canyon, located 1.5 miles west of the Sycamore Landfill site, and Upper Sycamore Canyon, located in San Diego near the City of Poway. These sites were identified in a 1990 study jointly conducted by the City and the County of San Diego (Dames & Moore, 1990). Potential landfills at these sites would have a waste capacity of 30-44 million cubic yards (mcy), much smaller than the additional 82 mcy proposed in the Sycamore Landfill Master Development Plan. Oak Canyon is known to contain wetlands and other environmentally sensitive lands, and Upper Sycamore Canyon contains ephemeral drainages and environmentally sensitive lands, although wetlands-specific evaluations have not been conducted. As a result, development of either of these two sites as a landfill would not reduce impacts to environmentally sensitive lands over that of the proposed project.

2. The proposed deviations are the minimum necessary to afford relief from special circumstances or conditions of the land, not of the applicant's making.

Sycamore Landfill has operated for more than 40 years in this location and the proposed design is the most efficient and least impactful means of providing the region with the required capacity for the County's anticipated municipal solid waste needs. Sycamore Landfill is an essential public facility, and to move to a new location would likely produce more impacts. Its proposed location is the location in which landfilling has been occurring since the 1960s, and the proposed project would better utilize the property with minimal increase in footprint. The deviations are due to the region's need for solid waste disposal capacity, and are not of the applicant's making. The 2004 San Diego County *Integrated Waste Management Plan (CIWMP) Siting Element*, prepared with the cooperation and approval of the City of San Diego, addressed the capacity of existing permitted landfills within the County of San Diego. State regulations (CCR 18755.3) require that each County or Regional Agency must identify disposal facilities that provide at least 15-years of remaining landfill capacity for that region. The 2004 San Diego CIWMP incorporated proposed Sycamore Landfill additional capacity projections of 162 million cubic yards or 116 million tons of waste into projections for County-wide waste disposal facilities. The additional capacity of the proposed expansion would, if approved, equal approximately 42% of all in-County disposal capacity. If landfilling according to the proposed plan is not allowed because the deviation is not approved, the result would be loss of planned County-wide solid waste disposal capacity, potential non-compliance with state solid waste regulations, and the need to site, permit, and develop one or more additional regional landfills years earlier than anticipated.

The 2005 Siting Element was subject to a 2011 Review Report (County of San Diego 2011a) that projects exhaustion of the existing permitted disposal capacity for the region in 2017 with current permitted capacity, and provides a number of updates and/or additions to the assumptions used in the 2005 Siting Element. Specifically, these include current data related to demographics, as well as the following updates regarding waste generation, recycling and disposal rates; and assumptions on existing and proposed landfill capacity. The 2011 Review Report notes that solid waste disposal decreased by approximately one million tons between 2006 and 2010, based on factors including the economic downturn, and increased conservation and recycling activities, and updated the assumed opening date for the Gregory Canyon Landfill to 2015, noting that the actual date is unclear. It also assumed that the Miramar Landfill is assumed would close in 2022 and the existing Otay Landfill is would close in 2027. The 2011 report also notes that the proposed East Otay Mesa Landfill is designated as a "Proposed New Disposal Facility" rather than a "Tentatively Reserved" site as it was listed in the 2005 Siting Element. Finally, expansion of the Sycamore Canyon Landfill is assumed to begin in 2012, with additional expansion phases to be implemented as needed and to coincide with events such as closure of the Miramar and Otay Landfill sites (and increases in permitted tons per day at the Sycamore Canyon Landfill assumed to correspond with expansion phases).

Based on the described information and "continued improvements in recycling," the 2011 Review Report projects that current in-County permitted landfill capacity, plus the proposed Sycamore Canyon Landfill expansion, will be exhausted in approximately 2028. Accordingly, the report concludes that "San Diego County continues to have 15 years of

disposal capacity... Revision to the Countywide Siting Element of the CIWMP is not warranted at this time.”

The regional need for the expansion is clear in the text of those documents. If expansion of the Sycamore Landfill is assumed, the physical capacity of the County-wide landfill system is projected to be adequate to approximately 2028 (ibid).

e. Supplemental Findings—Steep Hillside Development Area Regulations Alternative Compliance (Section 126.0504(e).)

The supplemental findings are necessary because the Sycamore Landfill Master Development Plan project has impacts to steep hillsides and requests alternative compliance in accordance with Section 143.0151, which requires the following supplemental findings in addition to those listed above.

1. The proposed development is in conformance with the Steep Hillside Guidelines.

The proposed project conforms to the Steep Hillside Guidelines. The Guidelines for commercial, industrial and other non-residential development assume a typical industrial “box” development and not a facility such as a landfill, which by necessity will create a manufactured hillside as it accepts the area’s waste. Nonetheless, the landfill applies and has incorporated, as appropriate, the Guidelines into the development design given the site conditions and the proposed landfill development. Sensitive natural features were preserved to the greatest extent possible, with care taken to site the facility in the way that minimized impacts to environmentally sensitive lands while still accommodating landfilling requirements. Development encroaches into steep hillsides only where there are no other areas feasible for the landfill-associated development and/or the area with the steep hillsides with natural gradient of more than 200 percent constitute a minor portion of the entire site. In addition, the landfill was designed so that the final landfill will be contoured to mimic the surrounding natural hillsides, avoiding angular intersections.

The landfill development maximizes the areas of the site that do not contain steep hillsides and uses retaining walls to reduce the total extent of grading in the steep hillside areas.

To the extent appropriate given the site conditions and the proposed development of the site as a municipal solid waste landfill, the proposed project has been designed so that manufactured slopes would be graded with contours and rounded to the extent feasible and consistent with regulations to resemble natural landforms. The transition between manufactured slopes and natural topography will be blended to avoid harsh angular lines to the extent allowed by landfill regulations designed to protect public health and safety. Moreover, the permit conditions and mitigation measures require that the landscaping on the manufactured slopes adjacent to natural topography will be similar to the vegetation on the natural slopes.

Parking has been designed consistent with the standards in the Hillside Development Guidelines and, consistent with Standard 5 of those Guidelines, the use of reflective building materials has been minimized.

Landscaping has been used to complement and not obscure view corridors, and natural drainage patterns have been respected to the extent feasible, with no increase in the peak rate or concentration of run-off that would result in increased erosion to steep hillside areas and the amount of impervious surfaces minimized.

to the extent they apply to landfills, a unique land use and essential public facility. The Guidelines were not designed to address municipal solid waste landfills, which cannot be developed without impacting a relatively large land and filling that area over with waste. The essential nature of a landfill is providing room for waste capacity. Combined with existing design, engineering regulations, and criteria and topography like that of San Diego make it is unlikely there is a site in the City that could comply with landfill regulations and still provide sufficient capacity for the future municipal solid waste disposal needs, without encroaching into steep slopes.

2. The proposed development conforms to the applicable land use plan.

The proposed project conforms to the applicable land use plan. The development complies with the type of development recommended by the Land Use Plan for this location – a landfill. The City first permitted the Sycamore Landfill under Conditional Use Permit No. 6066 (CUP) in 1963. The original, 1971 version of the Community Plan recognized the landfill use and designated the site for solid waste disposal. In 1974, the City Council amended the Community Plan and the CUP to increase the landfill site designation to approximately 491 acres. As part of this proposed project, another approximately 26 acres outside the boundaries of the existing approved Sycamore Landfill parcels is proposed to be re-designated as landfill in the Community Plan and as Industrial Employment in the General Plan. These new areas are adjacent to the existing landfill parcels or to the existing landfill access road. Once the proposed amendment to the Community Plan and the General Plan is approved, the land uses at the landfill site would be consistent with the Community Plan and the General Plan. Moreover, the proposed project is consistent with all applicable Community Plan and the General Plan goals, objectives and recommendations.

The proposed project also is consistent with the Multiple Species Conservation Program/City of San Diego MSCP Subarea Plan. The approved landfill parcels are not within the MHPA, but adjacent to it. As part of the Master Development Plan, approximately 22.12 acres of sensitive habitat within the MHPA would be permanently disturbed by landfill Master Development Plan development for landfill activities, ancillary facilities and transmission line relocation. However, all of these impacts would be mitigated in accord with the City's Biological Guidelines. The proposed Master Development Plan complies with the MSCP Subarea Plan, including its Adjacency Guidelines. The proposed project would fully mitigate its impacts to the habitats, wildlife movement, preserve conservation and management of the MHPA. Thus, the proposed project is consistent with and conforms to the applicable land use plans.

3. Strict application of the steep hillside development area regulations would result in conflicts with other City regulations, policies, or plans.

Strict application of the steep hillside development regulations is impossible given that the existing landfill already exceeds the allowed encroachment, and to relocate the scales to a place that requires less grading into steep slopes would necessarily force it into having more impact to wetlands, which would conflict with other City regulations, policies and plans.

Also, limiting the amount of development area would be inconsistent with recommendations in the applicable Land Use Plan to use this particular site for the landfill operations, and with the Planning Commission direction to expand the existing landfill and the City's requirements through the Franchise Agreement to provide adequate long-term capacity for municipal solid waste at this location.

Moreover, other City policies or programs will be jeopardized by limiting the development footprint for the landfill on the subject premises. Already the footprint expansion is limited when compared to the additional capacity generated by the proposed landfill design. City health and safety policies could not be met if the steep hillside development area regulations were strictly complied with, given that the landfill would have to be designed in a way that would make it impossible to ensure adequate public health and safety while still providing the capacity long-term to the City, if precluded from encroaching into steep hillsides and required to strictly comply with steep hillside development regulations. To develop a landfill in the City of San Diego that meets the City's long-term disposal capacity needs requires encroaching on some steep slopes. To reduce the landfill footprint and avoid any encroachment into steep slopes would not only impact wetlands, as noted above, but would also be inconsistent with City General Plan and other policies and goals of ensuring adequate municipal solid waste disposal capacity.

Findings for Planned Development Permit Approval - Municipal Code Section 126.0604

1. The proposed development will not adversely affect the applicable land use plan.

The proposed project would not adversely affect the applicable land use plan. The City first permitted the Sycamore Landfill under Conditional Use Permit No. 6066 (CUP) in 1963. The 1971 Elliott Community Plan (now the East Elliott Community Plan or herein referenced as the "Community Plan") recognized the landfill use and designated the site for solid waste disposal. In 1974, the City Council amended the Community Plan and the CUP to increase the landfill site designation to approximately 491 acres. As part of this proposed project, another approximately 26 acres outside the boundaries of the existing approved Sycamore Landfill parcels is proposed to be redesignated from Planned Open Space and Office Commercial to Sanitary Landfill in the Community Plan and from Parks, Recreation and Open Space and Commercial Employment in the General Plan to Industrial Employment. These new areas are adjacent to the existing landfill parcels or to the existing landfill access road. Once the proposed amendment to the Community Plan and the General Plan is approved, the land uses at the landfill site would be consistent with the Community Plan and the General Plan. Moreover, the proposed project is generally consistent with all applicable goals, policies, objectives and recommendations of the City General Plan and Community Plan except that the redesignation of 21 acres from open space designations to industrial conflicts with the goals to preserve open space found in the Conservation and Urban Design Element of the General Plan and the open space management guidelines of the Community

Plan, resulting in a significant unmitigable land use policy impact for the life of the landfill. When the landfill closes those 21 acres, along with the hundreds of acres already occupied by the existing landfill will return to open space.

Avoiding the redesignation of the 21 acres of open space associated with the proposed project would have its own, potentially more severe, inconsistencies with applicable land use plans.

The only alternative landfill sites identified within the City of San Diego, within ten miles of Sycamore Landfill, and not developed or surrounded by development are in Spring Canyon (approximately 0.1 mile west of Sycamore Landfill, in MHPA); Oak Canyon, located 1.5 miles west of the Sycamore Landfill site; and Upper Sycamore Canyon, located in San Diego near the City of Poway. These sites were identified in a 1990 study jointly conducted by the City and the County of San Diego (Dames & Moore, 1990) and/or identified in a 1996 County of San Diego *Integrated Waste Management Plan Countywide Siting Element* (County 1996). While a landfill at the Spring Canyon site could yield up to 134 million cubic yards (mcy) of capacity, it currently is undeveloped open space within the preserve area of the MHPA and therefore its conversion to landfill would also be inconsistent with General Plan policies about preserving open space and would constitute a much larger inconsistency than occurs with the proposed project. Potential landfills at the other two sites would have a waste capacity of 30-44 million cubic yards (mcy), much smaller than the additional 82 mcy proposed in the Sycamore Landfill Master Development Plan. Oak Canyon is known to contain wetlands and other environmentally sensitive lands, and Upper Sycamore Canyon contains ephemeral drainages and environmentally sensitive lands, although wetlands-specific evaluations have not been conducted. As a result, development of either of these two sites as a landfill would also be inconsistent with the General Plan and Community Plan's open space preservation policies and would likely entail additional inconsistencies given they would be creating a new landfill on undeveloped land rather than more efficiently using an existing landfill site.

The proposed project is consistent with the Multiple Species Conservation Program/City of San Diego MSCP Subarea Plan. The approved landfill parcels are not within the MHPA, but adjacent to it. As part of the Master Development Plan, approximately 22.12 acres of sensitive habitat within the MHPA would be permanently disturbed by Master Development Plan landfill activities, ancillary facilities and transmission line relocation. However, all of these impacts would be mitigated in accord with the City's Biological Guidelines. The proposed Master Development Plan complies with the MSCP Subarea Plan, including its Adjacency Guidelines. The proposed project would fully mitigate its impacts to the habitats, wildlife movement, preserve conservation and management of the MHPA. Thus, the proposed project is consistent with the applicable land use plans except for the redesignation of what currently is designated as open space; however, as noted above, that land also will return to open space upon landfill closure and any alternative landfill site would be expected to generate greater land use plan inconsistencies than this one caused by the proposed project.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The proposed development, as currently designed, would not be detrimental to the public health, safety or welfare. The proposed project is a Master Development Plan to allow an area already approved for use as a solid waste disposal facility to be developed in a way that efficiently provides solid waste capacity for the City of San Diego as envisioned by a 1999 Facilities Franchise Agreement. The Master Development Plan expands the already approved waste disposal area by only 28.6 acres. The proposed project would extend the life of this centrally located facility with minimal additional expansion of the already existing footprint. The Master Development Plan would provide for an increase in daily tonnage of municipal solid waste from the current limit of 3,965 tons per day to up to a total of 11,450 tons per day at full build-out, estimated to occur in approximately 2030, depending on the rate of waste disposal in the future and subject to the annual waste acceptance limits in the Franchise Agreement. The proposed expansion would also involve relocating approximately one mile of electric power transmission line corridor that crosses the existing site, and approval of increased operating hours to up to 24-hour a day operations. Moreover, the proposed project would clarify the public property records by means of a lot consolidation parcel map which clarifies which of certain easements were abandoned by Public Act in 1974, and offers to dedicate alternate easements. The proposed project, including the associated development of roadways, drainage infrastructure, open space preservation, etc., has been designed to conform to the City of San Diego's codes, policies, and regulations, the primary focus of which is the protection of the public's health, safety, and welfare. The proposed project has been reviewed by City staff, and, after approval of the amendment to the Community Plan and General Plan, is consistent with the Community Plan and General Plan; the California Environmental Quality Act and the City's environmental regulations; the Multiple Species Conservation Program (MSCP) and Multi-Habitat Planning Area (MHPA); landscaping and brush management policies, the Fire Department's fire protection policies, and all other applicable public health, safety and welfare rules and regulations; as well as all permit conditions imposed by the San Diego Air Pollution Control District, the California Integrated Waste Management Board, the Local Enforcement Agency, the Regional Water Quality Control Board, and other oversight boards and commissions. These permit conditions also help ensure that the proposed project would not be detrimental to the public health, safety or welfare.

No sensitive human receptors are located close to the existing landfill disposal area - the nearest school (West Hills High School) is situated 3,500 feet southeast of the landfill boundary. The closest residential development is approximately 3,500 feet east and south of the site. Other residential developments have been proposed 1,800 feet east of the landfill boundary (Castlerock), and 7,900 feet west of the boundary (Military Family Housing Site 8, MCAS/Miramar). Sycamore Landfill operates under existing Permit No. 971111 issued by the County of San Diego Air Pollution Control District (APCD). The current operational permit allows no releases of odors or dust from any part of the landfill, associated landfill operations or on-site equipment that exceed the applicable visible emission or public nuisance standards specified in the APCD rules and regulations. The proposed project incorporates a liner system to protect groundwater, and monitoring wells to confirm the effectiveness of the liner system.

No area of the proposed project site is within a 100-year floodplain, so flood hazards are not present on the site. The proposed project would not result in undue risks from geological hazards, erosional forces or fire hazards. The landfill is regulated by the State Water Resources Control Board's *Water Quality Control Plan Report for the San Diego Basin*. The Basin Plan designates beneficial uses, water quality objectives, and prohibitions applicable to the discharges regulated under Order No. 99-74, Waste Discharge Requirements for Sycamore Landfill, adopted October 13, 1999. These regulations and conditions, or subsequent modifications by the Board, would continue to be applicable to Sycamore Landfill, and with compliance as required, no significant impact to water quality would occur. The landfill implements run-on/runoff controls and other surface water best management practices (BMPs) such as desilting basins to reduce off-site erosion/siltation effects to below a level of significance. The Sycamore Landfill has a National Pollution Discharge Elimination System (NPDES) permit which addresses storm water management complete with a storm water pollution prevention plan.

In addition, the proposed project health risk assessment for air emissions that was completed for the Master Development Plan concluded that all public health risks for any potential health risk pathways at all sensitive receptors would be less than the applicable adopted public health risk thresholds, therefore there is no public health risk as a result of the approval of the Master Development Plan.

None of the proposed changes to the landfill design or operation would require the need for new or altered governmental services. With implementation of the air quality mitigation measures listed in the Environmental Impact Report (EIR), none of the activities proposed as part of the proposed project would create a health hazard or potential health hazard.

In summary, the proposed project would not be detrimental to public health, safety or welfare; in fact, it would have a net beneficial effect to the public health, safety and welfare because it would provide a modern municipal solid waste disposal facility in which to dispose of the waste generated by the City and its residents and businesses.

3. The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone; and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

The proposed project has been designed to comply with the development regulations of the San Diego Municipal Code and the City's Land Development Code, including the requirements for a site development permit to protect, preserve and, where damaged, restore environmentally sensitive lands, as further discussed below. Implementation of the proposed project would require deviations from the Municipal Code, and the findings for those deviations are more fully described in the Supplemental Findings.

Sycamore Landfill provides municipal solid waste capacity for a large portion of the City of San Diego and the San Diego County region. According to the CIWMP, Sycamore's

existing capacity under its approved plan represents approximately 30% of San Diego County's existing disposal capacity. More recent capacity calculation methods required by the state indicate that Sycamore Landfill actually provides closer to 57% of the County's municipal solid waste disposal capacity. The 2005 Siting Element was subject to a 2011 Review Report (County of San Diego 2011a) that projects exhaustion of the existing permitted disposal capacity for the region in 2017 with current permitted capacity, and provides a number of updates and/or additions to the assumptions used in the 2005 Siting Element. Specifically, these include current data related to demographics, as well as the following updates regarding waste generation, recycling and disposal rates; and assumptions on existing and proposed landfill capacity. The 2011 Review Report notes that although solid waste disposal decreased by approximately one million tons between 2006 and 2010, expansion of the Sycamore Canyon Landfill is assumed to begin in 2012, with additional expansion phases to be implemented as needed and to coincide with events such as closure of the Miramar and Otay Landfill sites (and increases in permitted tons per day at the Sycamore Canyon Landfill assumed to correspond with expansion phases).

Based on the described information and "continued improvements in recycling," the 2011 Review Report projects that current in-County permitted landfill capacity, including the proposed Sycamore Canyon Landfill expansion, will be exhausted in approximately 2028. Accordingly, the report concludes that "San Diego County continues to have 15 years of disposal capacity... Revision to the Countywide Siting Element of the CIWMP is not warranted at this time." The regional need for the expansion is clear in the text of those documents. If expansion of the Sycamore Landfill is assumed, the physical capacity of the County-wide landfill system is projected to be adequate to approximately 2028 (ibid).

The proposed Master Development Plan would allow future waste disposal at an existing landfill site, helping to accommodate more of the region's needs for an additional 20-30 years. Continued availability of centrally located disposal facilities benefits the community as a whole. In addition, the facility would assist the cities in the County achieve their Source Reduction and Recycling Element (SRRE's) goals under state law and to generate additional electrical power from renewable sources of fuel.

The proposed project with its proposed deviations, including the deviation from the industrial zone requirement for outdoor amenities, results in a more desirable project than would be achieved if strict conformance was required. According to SDMC Sec. 131.0601, "The purpose of the industrial zones is to accommodate a range of industrial and manufacturing activities in designated areas to promote a balanced land use and economy and to encourage employment growth. The industrial zones are intended to provide flexibility in the design of new and redeveloped industrial projects while assuring high quality *development* and to protect land for industrial uses and limit non-industrial uses."

SDMC Sec. 131.0655 is designed to provide outdoor amenities to workers in factories and similar industrial developments who otherwise would not have access to the outdoors. The proposed project is not a typical industrial use, as it involves work that is almost exclusively outdoors, rather than the indoor work typically associated with industrial uses. Thus, while requiring an outdoor amenity is appropriate for industrial workers who otherwise would be kept indoors all day, the purpose behind the requirement, allowing workers the opportunity to

spend some time outdoors, does not apply to the proposed project, where the work already is almost exclusively outdoors. Instead, the proposed project provides a 450-square foot indoor eating/break area in the proposed maintenance facility, to allow its workers, who spend most of the day outside, to have a place indoors to have shelter from the weather. There also is a picnic bench located behind one of the offices in the existing landfill entrance area, for any workers who wish to eat outdoors, and an additional table would be added as part of the proposed project, so that there would be two tables placed in a sheltered portion of the landscaped areas near the new office building. In addition, the proposed project is across the street from West Hills Park, and is within a quarter-mile of Mission Trails Regional Park. The Applicant purchased and donated a picnic table that is located in the equestrian area of the Park, and that is available for use by landfill workers.

There are no comparable situations in the surrounding neighborhood. No other industrial uses are permitted within miles of the site, and there are few developments of any kind near the landfill disposal area. West Miramar Landfill, the nearest similar landfill in the region, provides two picnic benches in an area near its administrative offices, similar to what would be provided at Sycamore. The proposed deviation would be beneficial to the neighborhood because of unique circumstances at the subject site, in that the workers at the site, who spend most of their day outside, would have an indoor eating area. Moreover, it benefits the neighborhood and the workers to have an indoor eating area rather than eating outdoors at the operating landfill. The landfill has existed at the present location for more than forty years, and no outdoor amenity beyond the picnic bench cited above has ever been provided.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and SDP No. 9310 and PDP No. 9309 are granted to Sycamore Landfill, Inc. Owner/Permittee, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: Jan Goldsmith, City Attorney

By _____
Deputy City Attorney

ATTY/SEC. INITIALS

DATE

Or.Dept:Clerk

R-XXXX

Reviewed by Jeannette Temple

WE ARE THE OWNERS OF OR ARE INTERESTED IN THE PROPERTY COVERED BY THIS MAP HEREBY APPROVE SAID MAP AND THE FILING THEREOF.

WE HEREBY DEDICATE TO PUBLIC USE THOSE PORTIONS OF PARCELS 1 AND 3 MARKED "IRREVOCABLE OFFER TO DEDICATE PUBLIC STREET" AND APPURTENANCES THERETO, ALL AS SHOWN ON THIS MAP.

IT IS OUR INTENT TO SUBDIVIDE AND LATER CONVEY OUR ENTIRE INTEREST IN THE REAL PROPERTY SHOWN ON THIS MAP WITHIN THE HEAVY BORDER, INCLUDING ANY REVERSION RIGHTS THAT MAY EXIST WITHIN THE ADJOINING PUBLIC RIGHT-OF-WAY. IT IS NOT OUR INTENT TO ALTER OR SEVER THE LEGITIMATE RIGHTS OF OTHERS WHO MAY HAVE A CLAIM ON THOSE REVERSION RIGHTS THROUGH PRIOR CONVEYANCES.

SYCAMORE LANDFILL INC., A CALIFORNIA CORPORATION

BY: Neil R. Mohr NAME: Neil R. Mohr TITLE: General Mgr.
BY: _____ NAME: _____ TITLE: _____

STATE OF CALIFORNIA
COUNTY OF San Diego

ON May 18, 2012 BEFORE ME
Betty L. Neely, Notary Public PERSONALLY APPEARED
Neil R. Mohr

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITIES, AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND.

SIGNATURE Betty L. Neely

(PRINT NAME) Betty L. Neely

NOTARY PUBLIC IN AND FOR SAID AND STATE

PRINCIPAL PLACE OF BUSINESS IS COUNTY OF San Diego

MY COMMISSION EXPIRES Nov 5, 2014

COMMISSION NO. OF NOTARY 1907970

THE SIGNATURES OF THE FOLLOWING PARTIES HAVE BEEN OMITTED UNDER THE PROVISIONS OF SECTION 66436, SUBSECTION (a) (3) (A) (I) OF THE SUBDIVISION MAP ACT, THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE TITLE AND SAID SIGNATURES ARE NOT REQUIRED BY THE GOVERNING BODY.

- CITY OF SAN DIEGO, HOLDER OF EASEMENTS DESCRIBED IN DOCUMENTS:
1. RECORDED JUNE 7, 1965 AS INSTRUMENT NO. 101350 OF OFFICIAL RECORDS.
 2. RECORDED JULY 6, 1965 AS INSTRUMENT NO. 120547 OF OFFICIAL RECORDS.
 3. RECORDED MAY 3, 1966 AS INSTRUMENT NO. 74588 OF OFFICIAL RECORDS.
 4. RECORDED AUGUST 31, 1966 AS INSTRUMENT NO. 141981 OF OFFICIAL RECORDS.
 5. RECORDED MAY 23, 1967 AS INSTRUMENT NO. 73196 OF OFFICIAL RECORDS.
 6. RECORDED OCTOBER 14, 2002 AS INSTRUMENT 2002-0890219 OF OFFICIAL RECORDS.

- COUNTY OF SAN DIEGO, HOLDER OF EASEMENTS DESCRIBED IN DOCUMENTS:
1. RECORDED OCTOBER 08, 1896 IN BOOK 257, PAGE 188 OF DEEDS.
 2. RECORDED JUNE 21, 1991 AS INSTRUMENT 91-0301107 OF OFFICIAL RECORDS.
 3. RECORDED JUNE 21, 1991 AS INSTRUMENT 91-0301108 OF OFFICIAL RECORDS.
 4. RECORDED JUNE 21, 1991 AS INSTRUMENT 91-0301110 OF OFFICIAL RECORDS.

- SAN DIEGO GAS AND ELECTRIC, HOLDER OF EASEMENTS DESCRIBED IN DOCUMENTS:
1. RECORDED FEBRUARY 11, 1955 IN BOOK 5530, PAGE 2 OF OFFICIAL RECORDS.
 2. RECORDED JUNE 21, 1977 AS INSTRUMENT 77-245471 OF OFFICIAL RECORDS.
 3. RECORDED MAY 07, 1990 AS INSTRUMENT 90-247130 OF OFFICIAL RECORDS.
 4. RECORDED JUNE 04, 1990 AS INSTRUMENT 90-301655 OF OFFICIAL RECORDS.
 5. RECORDED DECEMBER 19, 1991 AS INSTRUMENT 1991-0659250 OF OFFICIAL RECORDS.
 6. RECORDED DECEMBER 07, 2000 AS INSTRUMENT 2000-0665576 OF OFFICIAL RECORDS.
 7. RECORDED APRIL 18, 2003 AS INSTRUMENT 2003-0448690 OF OFFICIAL RECORDS.
 8. RECORDED NOVEMBER 12, 2004 AS INSTRUMENT 2004-1074831 OF OFFICIAL RECORDS.

- PACIFIC BELL, HOLDER OF EASEMENTS DESCRIBED IN DOCUMENTS:
1. RECORDED MAY 07, 1990 AS INSTRUMENT 90-247129 OF OFFICIAL RECORDS.
 2. RECORDED JUNE 04, 1990 AS INSTRUMENT 90-301656 OF OFFICIAL RECORDS.

THIS PARCEL MAP RESTATES, REPLACES AND SUPERCEDES PARCEL MAP NO. 20626 INCLUDING ANY VACATIONS OR OFFERS OF DEDICATIONS THEREON.

PARCEL MAP

BEING A LOT CONSOLIDATION OF PORTIONS OF LOTS 3, 4, 9 AND 10 OF THE RE-SUBDIVISION OF PART OF FANITA RANCHO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1703, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 28, 1918, AND A PORTION OF LOT 73 OF RANCHO MISSION OF SAN DIEGO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF NO. 330, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 14, 1886, TOGETHER WITH THOSE ROAD EASEMENTS AS DEDICATED TO PUBLIC USE.

PORTIONS OF THE UNNAMED PUBLIC ROAD EASEMENTS RECORDED 6-07-1965 AS F/P 101350 AND RECORDED 5-23-1967 AS F/P 73196 AND SEWER EASEMENTS RECORDED 7-06-1965 AS F/P 120547 AND RECORDED 5-23-1967 AS F/P 73196 GRANTED TO THE CITY OF SAN DIEGO ARE NOT SHOWN WITHIN THIS MAP BECAUSE THEY HAVE BEEN VACATED AND ABANDONED PURSUANT TO SECTION 66445(J) OF THE SUBDIVISION MAP ACT.

TOTAL ACRES: 566.457 TOTAL NUMBER OF PARCELS: 3
TITLE REPORT PREPARED BY: FIRST AMERICAN TITLE COMPANY
ORDER NO. NHRV-2911068 (06)

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS COMPILED FROM RECORD DATA IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF SYCAMORE LANDFILL INC., SEPTEMBER 4, 2007, AND I HEREBY STATE THAT SAID DATA IS TRUE AND COMPLETE AS SHOWN.

I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.



Patrick A. McMichael 5-15-2012
PATRICK A. MCMICHAEL, L.S. 6187 DATE

CITY ENGINEER STATEMENT

I HEREBY STATE THAT THIS MAP WAS EXAMINED BY ME OR UNDER MY DIRECT SUPERVISION; THAT IT SUBSTANTIALLY CONFORMS TO THE TENTATIVE MAP, IF ANY, AND ANY APPROVED ALTERATIONS THEREOF; THAT IT COMPLIES WITH THE SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP AND THAT IT IS TECHNICALLY CORRECT.

BY THE AUTHORITY GRANTED TO ME BY CITY ORDINANCE, I REJECT ON BEHALF OF THE CITY COUNCIL, THOSE PORTIONS OF PARCELS 1 AND 3 MARKED "IRREVOCABLE OFFER TO DEDICATE PUBLIC STREET", SAID OFFER WILL REMAIN OPEN AND SUBJECT TO FUTURE ACCEPTANCE BY THE CITY.
I ALSO CERTIFY THAT THERE ARE NO UNPAID BONDS ISSUED UNDER THE STREET IMPROVEMENTS ACTS OF THE STATE OF CALIFORNIA AGAINST THIS SUBDIVISION.

JAMES NAGELVOORT, CITY ENGINEER

BY: GREGORY P. HOPKINS, DEPUTY DATE
P.L.S. 7730

RECORDER'S CERTIFICATE

FILE NO. _____
FILED THIS _____ DAY OF _____, 2012
AT _____ O'CLOCK _____ M. IN BOOK OF PARCEL MAPS AT
PAGE _____ AT THE REQUEST OF PATRICK A. MCMICHAEL.

ERNEST J. DRONENBURG JR. BY: _____
COUNTY RECORDER DEPUTY

FEE: \$ 18.00

P.T.S. NO. 5617	I.O. NO. 23421084
T.M. NO. NONE	L.C. 252-1759 CCS 83C 1892-6319

CLERK CERTIFICATE

I, CITY CLERK OF THE CITY OF SAN DIEGO, CALIFORNIA, HEREBY CERTIFY THAT, BY RESOLUTION NO. _____, THE COUNCIL OF SAID CITY HAS APPROVED THIS MAP.

INCLUDING THE VACATION OF UNNAMED STREETS AND THE VACATION OF THE SEWER EASEMENTS AS INDICATED HEREON PURSUANT TO THE PROVISIONS OF SECTION 66445(J) OF THE STATE SUBDIVISION MAP ACT.

IN WITNESS WHEREOF, SAID COUNCIL HAS CAUSED THESE PRESENTS TO BE EXECUTED BY THE CITY CLERK AND ATTESTED BY ITS SEAL THIS _____ DAY OF _____, 2012.

ELIZABETH MALAND, CITY CLERK

CLERK OF THE BOARD CERTIFICATE

I, THOMAS J. PASTUSZKA, CLERK OF THE BOARD OF SUPERVISORS HEREBY CERTIFY THAT THE PROVISIONS OF THE SUBDIVISION MAP ACT (DIVISION 2 OF TITLE 7 OF THE GOVERNMENT CODE) REGARDING (A) DEPOSITS FOR TAXES AND (B) CERTIFICATION OF THE ABSENCE OF LIENS FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES EXCEPT THOSE NOT YET PAYABLE, HAVE BEEN COMPLIED WITH.

THOMAS J. PASTUSZKA BY: _____
CLERK OF THE BOARD DEPUTY
OF SUPERVISORS

DATE: _____

PROCEDURE OF SURVEY

EASEMENT NOTES

1. AN EXISTING ROAD EASEMENT TO THE COUNTY OF SAN DIEGO REC. 10-08-1896 IN BOOK 257, PAGE 188 OF DEEDS HAS NO SPECIFIC LOCATION SET FORTH IN THE DEED AND CANNOT BE PLOTTED ON MAP.
2. AN EXISTING UTILITY EASEMENT TO SAN DIEGO GAS AND ELECTRIC CO. REC. 4-18-2003 AS DOCUMENT 2003-0448690 HAS NO SPECIFIC LOCATION SET FORTH IN THE DEED AND CANNOT BE PLOTTED ON MAP.

INFORMATION ON THIS MAP IS BASED ON RECORD DATA PER RECORD OF SURVEY MAP NO. 10608, NOT A FIELD SURVEY

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALIFORNIA COORDINATE SYSTEM, ZONE VI. BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE IN TERMS OF SAID SYSTEM AS ADJUSTED BY THE N.G.S. JULY, 1974. QUOTED BEARINGS AND DISTANCES MAY OR MAY NOT BE IN TERMS OF SAID SYSTEM. BEARINGS BASED LOCALLY UPON N.G.S. CONTROL STATIONS "COWLES & SANTEE" PER RECORD OF SURVEY MAP NO. 10608, I.E. N32°48'21"E

LEGEND

- INDICATES 2" IRON PIPE WITH S.D. CO. ENGR. BRASS TAG PER ROS 10608, UNLESS OTHERWISE NOTED
- ⊙ INDICATES 2" IRON PIPE AND TAG "S.D. CO. ENGR." PER ROS 16353
- INDICATES PARCEL MAP BOUNDARY
- (R) INDICATES RADIAL BEARING
- (dd1) INDICATES DEED TO: SYCAMORE LANDFILL, INC., REC. 10-31-1997 AS F/P 1997-0547811, O.R.
- (dd2) INDICATES DEED TO: SYCAMORE LANDFILL, INC., REC. 01-17-2002 AS DOC. NO. 2002-0045705, O.R.
- (dd3) INDICATES DEED TO: SYCAMORE LANDFILL, INC., REC. 09-02-1998 AS DOC. NO. 1998-0559993, O.R.
- (dd4) INDICATES DEED TO: PARDEE HOMES REC. 02-04-2003 AS DOC. NO. 2003-0126268, O.R.
- (dd5) INDICATES DEED TO: PARDEE HOMES REC. 01-12-2005 AS DOC. NO. 2005-0031213, O.R.
- (dd6) INDICATES DEED TO: SYCAMORE LANDFILL, INC., REC. 01-09-2002 AS DOC. NO. 2002-0020557, O.R.
- (dd7) INDICATES DEED TO: SYCAMORE LANDFILL, INC., REC. 09-11-2003 AS DOC. NO. 2003-1118858, O.R.
- (dd8) INDICATES DEED TO: SYCAMORE LANDFILL, INC., REC. 09-26-2003 AS DOC. NO. 2003-1191402, O.R.
- (dd9) INDICATES DEED TO: SYCAMORE LANDFILL, INC., REC. 09-13-2002 AS DOC. NO. 2002-0787156, O.R.
- (dd10) INDICATES DEED TO: SYCAMORE LANDFILL, INC., REC. 01-26-2001 AS DOC. NO. 2001-0045111, O.R.
- [] INDICATES RECORD DATA PER ROS 10608
- < > INDICATES RECORD DATA PER ROS 16353
- () INDICATES RECORD DATA PER DEED AS SHOWN

NOTES

1. ALL DISTANCES AND OR STREET WIDTHS SHOWN WITHOUT DECIMALS REPRESENT THAT DISTANCE TO ZERO HUNDREDTHS.

VACATED EASEMENT NOTES

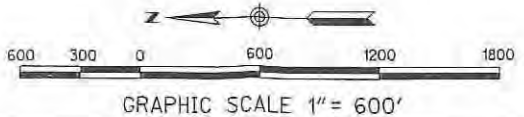
- △ ALL OF SEWER EASEMENT NO. 9 REC. 7-6-1965 AS F/P 120547 TO BE VACATED
- △ ALL OF SEWER EASEMENT NO. 10 REC. 7-6-1965 AS F/P 120547 TO BE VACATED
- △ ALL OF SEWER EASEMENT NO. 12 REC. 5-23-1967 AS F/P 73196 TO BE VACATED
- △ ALL OF SEWER EASEMENT NO. 13 REC. 5-23-1967 AS F/P 73196 TO BE VACATED
- △ ALL OF SEWER EASEMENT NO. 15 REC. 5-23-1967 AS F/P 73196 TO BE VACATED
- △ ALL OF SEWER EASEMENT NO. 16 REC. 5-23-1967 AS F/P 73196 TO BE VACATED
- △ ALL OF SEWER EASEMENT NO. 17 REC. 5-23-1967 AS F/P 73196 TO BE VACATED
- △ ALL OF SEWER EASEMENT NO. 14 REC. 5-23-1967 AS F/P 73196 TO BE VACATED
- △ PORTION OF ROADWAY EASEMENT NO. 1 REC. 6-7-1965 AS F/P 101350 TO BE VACATED
- △ PORTION OF ROADWAY EASEMENT NO. 7 REC. 6-7-1965 AS F/P 101350 TO BE VACATED
- △ ALL OF ROADWAY EASEMENT NO. 10 REC. 6-7-1965 AS F/P 101350 TO BE VACATED
- △ ALL OF ROADWAY EASEMENT NO. 12 REC. 6-7-1965 AS F/P 101350 TO BE VACATED
- △ ALL OF ROADWAY EASEMENT NO. 13 REC. 6-7-1965 AS F/P 101350 TO BE VACATED
- △ ALL OF ROADWAY EASEMENT NO. 14 REC. 6-7-1965 AS F/P 101350 TO BE VACATED
- △ PORTION OF ROADWAY EASEMENT NO. 17 REC. 5-23-1967 AS F/P 73196 TO BE VACATED
- △ PORTION OF ROADWAY EASEMENT NO. 18 REC. 5-23-1967 AS F/P 73196 TO BE VACATED
- △ PORTION OF ROADWAY EASEMENT NO. 19 REC. 5-23-1967 AS F/P 73196 TO BE VACATED



MIRAMAR NAVAL RESERVATION
SEC. 11, T15S, R1W, S8M

VICINITY MAP
NO SCALE

RICK
ENGINEERING COMPANY
5620 FRIARS ROAD
SAN DIEGO, CA 92110
619.291.0707
(FAX) 619.291.4165
J. 14211-C
M:\s_d\14211\14211\14211\14211.dwg, p02.dwg
29-MAR-2012 11:56
rickengineering.com
San Diego
Riverside - Orange - San Luis Obispo - Bakersfield - Sacramento - Phoenix - Tucson



ATTACHMENT 8 -

POR. LOT 10
MAP 1703

PARCEL 3
503.968 ACRES

POR. LOT 9
MAP 17 03

UNNAMED ROAD —
EASEMENT NO. 19 TO
CITY OF SAN DIEGO PER
DOC. REC. 5-23-1967
AS F/P 73196 O.R.



RICK
ENGINEERING COMPANY

5620 FRIARS ROAD
SAN DIEGO, CA 92110
619.291.0707
(FAX) 619.291.4165

J. 14211-C
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rickengineering.com

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29-04-2012

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Riverside - Orange - San Luis Obispo - Bakersfield - Sacramento - Phoenix - Tucson

(SEE SHEET 4)



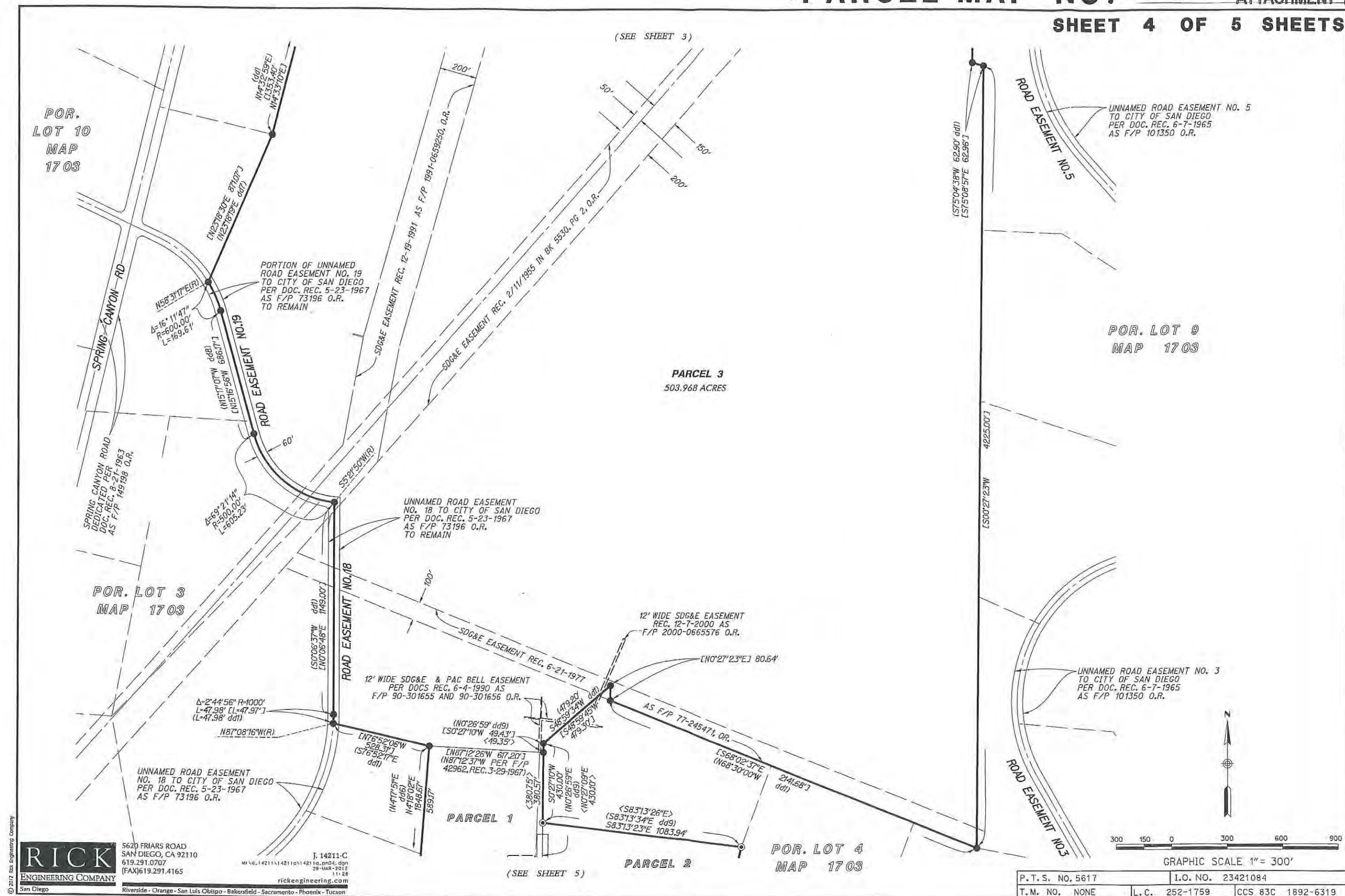
300 150 0 300 600 900

GRAPHIC SCALE 1" = 300'

P. T. S. NO. 5617	I.O. NO. 23421084
T.M. NO. NONE	L.C. 252-1759 CCS 83C 1892-6319

ATTACHMENT 8 -

(SEE SHEET 3)



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ENGINEERING COMPANY

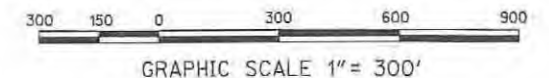
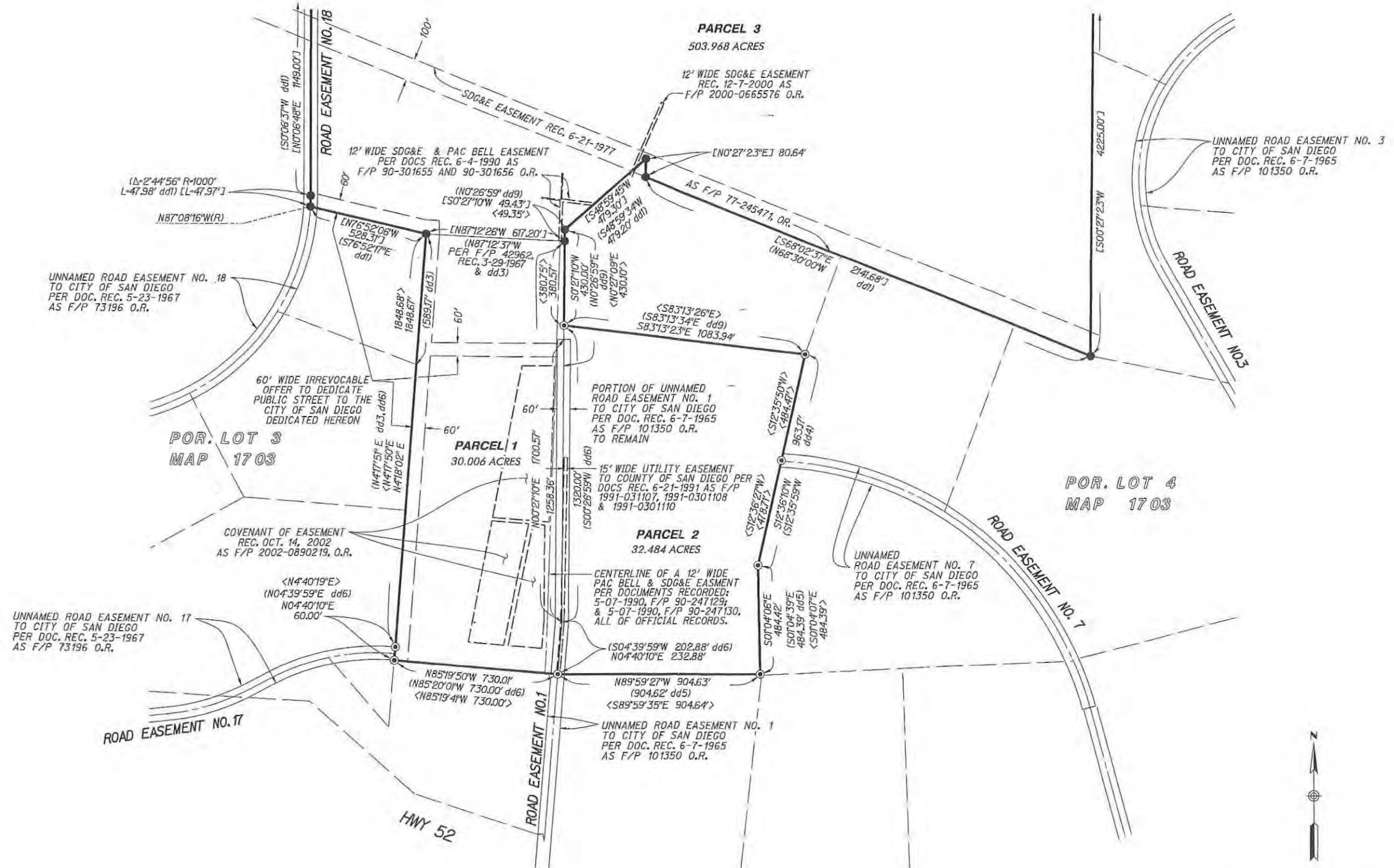
5620 FRIARS ROAD
SAN DIEGO, CA 92110
619.291.0707
(FAX)619.291.4165

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29-MAR-2012
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P.T.S. NO. 5617		I.O. NO. 23421084	
T.M. NO. NONE	L.C. 252-1759	CCS 83C 1892-6319	

(SEE SHEET 4)



RESOLUTION NUMBER R-_____

ADOPTED ON _____

A RESOLUTION SUMMARILY VACATING PUBLIC
ROAD, SLOPE AND SEWER EASEMENTS LOCATED IN
PARCELS 1 THROUGH 4 OF PARCEL MAP NO. 20626,
EASEMENT VACATIONS NO. 534708
PUBLIC RIGHT OF WAY VACATIONS NO. 534709
SYCAMORE LANDFILL MASTER PLAN - PROJECT NO. 5617

WHEREAS, Section 66445(j) of the Subdivision Map Act and Sections 125.0910 and 125.1010 of the San Diego Municipal Code provide procedures for the vacation of road, slope and sewer easements through a parcel map when such easements are no longer required, do not contain active public utility facilities that would be adversely affected by the vacation and have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation, or have been superseded by relocation; and

WHEREAS, it is proposed that public sewer easement numbers 9 and 10 granted to the City of San Diego per deed recorded July 6, 1965 as F/P 120547 of Official Records; public sewer easement numbers 12, 13, 14, 15, 16 and 17 granted to the City of San Diego per deed recorded May 23, 1967 as F/P 73196 of Official Records; all roadway and slope easement numbers 10, 12, 13 and 14 and portions of the roadway and slope easement numbers 1 and 7 granted to the City of San Diego per deed recorded June 7, 1965 as F/P 101350 of Official Records; and portions of roadway and slope easement numbers 17, 18 and 19 granted to the City of San Diego per deed recorded May 23, 1967 as F/P 73196 of Official Records (collectively, the "Easements"), be vacated; and

ATTACHMENT 8

WHEREAS, the roadways are excess public rights-of-way and are not required for *street* or highway purposes; and

WHEREAS, the The easements have not been used for the purpose for which they were dedicated or acquired for 5 consecutive years immediately preceding the proposed abandonment; and

WHEREAS, the Easements have been superseded by relocation and there are no other public facilities located within the Easements; and

WHEREAS, the Easements do not contain active public utilities that would be affected by the vacation; and

WHEREAS, under Charter Section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body, a public hearing was required by law implicating due process rights of individuals affected by the decision, and the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the matter was set for public hearing on _____, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that with respect to Easement Vacation No. _____, the Council finds that:

(a) There is no present or prospective public use for the easements, either for the facilities or purposes for which they were originally acquired or for any other public use of a like nature that can be anticipated;

ATTACHMENT 8

The road, slope and sewer Easements proposed to be vacated and relocated as part of the proposed project were originally acquired for lots created and sold off by the Federal Government in the former Camp Elliott base, to provide frontage for all parcels and sewer. The Easements were accepted by the City but were never developed, due to the rugged topography, environmental constraints, lack of services and multiplicity of small ownerships that make residential and other forms of urban development impractical and uneconomical in most of the area.

There is no present or public prospective use for the Easements in the existing locations, or for any other public use of a like nature that can be anticipated; not only does the existing Sycamore Landfill cover most of the Easements, but the topography and environmental constraints make use of the Easements impractical in their original locations. The proposed project's Easement Relocation Plan maintains adequate access and service to neighboring parcels within the East Elliott Community Planning Area, and the new location and dedication of the Easements under that plan will provide reasonable access and service to the public facilities and purposes for which the Easements originally were acquired, to the extent any such purpose exists. Public access to privately owned property will continue through the relocated easements.

Portions of Road and Slope Easement Nos. 1, 10, 12, 13, 14, 18 and 19 were abandoned by the City in 1974 when the City expanded the area of the Sycamore Landfill to its current size in the 1970s. This approval of landfilling on the property extinguished access at those locations for parcels served by these Easements, although other access points were still available to those parcels at the time the Easements were abandoned. These Findings serve to reconfirm the earlier

ATTACHMENT 8

termination of the public rights to the Easements, if any, to avoid any confusion to the public and/or cloud on title to properties in the East Elliott Community Planning Area that otherwise might result from reliance solely on the termination/abandonment of the 1970s. Once the City accepts the irrevocable offer to dedicate the road and slope easements, the Easement Relocation Plan will relocate portions of the abandoned Easements around the southwest end of the landfill and provide the parcels in that area with access to the portion of Road Easement No. 1 that contains a constructed road.

Portions of Road and Slope Easement Nos. 7 and 17 are "paper easements" that serve parcels owned by the landfill property and that are part of the proposed project's mitigation lands or ancillary facilities such as the scale and scale house. These parcels will continue to be served by Road and Slope Easement No. 1. The portions of Road and Slope Easements Nos. 7 and 17 that are located within lands not owned by the landfill are not being vacated by this action and will continue to provide adequate access to the parcels they currently access. In addition, non-landfill parcels partially serviced with easterly access by the vacated portion of Road and Slope Easement No. 17 will maintain easterly access to Road and Slope Easement No. 1 upon the City's acceptance of the irrevocable offer to dedicate easements within the Easement Relocation Plan. Non-landfill parcels partially serviced with westerly access by the vacated portion of Road and Slope Easement No. 7 will continue to maintain westerly access to Road and Slope Easement No. 1 and southerly access to Mast Boulevard via Road and Slope Easement No. 8 and the unvacated portion of Road and Slope Easement No. 7.

None of the sewer easements were ever constructed within the areas proposed for

ATTACHMENT 8

vacation, so the level of service to the affected parcels remains the same after vacation and relocation as it would be without the vacation. Potential utility service in the future is preserved through the Easement Relocation Plan.

As demonstrated above, there are no present or prospective public uses for the Easements, either for the facilities or purposes for which they were originally acquired or for any other public use of a like nature that can be anticipated that requires the Easements to remain in their current locations.

(b) The public will benefit from the action through improved utilization of the land made available by the vacation;

The action of vacating the Easements and reconfirming the abandonment of those Easements which were abandoned through approval of the expanded Sycamore Landfill in the 1970s will benefit the public, because this vacation and the Easement Relocation Plan relocate the Easements from areas where the topography and environmental constraints made development of the roads, slopes and/or sewers in those areas impractical if not infeasible. The vacation also furthers the Master Plan Expansion of the Sycamore Landfill, thereby helping to ensure adequate disposal capacity for the region's municipal solid waste. If new landfill capacity is not provided, the number of incidents of illegal dumping of waste on vacant lots without any regard for the environment, public health or private property rights could increase and waste would need to be transported greater distances, leading to increased traffic and associated impacts. For the reasons cited herein, the public will benefit from the use of the vacated easement area to provide new capacity and avoid unwanted health and environmental impacts and from more practical easement

locations as set forth in the Easement Relocation Plan.

(c) The vacation is consistent with any applicable land use plan; and

The existing landfill development is located within the East Elliott Community Planning Area. The 1971 Elliott Community Plan (Community Plan) recognized the landfill use and designated the site for solid waste disposal. In the 1970s the City Council amended the Community Plan to increase the landfill site designation, including the area of many of the abandoned road, slope and sewer easements that are the subject of this vacation. This vacation does not conflict with any of the Community Plan's goals, objectives or recommendations and, as such, does not adversely affect any applicable land use plan. Moreover, the vacation is consistent with the City's Multi-Species Habitat Planning Area (MHPA), the General Plan and with all other applicable land use plans.

(d) The public facilities or purposes for which the easements were originally acquired will not be detrimentally affected by the vacation or the purpose for which the easements were acquired no longer exists.

The Easements vacated as part of the proposed project are part of an Easement Relocation Plan that facilitates the anticipated landfill expansion, while maintaining adequate access and service to neighboring parcels within the East Elliott Community Planning Area. The public facilities for which the Easements were originally acquired will not be detrimentally affected by the vacation of the Easements, because the new location and dedication of the Easements will continue to provide reasonable access and service to the public facilities and purposes for which the Easements were originally acquired, to the extent any such facility or purpose still exists. The

ATTACHMENT 8

Easement Relocation Plan will provide public access to privately owned lots. Legal access serving the landfill also will be preserved through providing access to the new consolidated landfill parcel. Also, these findings reconfirm the termination of public rights to the Easements first made in the 1970s with expansion of the Sycamore Landfill over portions of Road and Slope Easement Nos. 1, 10, 12, 13, 14, 18 and 19.

The Easements have never been developed, due to a variety of factors including their location on rugged topography, existing environmental constraints, lack of services and multiplicity of small ownerships that made and continue to make residential and other forms of urban development impractical and uneconomical on the vacant parcels served by the Easements. When the United States Government originally created the easements in the 1960s, they were drawn for the convenience of establishing legal access to legal lots that only existed on paper. Known as "paper easements," they were drawn without regard to the physical terrain or biological habitat impacts. Some of the Easements enter the sides of steep slopes, sensitive habitats, or canyons. In contrast, the proposed Easement Relocation Plan requires the landfill operator to dedicate a road easement around the southwest end of the landfill that will avoid areas set aside as mitigation for impacts to sensitive habitat areas. Portions of Road Easements Nos. 7 and 17 are "paper easements" that serve parcels owned by the landfill and that are part of the proposed project as mitigation lands, scale facilities or other ancillary landfill facilities. These parcels will continue to be served by Road Easement No. 1 under the Easement Relocation Plan.

The portions of Road Easements Nos. 7 and 17 within lands not owned by the landfill are not subject to vacation and will continue to provide adequate access to those parcels. In addition,

ATTACHMENT 8

non-landfill parcels partially serviced with easterly access by the vacated portion of Road Easement No. 17 will maintain easterly access to Road Easement No. 1 upon the City's acceptance of the irrevocable offer to dedicate easements within the Easement Relocation Plan. Non-landfill parcels partially serviced with westerly access by the vacated portion of Road Easement No. 7 maintain westerly access to Road Easement No. 1 and southerly access to Mast Boulevard via Road Easement No. 8 and the unvacated portion of Road Easement No. 7.

None of the sewer easements were actually constructed within the areas proposed for vacation, so their level of service to the affected parcels remains the same upon relocation. Potential utility service in the future will be preserved through the Easement Relocation Plan.

As resolved and found above, the public facilities and purposes for which the Easements were originally acquired will not be detrimentally affected by the requested vacation and the new locations and dedication of the road, slope and sewer easements under the Easement Relocation Plan would maintain or improve the public facilities and purposes for which the easements were originally acquired, to the extent the purposes for the easements still exist.

BE IT FURTHER RESOLVED, by the Council of San Diego, that the Council finds that certain map surveyed by Patrick A. McMichael, Licensed Land Surveyor, titled PARCEL MAP, Project Tracking System No. 5617 [MAP], being a consolidation of Portions of Lots 3, 4, 9 and 10 of the re-subdivision of part of Fanita Rancho in the City of San Diego, County of San Diego, State of California, according to Map No. 1703, filed in the Office of the County Recorder February 28, 1918, and a portion of Lot 73 of Rancho Mission of San Diego, Map No. 330, filed in the office of the County Recorder January 14, 1886 has been prepared in accordance with the

ATTACHMENT 8

San Diego Municipal Code Chapter 14, Article 4, Division 3, including Section 144.0310, and pursuant to the Subdivision Map Act, Chapter 2, Article 3 and the City of San Diego Land Development Manual;

BE IT FURTHER RESOLVED, that all of Sewer Easement Numbers 9 and 10, granted to the City of San Diego per deed recorded July 6, 1965 as F/P 120547 of Official records; and all of Sewer Easement Numbers 12, 13, 14, 15, 16, and 17, granted to the City of San Diego per deed recorded May 23, 1967 as F/P 73196 of Official records,

Together with:

All of Roadway and Slope Easement Numbers 10, 12, 13 and 14, and portions of Roadway and Slope Easement Numbers 1 and 7 granted to the City of San Diego per deed recorded June 7, 1965 as F/P 101350 of Official records, and portions of Roadway and Slope Easement Numbers 17, 18 and 19 granted to the City of San Diego per deed recorded May 23, 1967 as F/P 73196 of Official Records, will not be shown on said MAP because they are vacated pursuant to section 66445(j) of the State Subdivision Map Act.

BE IT FURTHER RESOLVED; that the City Clerk is authorized and directed to endorse upon the MAP, as and for the act of the Council, and that the Council has approved the MAP on behalf of the public as stated in this resolution.

BE IT FURTHER RESOLVED, that the City Engineer is directed to transmit the MAP to the County Recorder of the County of San Diego, California, for recordation.

APPROVED: Jan Goldsmith, City Attorney

By _____

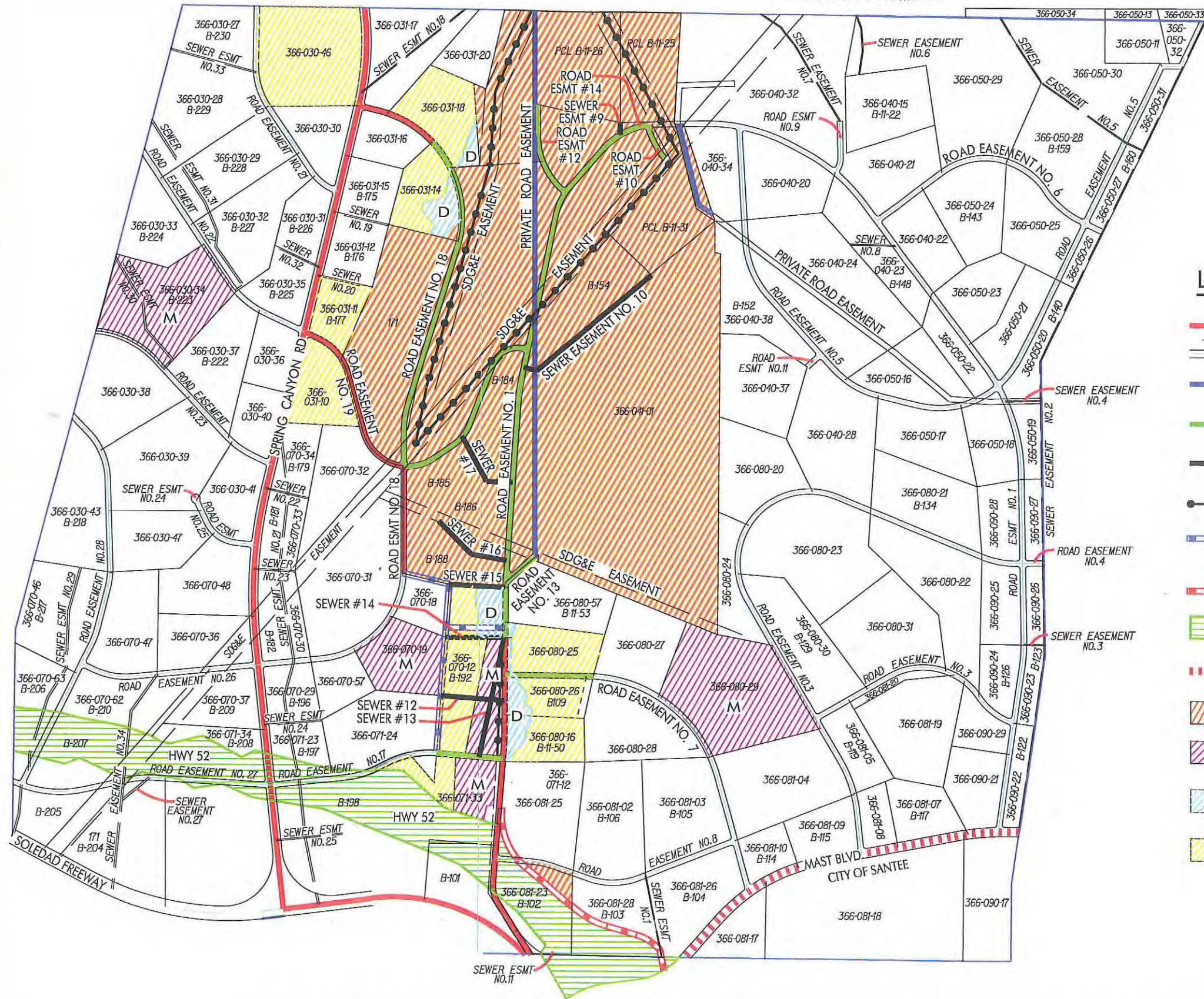
UNITED STATES OF AMERICA



NOT TO SCALE

LEGEND

- EXISTING ROAD EASEMENT TO REMAIN
- EXISTING ROAD AND CONTINUING EASEMENT ROW
- EXPIRED PRIVATE ROAD EASEMENT
- ROAD EASEMENTS PROPOSED TO BE VACATED
- SEWER EASEMENTS PROPOSED TO BE VACATED
- SDG&E EASEMENTS PROPOSED TO BE VACATED
- PROPOSED ROAD EASEMENTS SUBJECT TO IOD (EASEMENT RELOCATION PLAN)
- - - PROPOSED NEW PRIVATE EASEMENT
- EXISTING SR-52 ROW
- - - SAN DIEGO - SANTEE CITY BOUNDARIES
- EXISTING SYCAMORE LANDFILL PARCELS
- PARCELS COMMITTED AS MITIGATION - NO DEVELOPMENT ALLOWED
- AREAS OF PROPOSED NEW DEVELOPMENT WITHIN MHPA
- LANDS TO BE CONVEYED BY SLI TO THE CITY OF SAN DIEGO IN WHOLE OR IN PART FOR BIOLOGICAL IMPACTS



PROPOSED VACATION OF STREET AND UTILITY EASEMENTS

4/30/2008



Land . . . in the growing city of San Diego, California

Endowed with a superb climate and an incomparable location, San Diego is the city created for the future. Equal investment opportunities have never been equalled, more promising. This is the time, and the place to own a share of California land!

The Government, through the General Services Administration, is offering the remaining portion of the former Camp Elliott Area "B", San Diego, in a sealed bid, public sale.

The property, consisting of approximately 512 acres, has been divided into 28 parcels ranging in size from 7 acres to 61 acres. The property, presently zoned low-density residential, lies within the San Diego city limits.

Large portions of Camp Elliott have been reserved for educational and other public uses. Along with some other areas already been sold. This property offered in Area B is the best in that area available for development.

The property being offered at this time is well located. The map on the next page shows its location in relation to the recently completed Mission George Expressway and improved road patterns. These road patterns are planned to provide frontage for all parcels. Easements for road purposes as shown on the attached map are in the process of being conveyed to the City of San Diego together with slope rights. Roads are to be 60-foot wide with slope rights as required up to 100 feet on either side of the road. Sewer easements are also being conveyed to the City of San Diego. For description of sewer easements see maps available at above referred to offices. Should any of these easements not be accepted by the City

by the time of awards hereunder non-exclusive road and sewer easements will be granted in the successful purchase. Such easements will be respectively subject to termination upon acceptance by the City of any road or sewer easements of similar scope.

For the first 2 years after down-payment, no payments of principal will be due. During said 2 years, interest only will be payable. Special Government financing is available — 30% cash down payment — 2 years during which interest only will be paid in quarterly installments at the rate of 8% per annum. After the 2 year interest only period, the balance is payable in 5 years or less in equal quarterly installments, together with interest at the rate of 8% per annum on the unpaid balance.

NOTE: The Department of the Navy reports that it has determined the propriety of explosive ordnance, but recommends that due caution be taken when heavy equipment is used and excavation work is being done. The instruments of conveyance will recite these facts and will release the Government from liability from any injury or damages resulting from any such possible ordnance, and the purchaser by acceptance of title will assume such liability.

All bids must be submitted on invitation, bid and Acceptance Form No. GS-09-D(R) 73-17 which describes the property, states terms and conditions of sale and necessary instructions.

In a city that is growing like San Diego, and that will accelerate in growth with each passing day, think what this property could be worth in the years ahead.

ACT NOW ON THIS CALIFORNIA LAND INVESTMENT OPPORTUNITY IN SAN DIEGO! Invest in the future . . . Invest in San Diego . . . inspect and investigate without risk. To answer inquiries and assist in your inspection, a representative of GSA will be available Wednesday and Thursday at the times of April 30, May 7, and May 16, 1973. Call 556-8875, ext. 415 in San Francisco for appointment or information about possible changes in this schedule.

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION SUMMARILY VACATING PUBLIC RIGHT
OF WAY LOCATED IN LOT 4 OF THE RESUBDIVISION OF
FANITA RANCHO, MAP NO. 1703, AND TRACT "T" OF
RANCHO EL CAJON, EASEMENT VACATION NO. 534709
PROJECT NO. 5617

WHEREAS, California Streets and Highways Code section 8330 et seq. provides a procedure for the summary vacation of public street easements by City Council resolution where the easement is no longer required; and

WHEREAS, the affected property owner has requested the vacation of all that real property relinquished to the City of San Diego, in the City of San Diego, County of San Diego, State of California per document recorded March 6, 2008 as Document No. 2008-0117850 of Official Records.

EXCEPTING THEREFROM:

Easement Parcels 26202-2, 26202-3, 26204-2, 26204-3, 26204-4, 26203-2, 26203-4, 26429-2, and 26429-3 all as shown on State Highway Map No. 307 filed in the Office of the County Recorder of San Diego County on March 7, 2001 as File/Page No. 2001-0129708 of Official Records

WHEREAS the street vacation is necessary to unencumber this property and facilitate development of the site as conditioned in Site Development Permit No. 9310 and Planned Development Permit No. 9309; and

WHEREAS, the vacated easement shall be used for access to adjacent parcels and the Sycamore Landfill; and

WHEREAS, pursuant to San Diego Municipal Code section 125.0941, the City Council finds that:

(a) There is no present or prospective public use for the public right-of-way for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated;

The public right-of-way originally was acquired from Caltrans only for the purpose of holding it until the proposed project was approved, and therefore vacation of the public right-of-way on the road parcel known as Road M-6, Sycamore Landfill Road, or Segment 3 of State Highway Map No. 307, as part of the proposed project is justified because such vacation is consistent with and fulfills the requirements of that certain Settlement Agreement entered into on February 24, 1993 by and between the City of San Diego (City), the California Department of Transportation (Caltrans), and the County of San Diego (County), owner and operator of the landfill (Sycamore Landfill, Inc. is the successor in interest to the County's interest in the Agreement). Under the terms of the Settlement Agreement, the access road is to be used for the exclusive use of the landfill owners and operator subject to the following conditions: (1) the landfill owner and operator must make a good faith effort to work with the City and landowners adjacent to Road M-6 not to preclude east-west access; (2) the landfill owner and operator shall use its best efforts to prevent trucks from lining up onto Mast Boulevard so as to obstruct traffic on Mast Boulevard; and (3) the City shall take no action with respect to Road M-6 that will prevent the owner and operator of the landfill from assuring adequate and safe access to the landfill sufficient to conduct state-permitted landfiling operations for the life of the landfill.

Consistent with the City's obligation in the Settlement Agreement to take no action with respect to Road M-6 that will prevent the owner and operator of the landfill from assuring adequate and safe access to the landfill sufficient to conduct state permitted landfiling operations for the life of the landfill, the City finds it necessary to vacate the public rights to Road M-6 in order to transfer the road parcel to the landfill operator, thereby allowing the landfill operator to

perform maintenance of the road and also enhance the landfill's overall security and operational safety.

Although the City is vacating the public right-of-way and transferring the road parcel to the landfill operator as a private road, the Settlement Agreement conditions stated above remain. Therefore, although the road will cease to be a public road within the general system of streets, landowners adjacent to the access road will retain any existing rights to use the road to access Mast Boulevard already in place, and landfill customers can continue to access the landfill facilities. The City is not vacating or transferring the slope and drainage easements adjacent to Road M-6.

There is no present or prospective use for the public right-of-way, either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated, that requires it to remain under public control, it was always the intent that the road be used primarily as the landfill access road and access to the adjacent lots will continue to be maintained.

(b) The public will benefit from the action through improved use of the land made available by the vacation;

Vacating the road easement will benefit the public because it fulfills the obligations of Caltrans and the City of San Diego pursuant to a contract entered into when the extension of SR-52 required creation of a new landfill access road. It also facilitates adequate, safe and secure access to the additional landfill capacity needed by the public, and continues to provide access to adjacent parcels. The California Integrated Waste Management Act of 1989 requires each city and county in the state to adopt a Countywide Integrated Waste Management Plan (CIWMP) and Siting Element demonstrating that 15 years of solid waste disposal capacity is or will be available through existing or planned facilities. (Pub. Res. Code §§ 41700-41721.5, 41750-41770). The

City Council unanimously approved the Countywide Integrated Waste Management Plan Summary and Countywide Updated Siting Element on April 5, 2005 via Resolutions R-300295 and R-300296 following SANDAG and the County of San Diego's review and approval of the plan. The Siting Element, updated in 2011, continues to demonstrate adequate capacity for at least 15 years through the proposed project's planned expansion of Sycamore Landfill as well as development of Gregory Canyon Landfill. According to the report, of these two capacity enhancing projects, Sycamore Landfill would provide more than three-quarters of the new supply that is crucial to the region's ability to continue to adequately dispose of its waste in a centralized location. The public benefits by having adequate disposal capacity available for current and future needs.

San Diegan residents and businesses benefit from the extended capacity of the centrally located Sycamore Landfill facility. If new landfill capacity is not provided, the number of incidents of illegal dumping of waste on vacant lots without any regard for the environment, public health or private property rights may increase. Therefore, the public will benefit from the use of the vacated easement area to facilitate adequate, safe and secure access to new landfill capacity and avoid these unwanted health and environmental impacts, as well as the liability that may arise on roads subject to public road easements.

(c) The vacation does not adversely affect any applicable land use plan; and

The vacation of the public right-of-way on the access road to the landfill does not affect any applicable land use plan. The existing landfill development is located within the East Elliott Community Planning Area. The 1971 Elliott Community Plan (Community Plan) recognized the landfill use and designated the site for solid waste disposal. The review process by all parties with a vested interest in the aforementioned public right-of-way have determined the vacation of this public right-of-way will be consistent with the General Plan, Community Plan, MSCP

Subarea Plan and other applicable land use plans' relevant goals, objectives or recommendations overall.

(d) The public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation.

The public right-of-way on the road parcel proposed to be vacated was originally acquired for the purpose of providing access to the landfill and adjacent properties and that purpose continues to be accomplished by and not detrimentally affected by the proposed vacation.

Consistent with the City's obligation to take no action with respect to this access road that would prevent the owner and operator of the landfill from assuring adequate and safe access to the landfill sufficient to conduct state permitted landfilling operations for the life of the landfill, the City now finds it necessary to vacate the public rights to the landfill access road in order to transfer the road parcel to the landfill operator. This easement vacation will allow the landfill operator to maintain the road and enhance the landfill's security and operational safety.

The Settlement Agreement conditions stated above remain in place after the public right-of-way vacation and therefore, although the road will cease to be a public road within the general system of streets, landowners adjacent to the access road will retain their rights to use the road to access Mast Boulevard, and landfill customers can continue to access the landfill facilities. Therefore, the public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation/abandonment; rather, the purpose of the easement will be fulfilled; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

The unnamed street, as more particularly described in the legal description marked Exhibit "A," and as more particularly shown on Drawing No. 20899-B, labeled Exhibit "B," on file in the

office of the City Clerk as Document No. RR-_____, which is by this reference incorporated herein and made a part hereof, is ordered vacated.

BE IT FURTHER RESOLVED that said street vacation is conditioned upon approval and issuance of Site Development Permit No. 9310 and planned Development Permit No. 9309.

The City Clerk shall cause a certified copy of the resolution, with attached exhibits, attested by her under seal, to be recorded in the office of the County Recorder.

APPROVED: JAN GOLDSMITH, City Attorney

By

Keith Bauerle
Deputy City Attorney

ATTY/SEC. INITIALS

DATE

Or.Dept:Clerk

R-_____

EXHIBIT "B"

LEGEND



UNNAMED STREET
RELINQUISHED TO
CITY OF SAN DIEGO
PER DOC. REC.
3-6-2008 AS F/P
2008-0117850 O.R.
VACATED HEREON.
(AREA: 3.974 ACRES)



SLOPE EASEMENT
RELINQUISHED TO
CITY OF SAN DIEGO
PER DOC. REC.
3-6-2008 AS F/P
2008-0117850 O.R.



DRAINAGE EASEMENT
RELINQUISHED TO
CITY OF SAN DIEGO
PER DOC. REC.
3-6-2008 AS F/P
2008-0117850 O.R.



INDICATES ACCESS RIGHTS
RELINQUISHED PER DOC.
REC. 4-21-1992
F/P 1992-0232834 O.R.

[] INDICATES PARCEL NUMBER
PER RIGHT OF WAY MAP
NO. 47533 AND NO. 47534
AND STATE HIGHWAY
MAP NO. 307

REFERENCE DRAWING

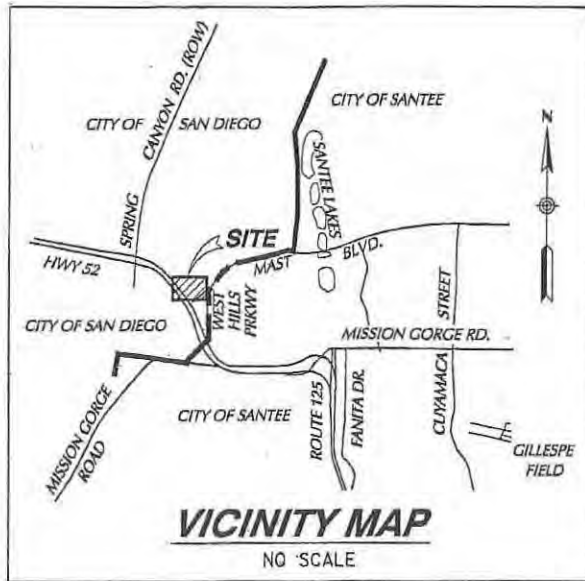
CITY DWG NO. 11844-D

STATE HWY MAP NO. 307.

STATE RIGHT OF WAY MAP
NO. 47533.

STATE RIGHT OF WAY MAP
NO. 47534.

MAP NO. 1703.



RICK
ENGINEERING COMPANY

5620 FRIARS ROAD J. 14211C
SAN DIEGO, CA 92110
619.291.0707
(FAX) 619.291.4165

\\s02-14211\142110\142110-6mt-v0001.dgn

Patrick A. McMichael

6-21-2012

PATRICK A. MCMICHAEL, LS 6187

DATE

**STREET VACATION - UNNAMED STREET
IN A PORTION OF MAP NO. 1703 AND
TRACT "T" OF RANCHO EL CAJON**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	PTS: 5617 JO: 421084
ORIGINAL					SHEET 1 OF 2 SHEETS	
					<i>Gregory P. Hopkins</i> 6-22-2012 FOR CITY ENGINEER DATE	1886 - 6321 CCS NAD 83 COORDINATES
						246 - 1761 LAMBERT COORDINATES
						20899-1-B
STATUS						

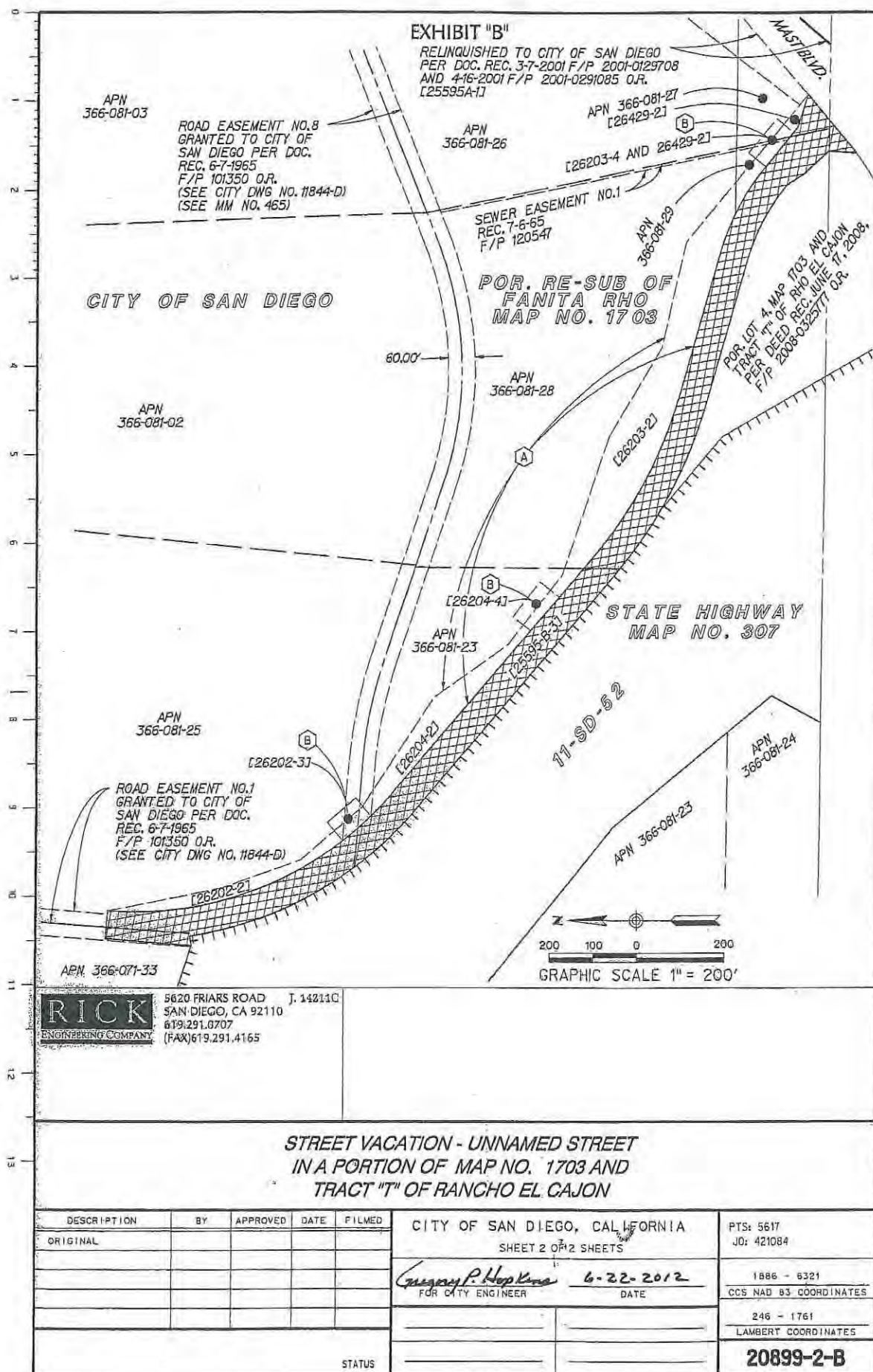


EXHIBIT "A"

STREET VACATION
UNNAMED STREET

All that real property relinquished to the City of San Diego, in the City of San Diego, County of San Diego, State of California per document recorded March 6, 2008 as Document No. 2008-0117850 of Official Records.

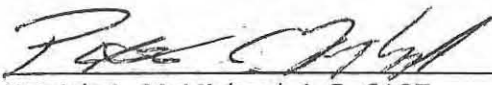
EXCEPTING THEREFROM:

Easement Parcels 26202-2, 26202-3, 26204-2, 26204-3, 26204-4, 26203-2, 26203-4, 26429-2, and 26429-3 all as shown on State Highway Map No. 307 filed in the Office of the County Recorder of San Diego County on March 7, 2001 as File/Page No. 2001-0129708 of Official Records.

Vacated.

Contains 3.974 acres, more or less.

Attached hereto is a Drawing No. 20899-B labeled Exhibit "B" and by this reference made a part hereof is made.



Patrick A. McMichael, L.S. 6187

9-9-08
Date

J.O. 421084
P.T.S. 5617
Dwg. 20899-B



Jb/14211c.012

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL DOCUMENT
AND TAX STATEMENT TO:

Sycamore Landfill, Inc.
Attention: Neil Mohr
8514 Mast Boulevard
Santee, CA 92071

THIS SPACE ABOVE FOR RECORDER'S USE

QUITCLAIM DEED
FOR SYCAMORE LANDFILL ACCESS ROAD

The undersigned grantor declares the Documentary Transfer Tax is \$ 0
[Value of interest conveyed does not exceed \$100, R&T 11911]

☒ Computed on full value of property conveyed, or
☐ Computed on full value less value of liens or encumbrances remaining at time of sale,
and

CITY OF SAN DIEGO, a municipal corporation ("City" or "Grantor"), hereby REMISE, RELEASE, AND FOREVER GRANTS AND QUITCLAIMS to SYCAMORE LANDFILL, INC. ("SLI" or "Grantee") all of its right, title, and interest in and to the real property located in City of San Diego, County of San Diego, California, known as Road M-6 and more particularly described in the legal description attached hereto as Exhibit A and depicted in the plat attached hereto as Exhibit B.

Grantee and Grantor specifically agree that this conveyance is made in accordance with Section IV of the Settlement Agreement and Release entered into on February 24, 1993, by and between the State of California Department of Transportation, the County of San Diego in its capacity as owner and operator of the Sycamore Landfill, and the City for the exclusive use of the landfill owner and operator subject to the following conditions:

1. The Sycamore Landfill Access Road also serves as the frontage road for the landowners of APNs 366-071-22, 366-081-23, 366-081-24, 366-081-25, 366-081-26, 366-081-27, 366-081-28, and 366-081-29 abutting said road. Said abutting landowners shall retain their access rights to the Sycamore Landfill Access Road for ingress and egress to Mast Boulevard and the owner and operator of the Sycamore Landfill shall make a good faith effort to work with the City and abutting landowners to assure that the Sycamore Landfill Access Road will not preclude access for the abutting landowners; and
2. The owner and operator of the Sycamore Landfill shall use its best efforts to prevent trucks from lining up onto Mast Boulevard so as not to obstruct traffic on Mast Boulevard; and

3. The City shall take no action with respect to the Sycamore Landfill Access Road that would prevent the owner and operator of the Sycamore Landfill from assuring adequate and safe access to the landfill sufficient to conduct state-permitted landfilling operations for the life of the landfill.

IN WITNESS WHEREOF, the Grantor and Grantee have executed this Quitclaim Deed as of the date of the last signature below.

SYCAMORE LANDFILL, INC.

CITY OF SAN DIEGO

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

APPROVED AS TO FORM

By: _____

Name: _____

Its: Deputy City Attorney

Date: _____

STATE OF CALIFORNIA)
)
 COUNTY OF _____)

On _____, before me, _____, a Notary Public,
 personally appeared _____, personally known to me (or proved to
 me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to
 the within instrument and acknowledged to me that he/she/they executed the same in
 his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
 person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that
 the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

STATE OF CALIFORNIA)
)
 COUNTY OF _____)

On _____, before me, _____, a Notary Public,
 personally appeared _____, personally known to me (or proved to
 me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to
 the within instrument and acknowledged to me that he/she/they executed the same in
 his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
 person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that
 the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

Easement and Public Right-of-Way Vacations

Numbered Easements

During the period between 1962 and 1970, the federal government sold most of its surplus Camp Elliott property, including lands in Tierrasanta, and the area south and east of current MCAS/Miramar parcels, now called "East Elliott." During this same general time period, the federal government provided easements for access roads, slopes and utilities to these surplus properties to the City of San Diego and assigned each of them a number (see Figure 4.1-3 of the Final EIR). These easements appear in general to have been drawn without regard to topography or practical engineering design, but only to establish legal access and utility service to the parcels prior to their sale.

In order to avoid the administrative burden of obtaining the consent of all the landowners in East Elliott before a single private easement can be vacated or relocated, these private easements were made temporary, to be terminated upon the City's acceptance of the road, slope and utility easements. Once they became public easements, the City has the legal authority to vacate and relocate the easements in a manner that took into account the area's topography, sound engineering standards, and development needs. In its sales notice, the federal government was careful to advertise to buyers of the surplus parcels the temporary nature of the private easements by stating "Easements for road purposes as shown on the attached map are in the process of being conveyed to the City of San Diego together with slope rights....Sewer easements are also being conveyed to the City of San Diego.... Should any of these easement not be accepted by the City by the time of awards hereunder, non-exclusive road and sewer easements will be granted to the successful purchaser. Such easements will be respectively subject to termination upon acceptance by the City of any road or sewer easements of similar scope." (Attachment 8). The City accepted these road, slope and utility easements through a series of resolutions in 1962, 1965, and 1967. In 1962, the City passed Resolution 172399 declaring the federal government's Camp Elliott property to be surplus property, stating the City's need to acquire portions of this property for a public thoroughfare, and authorizing the City Manager to secure the transfer of portions of this surplus property for major street and highway purposes. In 1965, the City Council passed Resolutions 183930 and 184230 accepting Road Easements (with slope rights) 1 -16 and Sewer Easements 1-11. In 1967, the City Council passed Resolution 190443 accepting Road Easements (with slope rights) 17-20 and Sewer Easements 12-26. At the time of City acceptance, the private easements terminated.

These easements have never been realigned. Portions of the easements were vacated via the common law doctrine of abandonment by public act upon approval of CUP 6066, which approved proposed landfill expansion in 1974. To avoid confusion, however, and/or to the extent the City has not already abandoned the easements through the official public act of granting permits to operate a landfill over them, Sycamore Landfill is requesting the vacation of portions of public Road Easements (with slope rights) 1, 7, 10, 12, 13, 14, 17, 18, and 19, and Sewer Easements 9, 10, 17 and 18 in order to implement the landfill. Sewer easement No. 14 will remain in its present position, at the boundary

between parcels 366-070-12 and 366-070-13, to allow potential future sewer line connections if there are any future residential developments to the west. After the requested easements are vacated, all parcels that currently have established easement access will maintain adequate access after the implementation of the landfill through easement relocation and the existing road easements that service the East Elliott parcels (Attachment 8). For some parcels, access will be improved since the road easements requested to be vacated are impractical to construct in their current location due to topography, cost and environmental concerns. Utility service remains unaffected because no utility service was constructed within these easements and potential utility service in the future is preserved through the easement relocation plan. The low-density development permitted within the MSCP surrounding the landfill can be adequately serviced by the existing road system. The privately owned area west of Sycamore Landfill comprises approximately 1,163 acres, but less than 25% (291 acres) will be developable under the regulations applicable to the MHPA.

Under the zoning allowed in the MHPA, no more than 291 dwellings can be developed. Based on City of San Diego trip generation factors, such a development will result in 2,910 trips per day (ADT), and a maximum 233/291 trips per peak hour (AM or PM respectively). Such traffic generation is well within the capacity of a two-lane road such as the existing right-of-way following Spring Canyon. Therefore, no access-related or utility service impacts associated with the vacation of the above listed easements will occur.

The City will accept the Irrevocable Offer of Dedication for the proposed new easements if, and at such time as, development requiring such additional access is approved. However, it must be clarified that no development of roads or installation of utilities is proposed within the remaining or relocated easements as a result of this landfill project.

Non-Numbered Easements

Separate from the numbered easements described above, the federal government granted two temporary private road easements through portions of East Elliott for the joint use of the federal government and the landowners whose properties are adjacent to the road easements. The first was filed December 14, 1964 as File/Page No. 226678 of the Official Records, County of San Diego and runs southeast-northwest through Lot B-11-31 ("SE-NW Easement"). The second was filed January 4, 1965 as File/Page No. 584 of the Official Records, County of San Diego and runs north-south through the landfill ending at the border of MCAS/Miramar to the north ("North-South Easement"). The term for each temporary private easement expires upon dedication of a public road to the property. As such, the SE-NW Easement expired when the City of San Diego accepted the dedication of certain numbered easements that service the lots contiguous to the SE-NW Easement, including Road Easement Nos. 1, 5, 6, 9, and 10. Therefore, the landfill expansion does not impact access to lots formerly serviced by the SE-NW Easement. Likewise, the North-South Easement expired when the City of San Diego accepted the dedication of certain numbered easements that service the lots contiguous to the North-South Easement, including, but not limited to Road Easements Nos. 1, 12, and 14. A

consolidated parcel map for the landfill parcels will result in legal lots with continued legal access despite the termination of all or portions of the SE-NW Easement and the North-South Easement.

Vacation of Easements

The road, slope and sewer easements (Easements) proposed to be vacated as part of the Sycamore Landfill Master Plan Expansion are justified because they are part of an easement relocation plan that facilitates the anticipated landfill expansion while continuing to maintain adequate access and service to neighboring parcels within the East Elliott Community Planning Area. The easement relocation plan is depicted in Figure 4.1-3 of Environmental Impact Report No. 5617, SCH No. 2003041057, prepared for the Sycamore Landfill Master Plan (EIR) and on Parcel Map No. 5347711, which is on file in the City Clerk's Office. The new location and dedication of the Easements will either continue to provide or improve reasonable access and service to the public facility and purpose for which the Easements were originally acquired, to the extent the purpose of the Easements still exist. Providing public access to privately owned lots will continue and, in some cases, be improved under the easement relocation plan. Legal access serving the landfill also will be preserved.

Portions of Road Easements Nos. 1, 10, 12, 13, 14, 18 and 19 (Main Landfill Road Easements) were abandoned by the City in 1974 when the City expanded the area of the Sycamore Landfill to its current size. This approval of landfilling on the property extinguished access at that location for parcels served by these Main Landfill Road Easements, but not other access points available to those parcels in 1974.

These findings reconfirm the termination of public rights to the Easements that first occurred in 1974, to the extent such termination has been disputed, caused confusion to the public, and/or clouded title to properties in the East Elliott Community Planning Area. The easement relocation plan will in some cases improve access to parcels upon the City's acceptance of the irrevocable offer to dedicate the road easements, by relocating portions of the abandoned Main Landfill Road Easements around the southwest end of the landfill and providing those parcels with access to the portion of Road Easement No. 1 that contains a constructed road.

Few if any of the surrounding road easements in the East Elliott Community Planning Area have been developed by the City, due in part to the rugged terrain and lack of development on the vacant parcels served by the easements. When the United States Government originally created the easements in the 1960s, they were drawn for the convenience of establishing legal access to legal lots that only existed on paper. Known as "paper easements," they were drawn without regard to the physical terrain, sound engineering practices, or biological habitat impacts. Some easements enter the sides of steep slopes, sensitive habitats, or canyons where no civil engineer would have placed them if the purpose were to provide affordable, safe and convenient access to developable lots. In contrast, the proposed road relocation plan requires the landfill operator to dedicate a road easement around the southwest end of the landfill. The plan shows the

road avoiding areas set aside as mitigation for impacts to sensitive habitat areas. For some parcels, access would be improved, since the road easements requested to be vacated are impractical to construct in their current location due to the aforementioned topography, cost and environmental concerns. Upon the City's acceptance of the irrevocable offer to dedicate the road easement, some parcels would gain access to portions of Road Easement No. 1 south of the landfill that contain a constructed road.

Portions of Road Easements Nos. 7 and 17 (Ancillary Landfill Road Easements) are "paper easements" that serve parcels owned by the landfill and that are part of this proposed project as mitigation lands, scale facilities or other ancillary landfill facilities. These parcels will continue to be served by Road Easement No. 1. The portions of Road Easements Nos. 7 and 17 within lands not owned by the landfill are not subject to vacation and will continue to provide adequate access to those parcels. In addition, non-landfill parcels partially serviced with easterly access by the vacated portion of Road Easement No. 17 will maintain easterly access to Road Easement No. 1 upon the City's acceptance of the irrevocable offer to dedicate easements within the easement relocation plan. Non-landfill parcels partially serviced with westerly access by the vacated portion of Road Easement No. 7 maintain westerly access to Road Easement No. 1 and southerly access to Mast Boulevard via Road Easement No. 8 and the unvacated portion of Road Easement No. 7.

Finally, none of the sewer easements were actually constructed within the areas proposed for vacation, so their level of service to the affected parcels remains the same upon relocation. Potential utility service in the future is preserved through the easement relocation plan.

As demonstrated above, there is no present or prospective use for the Easements, either for the facility for which they were originally acquired or for any other public use or a like nature that can be anticipated that requires it to remain at its current location.

The action of vacating the Easements and in some cases reconfirming their abandonment will benefit the public, because the land made available by the vacation will be improved to provide additional landfill capacity needed by the public. The California Integrated Waste Management Act of 1989 requires each city and county in the state to adopt a Countywide Integrated Waste Management Plan and Siting Element demonstrating that 15 years of solid waste disposal capacity is or will be available through existing or planned facilities. (Pub. Res. Code Sections 41700-41721.5 and 41750-41770). The City Council unanimously approved the Countywide Integrated Waste Management Plan Summary and Countywide Updated Siting Element on April 5, 2005 via Resolutions R-300295 and R-300296 following SANDAG and the County of San Diego's review and approval of the plan. The Siting Element projected an exhaustion of disposal capacity for the region in about 2016, which was not adequate to demonstrate a 15-year disposal plan to the state. However, the region could demonstrate adequate capacity for at least 15 years through the Master Plan for expansion of Sycamore Landfill and by development of Gregory Canyon Landfill. According to the report, of these two capacity enhancing projects, Sycamore Landfill would provide over three-quarters of the new supply.

Citizens and businesses of the City of San Diego and other communities in San Diego County would benefit from the extended capacity of this centrally located facility. If new landfill capacity is not provided, the number of incidents of illegal dumping of waste on vacant lots without any regard for the environment, public health or private property rights may increase. Therefore, the public will benefit from the use of the vacated easement area to provide new capacity and avoid unwanted health and environmental impacts.

The existing landfill development is located within the East Elliott Community Planning Area. The 1971 Elliott Community Plan (Community Plan) recognized the landfill use and designated the site for solid waste disposal. In 1977, the City Council amended the Community Plan to increase the landfill site designation to 493 acres, including the area of the abandoned Main Landfill Road Easements and sewer and slope easements that are the subject of this vacation. Therefore, as it related to the Main Landfill Road Easements and sewer and slope easements within the property previously designated for landfill, this vacation does not conflict with any of the Community Plan's goals, objectives or recommendations and, as such, does not adversely affect any applicable land use plan.

With regards to the Ancillary Landfill Road Easements and the slope and sewer easements outside the area previously designated for landfill, the project proposes to amend the Community Plan to expand the area designated landfill in order to make the project's proposed landfill ancillary facilities' uses consistent with the Community Plan. Therefore, the vacation does not conflict with the amended Community Plan's goals, objectives or recommendations, and, as such does not adversely affect any applicable land use plan.

Other portions of the Ancillary Landfill Road Easements and the slope and sewer easements proposed for vacation are adjacent to mitigation lands or within lands proposed for mitigation in the City's Multi-Species Habitat Planning Area (MHPA) to offset biological impacts from the Sycamore Landfill Master Plan Expansion. Such mitigation policies and protection of lands from further development are consistent with the MHPA, and, as such the proposed vacations do not adversely affect any applicable land use plan.

The Easements proposed to be vacated as part of the Sycamore Landfill Master Plan Expansion are part of an easement relocation plan that facilitates the anticipated landfill expansion, while maintaining adequate access and service to neighboring parcels within the East Elliott Community Planning Area. The public facilities for which the public easements were acquired will not be detrimentally affected by the vacation of the easements, because the new location and dedication of the Easements will either continue to provide or improve reasonable access and service to the public facility and purpose for which the Easements were originally acquired, to the extent the purpose of the Easements still exist. Providing public access to privately owned lots will continue and in some cases be improved under the easement relocation plan. Legal access serving the landfill will also be preserved through providing access to the new consolidated landfill parcels.

Portions of Road Easements Nos. 1, 10, 12, 13, 14, 18 and 19 (Main Landfill Road Easements) were abandoned by the City in 1974 when the City expanded the area of the Sycamore Landfill to 493 acres. This action extinguished access at that location for parcels served by these Road Easements, but does not impact other access points available to those parcels in 1974.

These findings reconfirm the termination of public rights to the Easements in 1974 to the extent such rights were in dispute, caused confusion to the public, and/or clouded title to properties in the East Elliott Community Plan Area. The easement relocation plan will in some cases improve access to parcels upon the City's acceptance of the irrevocable offer to dedicate the road easements, by relocating portions of the abandoned Main Landfill Road Easements around the southwest end of the landfill and thereby giving them access to the portion of Road Easement No. 1 that contains a constructed road.

Few if any of the surrounding road easements in the East Elliott Community Planning Area have been developed by the City, due in part to the rugged terrain and lack of development on the vacant parcels served by the easements. When the United States Government originally created the easements in the 1960s, they were drawn for the convenience of establishing legal access to legal lots that only existed on paper. Known as "paper easements," they were drawn without regard to the physical terrain, sound engineering practices, or biological habitat impacts. Some easements enter the sides of steep slopes, sensitive habitats, or canyons where no civil engineer would have placed them if the purpose were to provide affordable, safe and convenient access to developable lots. In contrast, the proposed road relocation plan requires the landfill operator to dedicate a road easement around the southwest end of the landfill. The plan shows the road avoiding areas set aside as mitigation for impacts to sensitive habitat areas. For some parcels, access would be improved, since the road easements requested to be vacated are impractical to construct in their current location due to the aforementioned topography, cost and environmental concerns. Upon the City's acceptance of the irrevocable offer to dedicate the road easement, some parcels would gain access to portions of Road Easement No. 1 south of the landfill that contain a constructed road.

Portions of Road Easements Nos. 7 and 17 (Ancillary Landfill Road Easements) are "paper easements" that serve parcels owned by the landfill and that are part of this proposed project as mitigation lands, scale facilities or other ancillary landfill facilities. These parcels will continue to be served by Road Easement No. 1. The portions of Road Easements Nos. 7 and 17 within lands not owned by the landfill are not subject to vacation and will continue to provide adequate access to those parcels. In addition, non-landfill parcels partially serviced with easterly access by the vacated portion of Road Easement No. 17 will maintain easterly access to Road Easement No. 1 upon the City's acceptance of the irrevocable offer to dedicate easements within the easement relocation plan. Non-landfill parcels partially serviced with westerly access by the vacated portion of Road Easement No. 7 maintain westerly access to Road Easement No. 1 and southerly access to Mast Boulevard via Road Easement No. 8 and the unvacated portion of Road Easement No. 7.

Finally, none of the sewer easements were actually constructed within the areas proposed for vacation, so their level of service to the affected parcels remains the same upon relocation. Potential utility service in the future is preserved through the easement relocation plan.

Therefore, the public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation.

Access Road

At the time SR-52 was developed south of the landfill, Caltrans' planned right of way interfered with the existing access road for Sycamore Landfill, resulting in the road's realignment to its current location, which is also known as Road M-6, Sycamore Landfill Road, or Segment 3 of State Highway Map No. 307. Caltrans condemned a fee simple interest in the property for both SR-52 and Road M-6. Pursuant to a Settlement Agreement and Release executed in 1993 among the City of San Diego, the County of San Diego, and Caltrans, Caltrans was required to relinquish all its rights, title and interest in the access road and its appurtenant facilities to the City after the City provided the County with an updated development permit for the landfill. In 2002, the City issued the updated development permit (PDP/SDP No. 40-0765) to the County's successor-in-interest to the landfill, San Diego Landfill, Inc. On February 13, 2008, Caltrans relinquished its rights, title and interest in the access road to the City.

Under the terms of the Settlement Agreement and Release, the access road is to be used for the exclusive use of the landfill owner and operator subject to the following conditions: (1) the landfill owner and operator must make a good faith effort to work with the City and landowners adjacent to Road M-6 not to preclude east-west access; and (2) the landfill owner and operator shall use its best efforts to prevent trucks from lining up onto Mast Boulevard so as to obstruct traffic on Mast Boulevard; and (3) the City shall take no action with respect to Road M-6 that will prevent the owner and operator of the landfill from assuring adequate and safe access to the landfill sufficient to conduct state-permitted landfilling operations for the life of the landfill.

Consistent with the City's obligation in the Settlement Agreement and Release's obligation to take no action with respect to Road M-6 that will prevent the owner and operator of the landfill from assuring adequate and safe access to the landfill sufficient to conduct state-permitted landfilling operations for the life of the landfill, a companion item to be considered by the City Council will transfer all the City's rights, title and interest in the access road to Sycamore Landfill, Inc. along with the three conditions outlined above. Therefore, although the road will cease to be a public road within the general system of streets via the proposed vacation and conveyance, landowners adjacent to the access road will retain rights to use the road to access Mast Boulevard and landfill customers can continue to access the landfill facilities. The landfill is required to use best efforts not to hamper east-west access of the adjacent landowners, and the adjacent landowners retain use of the frontage road to access the freeway at a point allowed by a

public agency.

The project's relocation of the truck scales closer to the landfill represents the best efforts to prevent trucks from lining up onto Mast Boulevard. The current location of the truck scales is near Mast Boulevard. The City will retain slope and drainage easement rights associated with the access road and is anticipated to grant Sycamore Landfill a license to enter and use the slope and drainage easements as required for operations of the landfill.

Vacation and Conveyance of Access Road

Vacation of the road easement on the road parcel known as Road M-6, Sycamore Landfill Road, or Segment 3 of State Highway Map No. 307, as part of the Sycamore Landfill Master Plan Expansion is justified because such vacation is consistent with and fulfills the requirements of the Settlement Agreement between the City of San Diego (City), the California Department of Transportation (Caltrans), and the County of San Diego (County), owner and operator of the landfill, and its successor in interest, Sycamore Landfill, Inc. Under the terms of the Settlement Agreement, the access road is to be used for the exclusive use of the landfill owners and operator subject to the following conditions: (1) the landfill owner and operator must make a good faith effort to work with the City and landowners adjacent to Road M-6 not to preclude east-west access; (2) the landfill owner and operator shall use its best efforts to prevent trucks from lining up onto Mast Boulevard so as to obstruct traffic on Mast Boulevard; and (3) the City shall take no action with respect to Road M-6 that will prevent the owner and operator of the landfill from assuring adequate and safe access to the landfill sufficient to conduct state-permitted landfilling operations for the life of the landfill.

Consistent with the City's obligation in the Settlement Agreement to take no action with respect to Road M-6 that will prevent the owner and operator of the landfill from assuring adequate and safe access to the landfill sufficient to conduct state permitted landfilling operations for the life of the landfill, the City finds it necessary to vacate the public rights to Road M-6 in order to transfer the road parcel to the landfill operator, thereby allowing the landfill operator to perform maintenance of the road and also enhance the landfill's overall security and operational safety.

Although the City is vacating the road easement and transferring the road parcel to the landfill operator as a private road, the Settlement Agreement conditions stated above remain. Therefore, although the road will cease to be a public road within the general system of streets, landowners adjacent to the access road will retain any existing rights to use the road to access Mast Boulevard already in place, and landfill customers can continue to access the landfill facilities. Furthermore, by this action the City is not vacating or transferring the slope and drainage easements adjacent to Road M-6.

There is no present or prospective use for the road easement on the road parcel, either for the facility for which it was originally acquired or for any other public use or a like nature that can be anticipated, that requires it to remain under public control.

The action of vacating the road easement will benefit the public because the land made available by the vacation will facilitate adequate, safe and secure access to additional landfill capacity needed by the public. The California Integrated Waste Management Act of 1989 requires each city and county in the state to adopt a Countywide Integrated Waste Management Plan and Siting Element demonstrating that 15 years of solid waste disposal capacity is or will be available through existing or planned facilities. (Pub. Res. Code Sections 41700-41721.5 and 41750-41770). The City Council unanimously approved the Countywide Integrated Waste Management Plan Summary and Countywide Updated Siting Element on April 5, 2005 via Resolutions R-300295 and R-300296 following SANDAG and the County of San Diego's review and approval of the plan. The Siting Element projected an exhaustion of disposal capacity for the region in about 2016, which was not adequate to demonstrate a 15-year disposal plan to the state. However, the region could demonstrate adequate capacity for at least 15 years through the planned Master Plan expansion of Sycamore Landfill and development of Gregory Canyon Landfill. According to the report, of these two capacity enhancing projects, Sycamore Landfill would provide over three-quarters of the new supply.

Citizens and businesses of the City of San Diego and other communities in San Diego County would benefit from the extended capacity of this centrally located facility. If new landfill capacity is not provided, the number of incidents of illegal dumping of waste on vacant lots without any regard for the environment, public health or private property rights may increase. Therefore, the public will benefit from the use of the vacated easement area to facilitate adequate, safe and secure access to new landfill capacity and avoid these unwanted health and environmental impacts.

The existing landfill development is located within the East Elliott Community Planning Area. The 1971 Elliott Community Plan (Community Plan) recognized the landfill use and designated the site for solid waste disposal. In 1977, the City Council amended the Community Plan to increase the landfill site designation to 491 acres. Therefore, in facilitating adequate, safe, and secure access to the landfill, this vacation does not conflict with any of the Community Plan's goals, objectives or recommendations, and, as such, does not adversely affect any applicable land use plan.

Furthermore, the Sycamore Landfill Master Plan expansion associated with this easement vacation proposes to amend the Community Plan to expand the area designated landfill in order to make the project's proposed landfill ancillary facilities' uses, including the road parcel, consistent with the Community Plan. Therefore, the vacation does not conflict with the amended Community Plan's goals, objectives or recommendations, and, as such does not adversely affect any applicable land use plan.

The road easement on the road parcel proposed to be vacated as part of the Sycamore Landfill Master Plan Expansion is justified because it is consistent with the terms of a Settlement Agreement between the City of San Diego (City), California Department of Transportation (Caltrans), and the County of San Diego (County), then the owner and operator of the landfill, as well as the County's successor in interest, Sycamore Landfill, Inc. Under the terms of the Settlement Agreement, the access road is to be used for the

exclusive use of the landfill owners and operator subject to the following conditions: (1) the landfill owner and operator must make a good faith effort to work with the City and landowners adjacent to Road M-6 not to preclude east-west access; (2) the landfill owner and operator shall use its best efforts to prevent trucks from lining up onto Mast Boulevard so as to obstruct traffic on Mast Boulevard; and (3) the City shall take no action with respect to Road M-6 that will prevent the owner and operator of the landfill from assuring adequate and safe access to the landfill sufficient to conduct state-permitted landfilling operations for the life of the landfill.

Consistent with the City's obligation in the Settlement Agreement to take no action with respect to Road M-6 that will prevent the owner and operator of the landfill from assuring adequate and safe access to the landfill sufficient to conduct state permitted landfilling operations for the life of the landfill, the City finds it necessary to vacate the public rights to Road M-6 in order to transfer the road parcel to the landfill operator. This allows the landfill operator to perform maintenance of the road and also to enhance the landfill's overall security and operational safety.

Although the City is vacating the road easement and transferring the road parcel to the landfill operator as a private road, the Settlement Agreement conditions stated above remain. Therefore, although the road will cease to be a public road within the general system of streets, landowners adjacent to the access road will retain rights to use the road to access Mast Boulevard and landfill customers can continue to access the landfill facilities. Therefore, the public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation.

PLANNING COMMISSION RESOLUTION NO. 3355-PC

INITIATING THE SYCAMORE MASTER PLAN AMENDMENT TO THE ELLIOTT
COMMUNITY PLAN AND THE PROGRESS GUIDE AND GENERAL PLAN

WHEREAS, on February 20, 2003, the Planning Commission of the City of San Diego held a public hearing to consider initiation of an amendment to the Elliott Community Plan and the Progress Guide and General Plan; and

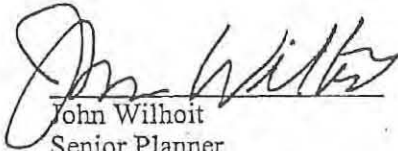
WHEREAS, the amendment request is to redesignate approximately 114 acres from Open Space and Office Commercial to Landfill to accommodate the Sycamore Landfill Master Plan; and

WHEREAS, the Planning Commission of the City of San Diego considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; **NOW, THEREFORE**,

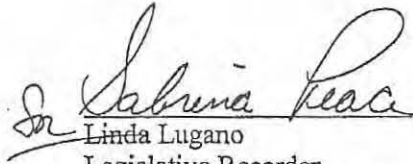
BE IT RESOLVED, by the Planning Commission of the City of San Diego that it hereby initiates the Parkside amendment to the Elliott Community Plan and Progress Guide and General Plan, to include analysis of the following issues:

- Potential noise, dust, lighting, and odor impacts on the surrounding Multiple Habitat Planning Area (MHPA), on existing residential development east and south of the landfill, and on potential development surrounding the landfill.
- Impacts to the MHPA open space system.
- Potential truck traffic impacts on surrounding streets and land uses.
- The appropriate boundaries of the landfill designation.
- Potential visual impacts, particularly from Mission Trails Regional Park south of SR-52.
- Potential ground water and runoff impacts.
- The potential need for any further plan amendments to accommodate landfill needs.
- Impacts that may remain after the landfill is closed, including aesthetic impacts.
- The loss of potential office use by converting the Office-Commercial-designated Caltrans right-of-way to landfill use.

- The extent to which the grading blends with the existing topography.
- The possibility of removing from the plan map and text the "Potential Landfill" west of the existing landfill.



John Wilhoit
Senior Planner
Long Range Planning



Linda Lugano
Legislative Recorder
to the Planning Commission

Approved: February 20, 2003
By a vote of: 5-0-0



Existing and Proposed General Plan Land Use Designations

SYCAMORE LANDFILL MASTER DEVELOPMENT PLAN EIR

Figure 5.1-1

Response to Planning Commission Issues

Sycamore Master Plan Community Plan Amendment Initiation

On February 20, 2003, the Planning Commission of the City of San Diego held a public hearing and initiated the Sycamore Landfill Master Plan amendment to the East Elliott Community Plan and the City of San Diego General Plan (Planning Commission Resolution No. 3355-PC). The Planning Commission directed staff to analyze the following issues in conjunction with the amendment process:

Potential noise, dust, lighting, and odor impacts on the surrounding Multiple Habitat Planning Area (MHPA), on existing residential development east and south of the landfill, and on potential development surrounding the landfill.

Noise – Landfill operations, construction and demolition material processing, and greens processing near the landfill property line would result in sound levels exceeding the limits allowed under the City of San Diego Noise Ordinance, unless mitigated with provision of noise barrier berms. Construction of noise barrier berms would comply with the applicable 75 dBA limit, and resulting temporary noise impacts would be less than significant. Noise impacts due to landfill operation behind these berms would be less than significant, except for potential nighttime operation within 200 feet of the landfill boundary. And, although sound levels at a residentially-zoned parcel adjacent to the proposed administrative office facilities site may exceed the criterion, no actual noise impact would occur since no residents are expected to be present during the proposed construction period.

Dust – Activities creating dust include exhaust from vehicles hauling waste; exhaust from equipment used to move, grade, compact waste, and cover soil at the working face; cell excavation/module construction; gas collection and control systems; construction and demolition debris operations; green material processing and composting operations; and final cover construction-related emission occurring during operations. Sycamore Landfill is required to have a dust control plan. The dust control measures to be implemented include watering of disturbed surfaces, paving access roads if they are to be used for extended periods of time, use of soil stabilizers and low-dust surface compounds, minimization of idling time for diesel engines, and use of electrical equipment where feasible. These measures ensure that visible dust would not cross the property lines, resulting in less than significant impacts for dust under the stated criterion.

Lighting – All project lighting would be consistent with City of San Diego lighting regulations. Specifically, no landfill lighting would be directed at lands other than landfill areas requiring illumination. Furthermore, within 1,600 feet of the MHPA, active landfiling would be done behind 15- to 20-foot high noise/visual barrier berms, which would substantially reduce project-related light levels in the adjacent MHPA to below a level of significance.

Odor – Two sources of odors are typically associated with normal landfilling operations: aerobic (in air) decomposition of organic refuse materials prior to being covered with soil and anaerobic (without air) decomposition of the buried refuse. The odors from the aerobic decomposition of refuse are controlled through the sanitary method of disposal; the refuse is delivered to the landfill, compacted, and then covered with clean soil. The process of covering the refuse reduces odors. The anaerobic digestion of buried waste results in the creation of carbon dioxide and methane, both of which are odorless gases. However, anaerobic digestion can also generate trace amounts of foul-smelling gases, including sulfides, mercaptans, and thiophenes. To control the release of odorous gases at the landfill, a gas collection and control system has been installed. The collected gases are transported to a cogeneration power plant where the landfill gas is used as fuel for gas turbines that generate electricity. The remainder of the collected landfill gas is burned in an enclosed flare facility.

Impacts to the MHPA open space system.

The following summarizes total impacts to MHPA open space:

Landfill expansion impacts inside the MHPA: 23.32 acres
 Transmission line relocation impacts inside the MHPA: 2.4 acres
 Total project impacts inside the MHPA: 25.72 acres

The proposed project, including the landfill expansion and transmission line relocation, would encroach upon 25.72 acres of the total 120.25 acres of MHPA located within the project parcels. This would result in a 21.4-percent encroachment and would fall below the allowed 30-percent encroachment limit permitted by the City's Biology Guidelines for essential public facilities.

Direct and indirect effects to biological resources would be avoided or reduced to below a level of significance through identified mitigation measures and/or coverage under the MSCP, except for the loss of 3.6 acres of native grassland (valley needlegrass grassland) located both within and outside of the Multi-Habitat Planning Area (MHPA; refer to EIR Tables 5.5-6 and 5.5-9 through 5.5-11). Mitigation to below a level of significance for impacts to native grassland habitat would require the creation of native grassland habitat at a ratio of 1:1 or greater. The project proposes mitigation for direct impacts to native grassland by preservation of Tier 1 habitats.

Potential truck traffic impacts on surrounding streets and land uses.

The project's trip generation includes a number of aggregate trucks that would be exporting aggregate materials processed at the site. While waste delivery trucks are counted once as they enter the landfill (and not as they leave), aggregate trucks are not counted as they enter the landfill, only as they leave. The current total associated with aggregate production is 200 trucks per day, and is anticipated to increase to 300 trucks per day by 2015. For the purposes of the traffic analysis, it has been assumed that this level would continue to buildout of the project. For the purposes of the project trip

generation, each aggregate truck visit is equivalent to two ADT. These visits are added to the calculation of the Existing Baseline as shown in Table 5.2-3 of the EIR, *Existing Baseline and Proposed Project ADT Estimates*.

The total project traffic is comprised of two major components: heavy vehicles and passenger car/light trucks. The former comprise the majority of the increase in traffic associated with the project. The latter are represented as the maximum-expected volumes and are used in all scenarios. Table 5.2-3 of the EIR shows the heavy vehicle and passenger car/light truck project trips used in the analysis. Table 5.2-3 shows that the total existing baseline traffic associated with daily operations is 4,140 ADT. This is the number of trips that may be, have been, and would continue to be generated under the landfill's current existing operations. At project approval, the landfill would expand its permitted daily intake by about 26 percent, resulting in 5,136 ADT. An increase of up to about 40 percent would be anticipated by 2015, resulting in up to 7,060 ADT. Buildout of the traffic at the site (at 2030) would produce up to 9,712 ADT.

In the near-term, with the proposed landfill expansion, all signalized intersections except one in the project area are calculated to operate at Level of Service (LOS) D or better. In the long-term, all street segments are calculated to continue to operate at LOS D or better. Physical improvements to the local network would be implemented in conjunction with the local jurisdiction.

Westbound State Route (SR) 52 west of Mast Boulevard is calculated to continue to operate at LOS F or worse in the a.m. peak hour. However, physical improvements required to mitigate direct project impacts to State (Caltrans) controlled facilities such as ramp meter locations, freeway ramps and freeway segments are often financially difficult to implement, and are not within the City's jurisdiction to control. Prior to completion of the TransNet work on SR-52, Traffic Demand Management (TDM) measures are the only potential means of mitigating project impacts.

The appropriate boundaries of the landfill designation; and the potential need for any further plan amendments to accommodate landfill needs.

The primary objective of the proposed Master Plan is to provide additional landfill disposal capacity at an existing, approved site. Under the proposal, the total landfill capacity would increase from 70 million cubic yards (mcy) to 157 mcy.

Sycamore Landfill provides a major percentage of the solid waste disposal capacity of the City of San Diego, and of the rest of San Diego County. Remaining capacity at the Sycamore site under the revised 2006 Solid Waste Facility Permit is approximately 48 mcy, approximately 42 percent of the total existing non-military landfill capacity within the County. Other existing landfills, and their remaining capacity include: West Miramar (21.6 mcy), Otay (42.3 mcy), Ramona, (0.6 mcy), and Borrego Springs (0.4 mcy).

The San Diego County Integrated Waste Management Plan (CIWMP) indicates that the potential closure of the West Miramar could occur by 2012, although the City is proposing an increase in height to extend its service life. A new landfill in North County, Gregory Canyon, was proposed in 1990, but all the necessary permits to authorize that facility have not yet been issued.

California laws and regulations require that each region maintain 15 years of solid waste disposal capacity. Approval of both the proposed Sycamore Landfill Master Plan expansion, and approval of the Gregory Canyon Landfill, would have approximately 20 years of solid waste disposal capacity. According to the CIWMP, if only the Sycamore Master Plan expansion were approved, the in-County capacity would decrease to 16 years, and if neither were approved, some solid waste would need to be shipped out of the County.

Therefore, the proposed boundaries for the expansion of an existing approved landfill are appropriate for the required regional disposal capacity. Potential need for any further plan amendments to accommodate landfill needs is difficult to gauge without knowing the status of the Gregory Canyon facility.

Potential visual impacts, particularly from Mission Trails Regional Park south of State Route (SR) 52.

Implementation of the Master Development Plan would result in significant impacts to Visual Effects/Neighborhood Character due to the severe contrast between the un-vegetated, graded fill slopes of the landfill and the undeveloped neighborhood character and natural landform of the surrounding area that is highly visible. While the horizontal expansion would constitute a less than nine percent change in the amount of land area dedicated to disposal activities, the vertical expansion would be the most visible part of the project. Despite the use of visual berms to shield the working face from viewers to the south and east, expansion of the landfill would result in a long-term (i.e., for the period of landfill operations) contrast with surrounding landforms and visual character, which would become more visible as landfilling activities exceed the existing ridgelines in the area. Significant impacts would result due to the landfill operation's inability to shield the disturbed nature of the outer slope from viewers. Although the proposed interim landscape plan would reduce the overall impact to visual quality, there would be periods of time when some manufactured slopes would be devoid of vegetation and the plan would not reduce those impacts to below a level of significance.

On a clear day, visitors north of the Mission Trails Regional Park (MTRP) Visitor Center, located three to four miles south-southwest of the landfill site, near Mission Gorge Road, may be able to see some of the northern and western portions of the landfill site through the gap formed by the San Diego River gorge. However, the site is not visible from the viewing patio located at the Visitor Center nor is it visible from interior and elevated locations of that building, including the library. Where the landfill is not blocked from view by the mountains adjacent to the Gorge, the landfill site is paler than the blue hue of the distant mountains. View of the site from Kumeyaay Campground in MTRP offers a

relatively long-term view of the project from a point immediately to the south, but the view is partially blocked by existing trees and are expected to additionally screen portions of the view by the time the project is implemented. On a clear day, transmission towers are visible to the north of the existing landfill from this viewpoint.

Impacts that may remain after the landfill is closed, including aesthetic impacts; and the extent to which the grading blends with the existing topography.

The project would substantially alter the natural landform of the Little Sycamore Canyon by excavating the canyon and filling it to create a large land mass resulting in the loss of approximately 13 acres of steep natural slopes. Therefore, a significant impact to steep natural slopes would occur. The landfill would also create new manufactured slopes several hundred feet in height. Therefore, significant direct landform impacts would occur. Although a number of project design measures have been taken to reduce the visual contrast of the project, due to the nature of landfills and the extensive change to natural topography and other ground surface relief features of the proposed project area, no additional feasible mitigation is available to reduce the impacts to natural landforms to below a level of significance. Therefore, impact to natural landforms would remain significant and not fully mitigated.

Landfill expansion is anticipated to take 20-25 years or more to reach the maximum capacity and for the final revegetation plan to be implemented. Impacts to scenic resources and vistas and visual character would be most affected in the outskirts of the urbanized area where natural vacant land would be lost to anticipated urban development. Therefore, short-term cumulative visual impacts would occur. In addition, significant long-term cumulative visual impacts are expected to occur from implementation of the landfill expansion and nearby residential development projects. No feasible mitigation is known that would reduce these cumulative visual impacts to less than significant. Therefore, they remain significant and not fully mitigated.

Potential ground water and runoff impacts.

With the installation of liners, leachate collection and gas collection systems, as well as the implementation of cover, run-on/run-off controls, monitoring, and landfill closure, the potential for groundwater contamination due to operations in new areas of Sycamore Landfill is remote. These features provide overlapping protection such that if one aspect fails, the other aspects continue to provide adequate levels of protection. This system of overlapping protections has been mandated by state and federal regulations to ensure the protection of groundwater, and conformance with the state and federal antidegradation policies and drinking water standards.

The loss of potential office use by converting the Office-Commercial designated Caltrans right-of-way to landfill use.

The East Elliot Community Plan designates a total of twelve acres for Office Commercial use within the planning area. Approximately five of those acres designated for Office

Commercial use are currently used for the existing landfill entrance facility. The project application requests that those five acres be changed to "Landfill" in order to most flexibly manage the operation. However, only office related activities are proposed for the five acres to be redesignated to "Landfill." As, such, no loss of existing or potential office would occur as a result of the proposed change in land use.

The possibility of removing from the plan map and text the "Potential Landfill" west of the existing landfill.

Although it may be possible to remove "Potential Landfill" from the East Elliott plan map and text for the area west of the existing landfill, the City may want to retain the designation and language in order to meet future regional needs should the proposed Gregory Canyon and expanded West Miramar sites not be brought on-line in the near future.

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION APPROVING AN AMENDMENT TO THE
CITY OF SAND DIEGO GENERAL PLAN AND EAST ELLIOT
COMMUNITY PLAN RELATING TO THE SYCAMORE
LANDFILL

WHEREAS, Sycamore Landfill, Inc., Applicant, requested an amendment to the City of San Diego General Plan and East Elliot Community Plan to re-designate 26 acres from Open Space and Commercial to Landfill, located at 8514 Mast Boulevard, on a site legally described as Portions of Lots 3,4.9 and 10 of the re-subdivision of part of Fanita Rancho, Map No. 1703, and a portion of Lot 73 of Rancho Mission, 330, and all that real property relinquished to the City of San Diego per document recorded March, 6, 2008 as Document No. 2008-0117850 of Official Documents excepting Easement Parcels 26202-2, 26202-2, 26204-4, 26203-2, 26429-2, and 26429-3, all as shown on State Highway Map No. 307 dated March 7, 2001 as File/Page No. 2001-0129708 of Official Documents, City of San Diego, County of San Diego, State of California; and

WHEREAS, the Planning Commission of the City of San Diego held a public hearing on _____, 2012 for the purpose of considering the proposed amendment to the General Plan and East Elliot Community Plan; and

WHEREAS, the Planning Commission of the City of San Diego found the proposed amendment consistent with the General Plan and East Elliot Community Plan and voted ____ to recommend that the City Council adopt the proposed amendment to the General Plan and East Elliot Community Plan; and

(R-2012-__)

WHEREAS, on _____, 2012, the City Council of the City of San Diego held a public hearing for the purpose of considering the proposed amendment to the General Plan and East Elliot Plan; and

WHEREAS, the Council of the City of San Diego has considered all written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Council adopts the amendment to the General Plan and East Elliot Plan, a copy of which is on file in the Office of the City Clerk as Document No. RR-_____.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

Deputy City Attorney

East Elliott Community Plan



THE CITY OF SAN DIEGO

CITY PLANNING AND COMMUNITY INVESTMENT

EAST ELLIOTT COMMUNITY PLAN

San Diego Planning Department
202 C Street, MS4A
San Diego, CA 92101



Printed on recycled paper.

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

EAST ELLIOTT COMMUNITY PLAN

The following amendments have been incorporated into this November 2006 posting of this Plan:

Amendment	Date Approved by Planning Commission	Resolution Number	Date Adopted by City Council	Resolution Number
Elliott Community Plan adopted.			April 29, 1971	R-202550
East Elliott community created with the adoption of the Tierrasanta Community Plan which ceded the western portion of the Elliott community to Tierrasanta community.			July 27, 1982	R-256890
Expanded the Open Space area to coincide with the boundaries of the MSCP; reduced the residential acreage in the community; and increased the acreage associated with the landfill.			March 18, 1997	R-288456
Permitted aggregate extraction and processing associated with the landfill through a Planned Development Permit and corrected the increase in landfill acreage to 493 <u>491</u> acres.			April 9, 2002	R-296297

EAST ELLIOTT COMMUNITY PLAN

BACKGROUND

For many years, the East Elliott area was a portion of the Elliott Community Plan. This plan was adopted in 1971. Subsequently, most of the original Elliott planning area was removed from the Elliott Community Plan and incorporated in the new Tierrasanta Community and Mission Trails Regional Park Plans. The remaining portion of the Elliott community, known as East Elliott, has remained undeveloped. The previous community plan for this area designated scattered unconnected areas of residential development surrounded by open space. Residential and other forms of urban development are impractical and uneconomical in most of East Elliott because of rugged topography, environmental constraints, lack of utility and road connections and other services, a multiplicity of small ownerships and proximity to the Sycamore Canyon Landfill.

East Elliott is dominated by native vegetation including sage scrub, chaparral, native grassland and oak and sycamore woodland and constitutes one of the largest and biologically most important remaining open space areas in San Diego. The topography is characterized by a series of parallel north-south trending canyons and ridges. A number of endangered and threatened wildlife species inhabit this area.

LAND USE PLAN

Due to the natural resources on site and the factors described above which make urban development infeasible in much of East Elliott, a majority of this area is designated for long-term open space use. As such, a majority of the area (~~2,259~~ 2,221 ~~4~~ 24 acres out of the 2,862 in the East Elliott planning area) will be one of the most important components of the City's Multiple Species Conservation Plan (MSCP). These open space areas will provide habitat for a number of endangered or threatened wildlife species and will provide corridors for wildlife movement from Mission Trails Park northward into the Miramar area.

An approximately 117-acre area on the eastern fringe of East Elliott, adjacent to a residential area in Santee, is designated for residential use. A maximum of 500 single-family residential units can be constructed in this area. Residential use is designated in this area due to its relatively level terrain and proximity to residential and residential serving land uses in Santee. The residential units should be sensitive and similar to the adjacent development in Santee in terms of siting, scale, density and design. Due to a lack of nearby residential development or services in San Diego and proximity to residential development in Santee, deannexation of this 117-acre area to Santee should be considered if, in the future, Santee favors such an annexation.

~~Twelve~~ Seven acres of commercial office use ~~are~~ is designated ~~in two separate parcels~~ in the vicinity of State Highway 52 and Mast Boulevard. ~~These two~~ This ~~properties~~ property ~~have~~ has excellent road access and ~~have~~ has potential such as accounting, legal and medical offices to residents of eastern San Diego and Santee.

Four ~~Five~~ hundred seventy-four ~~seventeen~~ twenty-four acres ~~mostly~~ in the ~~Little~~ Sycamore Canyon watershed in the north central portion of the planning area are designated for use as a landfill. A smaller landfill exists in a portion of this area in 1995 (the date that this plan was written) and expansion of this landfill is anticipated. Aggregate mining and processing with the designated landfill area is permitted by Planned Development Permit 40-0765, conditioned upon the mitigation of potential impacts. Potential biological conflicts between the landfill use and adjacent MSCP habitats will be avoided through the landfill operator's adherence to provisions of the MSCP, especially the MSCP adjacency guidelines. If any residential development is proposed within the area planned for open space, the City will encourage it to be located on lands not adjacent to the landfill. After closure of the landfill, and completion of the State-required post-closure monitoring period, the land use designation of the landfill site shall become open space.

This plan also recognizes the possibility that a portion of the area west of Sycamore Canyon (within the Oak and Spring Canyon watershed), which is designated in this plan for open space use, could be considered for use as a landfill in the future. Many environmental factors will need to be carefully considered prior to a decision to expand the landfill area beyond the 474 ~~517~~ 47 acres in Sycamore Canyon.

The land uses designated for the East Elliott area are summarized in the table below and illustrated in the attached land use map.

LAND USES IN EAST ELLIOTT

Use	Acres
Open Space	*2,259 <u>2,221</u> 21
Residential	117
Commercial	12 <u>7</u>
Landfill	*474 <u>517</u> 24 17
Total	2,862

* The acreages shown for the landfill and open space of 474 and 2259 acres respectively are incorrect. The landfill was actually approved for 491 acres whereby the open space area should have been 2242 acres. With this amendment the actual net change for the landfill is 26 additional acres.

OPEN SPACE MANAGEMENT GUIDELINES

The following guidelines are designed to foster preservation and enhancement of the natural open space areas which cover a majority of this planning area:

1. Natural open space areas should remain undeveloped with disturbance limited to trails and passive recreational uses such as walking, hiking and nature study that are consistent with preservation of natural resources.
2. More active recreation uses, including horseback riding and mountain biking, may also be permissible if measures are taken to ensure that biological values are not threatened.
3. Public access to limited areas of particularly sensitive natural open space could be restricted. Examples of locations where access could be controlled include vernal pool areas and identified nesting areas for endangered or threatened animal or bird species.
4. Additional recreational uses may be appropriate along the preserve edge or in the relatively limited open space areas that do not contain sensitive habitat and wildlife. In these areas, horticultural and gardening uses could be permitted on a case-by-case basis. Such uses should not involve construction of permanent structures or paved areas.

5. Open space areas which cover an entire ownership should be preserved through means that include, but are not limited to, acquisition by the City with state and federal assistance or by other large property owners as mitigation lands for environmental impacts anticipated on other properties.
6. Open space areas which cover portions of an ownership and where reasonable development rights still exist on portions of the ownership, should be dedicated by the owner/developer, through an open space/conservation easement. Long-term maintenance should be provided on an individual basis or by an open space management entity that may be formed to implement the MSCP.
7. Disturbed areas designated for open space should be recontoured where feasible, to recreate the natural topography. These areas should also be restored or enhanced where feasible with natural vegetation to return these areas to a natural appearance.
8. At locations where roads, railroads or other urban intrusions traverse open space corridors, provisions should be made to minimize habitat fragmentation and to provide for a continuous open space linkage. In some instances, structures such as bridges or culverts should be sited in lower quality habitat or in disturbed areas to the extent possible.
9. Transition areas should be established between urban uses and the open space system, along traffic corridors and canyon overlooks, where feasible and appropriate. Such transition areas may be developed by providing additional maintenance and planting non-invasive grass, shrubs and trees that provide a sensitive transition between uses.



CITY OF SAN DIEGO
Planning Department

**East Elliott
Community Plan
Land Use**

Legend

- Very Low Density Residential (0-5 du/ac)
- Office Commercial
- Open Space
- Sanitary Landfill
- Community/Plan Boundary
- Proposed Landfill Expansion Area

SANITARY FILL

(POTENTIAL LANDFILL)

Scale: 0 250 500 1000 feet

North Arrow

Map showing land use designations for the East Elliott Community Plan. The map includes a legend, a scale bar, and a north arrow. The land use designations are: Very Low Density Residential (0-5 du/ac), Office Commercial, Open Space, Sanitary Landfill, Community/Plan Boundary, and Proposed Landfill Expansion Area. The map shows a large area of Sanitary Landfill and a large area of Open Space. A small area of Very Low Density Residential is shown in the upper right. A small area of Office Commercial is shown in the lower right. A small area of Proposed Landfill Expansion Area is shown in the lower right. The map also shows the Community/Plan Boundary and the Sanitary Landfill area.

Rezone Ordinance

(O-XXXX)

ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 517 ACRES LOCATED AT 8514 MAST BOULEVARD, WITHIN THE EAST ELLIOT COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE RS-1-8 ZONE INTO THE IH-2-1 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 131.0604 AND REPEALING ORDINANCE NO. 10864 (NEW SERIES), ADOPTED JUNE 29, 1972, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICT HERewith.

WHEREAS, under Charter section 280(a)(2) this ordinance is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required to by law to consider evidence at the hearing and to make legal findings based on evidence presented; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That 517 acres located at 8514 Mast Boulevard, and legally described as as Portions of Lots 3,4.9 and 10 of the resubdivision of part of Fanita Rancho, Map No. 1703, and a portion of Lot 73 of Rancho Mission, 330, and All that real property relinquished to the City of San Diego per document recorded March, 6, 2008 as Document No. 2008-0117850 of Official Documents Excepting Easement Parcels 26202-2, 26202-2, 26204-4, 26203-2, 26429-2, and 26429-3 all as shown on State Highway Map No. 307 dated March 7, 2001 as File/Page No.

2001-0129708 of Official Documents, in the East Elliot Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4259, filed in the office of the City Clerk as Document No. OO- _____, are rezoned from the RS-1-8 zone into the IH-2-1 zone, as the zone described and defined by San Diego Municipal Code Chapter 13 Article 1 Division 6. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. 10864 (New Series), adopted June 29, 1972, of the ordinances of the City of San Diego is repealed insofar as the same conflict with the rezoned uses of the land.

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore was made prior to the date of adoption of this ordinance

APPROVED: MICHAEL AGUIRRE, City Attorney

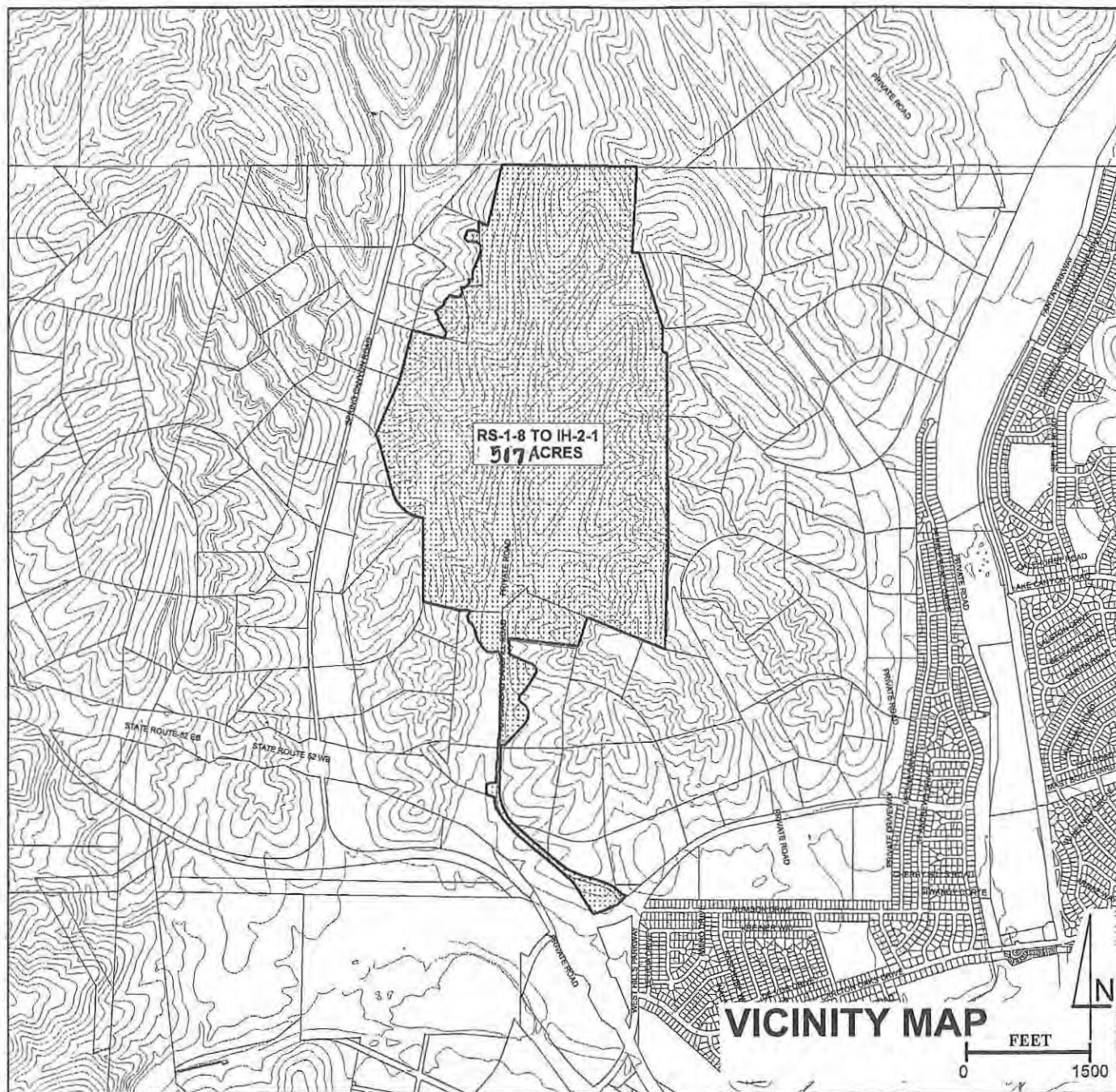
By _____
Rachel Lipsky
Deputy City Attorney

Initials~
Date~
Or.Dept: Development Services
Case No.5617
O-XXXX



CITY OF SAN DIEGO • DEVELOPMENT SERVICES

PROPOSED REZONING



LOTS 3,4,9,10,71 & 73 of FANITA RHO RESUB, Map No. 1703

ORDINANCE NO. **19813**EFF. DATE ORD. **01/01/09**

ZONING SUBJ. TO _____

BEFORE DATE _____

EFF. DATE ZONING **01/01/09**

MAP NAME AND NO. _____

REQUEST IH-2-1

PLANNING COMM.
RECOMMENDATIONCITY COUNCIL
ACTION

CASE NO. 42-1084

DEVELOPMENT SERVICES MANAGER

B-4259

APN: 366-031-14,18, 366-041-01, 366-070-12,13,
366-071-12,33, 366-080-16,25,26,57, 366-081-25

(250-1749) 03-23-09 ldlj

**RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES DEPARTMENT
PERMIT INTAKE, MAIL STATION 501**

**AND WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A**

THE ORIGINAL OF THIS DOCUMENT
WAS RECORDED ON JUL 12, 2002
DOCUMENT NUMBER 2002-0588221
GREGORY J. SMITH, COUNTY RECORDER
SAN DIEGO COUNTY RECORDER'S OFFICE
TIME: 2:24 PM

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**PLANNED DEVELOPMENT PERMIT/SITE DEVELOPMENT PERMIT
NO. 40-0765 (MMRP)
SYCAMORE LANDFILL
CITY COUNCIL**

This Planned Development Permit/Site Development Permit No. 40-0765 is granted by the City Council of the City of San Diego to Sycamore Landfill, Inc., a California Corporation, Owner/Permittee, pursuant to the San Diego Municipal Code [SDMC]. The 493-acre site is located at 8514 Mast Boulevard in the RS-1-8 zone of the East Elliott Community Plan area. The project site is legally described as portions of Sections 13 and 14, Township 15 South, Range 2 West, and Sections 7, 18, and 19, Township 15 South, Range 1 West, U.S.G.S. 7.5 Minute La Mesa Quadrangle, San Bernadino Base and Meridian.

Subject to the terms and conditions set forth in this permit, permission is granted to Owner/Permittee to continue to operate the existing Sycamore Landfill; brush and clear areas of the Sycamore Landfill site for future landfilling within the boundaries of the approved landfill Staged Development Plan; to add an aggregate extraction and processing facility; and, to change the hours of landfilling operations, described as, and identified by size, dimension, quantity, type and location on the approved Exhibit "A," dated April 9, 2002, on file in the office of the Development Services Department. The facility shall include:

- a. An existing solid waste landfill of approximately 493 acres;
- b. Brushing and clearing of the western and southwestern portions of the site within the existing boundaries of the approved landfill Stage Development Plan, in three phases, impacting a total of 205 acres of habitat;
- c. An aggregate extraction and processing facility within the staged development boundaries of the existing landfill. The hours of operation of the aggregate facility

shall be consistent with the hours of landfill operations, while truck ingress and egress associated with the aggregate facility shall be limited to the hours of 9:00 a.m. to 3:00 p.m., Monday through Saturday;

- d. Hours of landfill operations (receiving and processing waste):
Monday through Friday: 6:00 a.m. to 4:30 p.m.
Saturday and Sunday: 6:00 a.m. to 4:00 p.m.;
- e. Landscaping (planting and landscape related improvements); and
- f. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted Community Plan, California Environmental Quality Act guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this permit, and any other applicable regulations of the SDMC in effect for this site.

1. Construction, grading or demolition must commence and be pursued in a diligent manner within 36 months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within 36 months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the Municipal/Land Development Code requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.

2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this permit be conducted on the premises until:

- a. The Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the office of the San Diego County Recorder.

3. Unless this permit has been revoked by the City of San Diego the property included by reference within this permit shall be used only for the purposes and under the terms and conditions set forth in this permit unless otherwise authorized by the City Manager.

4. This permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this permit and all referenced documents.

5. The utilization and continued use of this permit shall be subject to the regulations of this and any other applicable governmental agencies.

ORIGINAL

6. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and/or site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.
7. The Applicant or its successors shall obtain a grading permit as defined by this permit condition prior to any grading activities within landfill stages II, III or IV, or the small amount of native habitat remaining at the southeast corner of landfill Stage I. The specific requirements of Article 9, Division 6, of the SDMC, Chapter 12 do not apply to this grading permit condition. The following specific requirements apply:
- a. The required permit application shall be reviewed by Environmental Analysis Section and Multiple Species Conservation Program staff only.
 - b. A decision on the application for a grading permit shall be made in accordance with Process One.
 - c. The grading permit shall be approved if the application demonstrates that the biological mitigation requirements identified in Mitigated Negative Declaration No. 40-0765 have been met for the proposed habitat disturbance.
 - d. The Applicant or its successors shall not begin any work, construction, or use on the property that removes native vegetation within landfill stages I, II, III, or IV until the required permit has been issued.

The Applicant or its successors shall submit a permit application to the City of San Diego Development Service Department. The required permit application shall include three (3) copies of the General Application (Land Development Manual, Volume I, Chapter I, Section 3, Item 1.1). General Application Part 1, Item 2, Project Description, shall indicate which landfill stage; II, III, or IV, or the small amount of native habitat remaining at the southeast corner of landfill Stage I, is proposed for disturbance.

The required permit application shall also include three (3) copies of a biology report addressing the biological resources of the offered mitigation parcel(s), prepared to City of San Diego standards by a qualified biologist. The biology report shall include the habitat mitigation requirement for the proposed landfill stage or aggregate extraction and processing area disturbance. The mitigation requirement shall be as defined by Mitigated Negative Declaration No. 40-0765. The biology report shall demonstrate how the acquired parcel(s) fulfills the mitigation requirement. No further information will be required.

8. This Planned Development Permit/Site Development Permit allows an additional use to the uses approved in CUP No. 6066-PC, CUP No. 6066-PC AM-1, and CUP No. 6066-PC AM-2. The uses and conditions in CUP No. 6066-PC, CUP No. 6066-PC AM-1, and CUP No. 6066-PC AM-2 remain in effect and are not changed or altered with the approval of this permit.

9. Prior to beginning aggregate extraction and processing facility operations, the applicant shall obtain a Permit to Construct and a Permit to Operate the aggregate facility from the Air Pollution Control District (APCD).
10. Any modification to this Permit, including any changes to approved Exhibit "A," dated April 9, 2002, on file in the office of the Development Services Department, shall require a permit amendment.
11. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this discretionary permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded special rights which the holder of the Permit is obtaining as a result of this Permit. It is the intent of the City that the Owner of the property which is the subject of this Permit either utilize the property for any use allowed under the zoning and other restrictions which apply to the property or, in the alternative, that the Owner of the property be allowed the special and extraordinary rights conveyed by this Permit, but only if the Owner complies with all the conditions of the Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the new permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove or modify the proposed permit and the condition(s) contained therein.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

12. The applicant shall comply with the Mitigation, Monitoring and Reporting Program (MMRP) as specified in Mitigated Negative Declaration, LDR No. 40-0765, satisfactory to the City Manager and the City Engineer. Prior to issuance of any grading permits and/or building permits, mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue area(s): Biological Resources.

MULTI-SPECIES CONSERVATION PROGRAM (MSCP) REQUIREMENTS:

13. The issuance of this permit by the City of San Diego does not authorize the applicant to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. Section 1531 et seq.).

14. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the ESA and by the California Department of Fish and Game [CDFG] pursuant to Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this permit hereby confers upon Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Permittee by the City: (1) to grant Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this permit and the IA, and (2) to assure Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this permit shall be altered in the future by the City of San Diego, USFWS or CDFG, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this permit and of full satisfaction by Permittee of mitigation obligations required by this permit, as described in accordance with Section 17.1D of the IA.

15. Prior to issuance of a grading permit for the project the applicant must provide assurances to the City Manager that areas within the Multiple Habitat Planning Area [MHPA] are preserved. Adequate notice must be recorded against the title of the property to memorialize the status of the MHPA areas. Options for this type of notice include: (1) Dedication in fee title to the City; (2) Conservation easement or (3) Covenant of easement.

PLANNING/DESIGN REQUIREMENTS:

16. This Planned Development Permit allows the current use and proposed use in accordance with SDMC section 143.0403(a)(1). Unlawful uses on any portion of the premises shall be terminated or removed as a requirement of the Planned Development Permit.

17. Any future requested amendment to this permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

18. The maximum noise level created by the landfill and the aggregate facility operations shall not exceed 65 dB (A) CNEL at any time as measured at the property line.

19. The operation of the landfill, including the aggregate extraction and processing facility, shall not create dust or odor nuisances that extend beyond the property line.

20. The aggregate extraction and processing facility shall be limited to areas within the Staged Development Plan boundary of the landfill.

21. All signage associated with this development shall be consistent with sign criteria established by either of the following:

- a. Approved project sign plan (Exhibit "A," dated April 9, 2002, on file in the office of the Development Services Department); or
- b. Citywide sign regulations.

22. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located.

LANDSCAPE REQUIREMENTS:

23. Prior to the implementation of the closure and post-closure plan, the Permittee or subsequent Owner shall provide a final Closure and Post-Closure Maintenance Plan to the Local Enforcement Agency for approval in accordance with State Law.

24. Installation of slope planting and other means of erosion control including seeding of all disturbed land (slopes and pads) consistent with the approved Closure and Post-Closure Plans is considered to be in the public interest. The Permittee shall initiate such measures within 30 days after the grading has been accomplished. Drainage and erosion control shall be in accordance with landfill design and operating standards and controls as required by Title 27, California Code of Regulations (27CCR). Final design and maintenance of closed landfill shall be consistent with the approved Final Closure and Postclosure Maintenance Plans and Closure and Postclosure Maintenance Standards for landfills as required by 27 CCR.

TRANSPORTATION REQUIREMENTS:

25. The ingress and egress of truck traffic associated with the aggregate extraction and processing operation site shall be limited to the hours of 9 a.m. to 3 p.m. Mondays through Saturdays.

INFORMATION ONLY

Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit/tentative map, may protest the imposition within 90 days of the approval of this development permit/tentative map by filing a written protest with the City Clerk pursuant to California Government Code 66020.

APPROVED by the Council of the City of San Diego on April 9, 2002 by Resolution No. R-296298.

AUTHENTICATED BY THE CITY MANAGER

By Edward S. Oliva
Edward S. Oliva, Development Services Manager

The undersigned Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Permittee hereunder.

SYCAMORE LANDFILL, INC.
a California corporation
Owner/Permittee

By 

By _____

NOTE: Notary acknowledgments
must be attached per Civil Code
section 1180 et seq.

ORIGINAL

CONDITIONAL USE PERMIT NO. 83-0789
PLANNING COMMISSION

This Conditional Use Permit AMENDMENT TO CUP NO. 6066, 6066-PC/AMENDMENT 1, and CUP NO. 6066/AMENDMENT 2 is granted by the Planning Commission of The City of San Diego to the County of San Diego, Department of Public Works, Solid Waste Division, Owner, and Central Plants, Inc. a California Corporation, Permittee, for and Electric Generating Plant-Methane Recovery System to be an additional use to an existing land fill operation, under the conditions in Section 101.0506 of the Municipal Code of The City of San Diego.

1. Permission is granted to Owner and Permittee to operate and maintain an electrical generating plant-methane gas recovery system located northerly of Mission Gorge Road in the Elliott Community, described as Lots 4 and 9, resubdivision of Partition of Fanita Rancho, Map No. 1703, in the R-1-40 Zone.
2. The facility shall consist of the following:
 - a. Electrical generating plant-methane gas recovery system; and
 - b. Accessory uses as may be determined incidental and approved by the Planning Director.
3. The electrical generating plant-methane recovery system shall be constructed on native soil, rather than land fill area because of potential settling problems.
4. Provisions shall be made for the protection of the electrical generating plant-methane recovery system from migrating gas, and the result of the danger of explosion.
5. All equipment for the electrical generating-methane recovery system fueled by landfill gas and installed by Central Plants, Inc. at this location shall not emit more than following quantities of air contaminants:
 - a. Oxides of nitrogen - 22 pounds per hour;
 - b. Carbon Monoxide - 36 pounds per hour; and,
 - c. Non methane hydrocarbon - 10 pounds per hour.

Actual emission level shall be determined by the San Diego Pollution Control District. In the event the above emission levels are exceeded, Central Plants, Inc. shall expeditiously take corrective steps as necessary to eliminate such excess. In addition, Central Plants, Inc. agrees to comply with San Diego Air Pollution Control District Rule 20.3.

6. The noise level from the proposed electrical generating plant-methane recovery system at the Sycamore land fill property line shall not exceed levels to be approved by the City's Noise Abatement Officer in accordance with the rate requirements of the City Noise Ordinance (Section 59.5.0401).

7. Geologics/soils testing and analysis will be conducted by a registered Civil Engineer in compliance with requirements of the City Engineer. Geologics/soils measures will be implemented as part of the land development permit by the City Engineer (Section 62.0405.3)..

8. Odors admitting from the site shall not be increased beyond existing levels. The County Air Pollution Control District (APCD) will be responsible for monitoring odors if warranted by the presence of detectable levels. In the event of increased levels enforcement action would be taken by the Air Pollution Control District based on APCD Rule 51.

9. Prior to the issuance of a building permit the color palette for all structures including the accessory water tank specifying earth tones or similar appropriate colors which blend with the surrounding environment shall be submitted to the Planning Director for review and approval.

10. The accessory water tank and its surrounding structure shall not be taller than 30 feet.

11. A continuous monitoring system shall be incorporated into the design of the development for the electrical generating-methane gas recovery system to detect higher than normal oxygen levels in the land fill gas collected. The system will automatically shut down the facility when the higher levels of gas are detected.

12. No permit for construction or operation of any facility shall be granted nor shall any activity authorized by this permit be conducted on the premises until:

- a. The Permittee signs and returns the permit to the Planning Department;
- b. The Conditional Use Permit is recorded in the office of the County Recorder.

If the signed permit is not received by the Planning Department within 90 days of the Planning Commission decision or within 30 days of a City Council decision, the permit amendment shall be void.

13. Before issuance of any building permits, complete grading and building plans shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit

"A," dated August 2, 1984, on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications for amendment of this permit shall have been granted.

14. All outdoor lighting shall be so shaded and adjusted that the light is directed to fall only on the same premises as light sources are located.

15. Construction and operation of the approved use in this permit amendment shall comply at all times with the regulations of this or any other governmental agencies.

16. After establishment of the project, the property shall not be used for any other purposes unless:

- a. Authorized by the Planning Commission; or
- b. The proposed use meets every requirement of the zone existing for the property at the time of conversion; or
- c. The permit has been revoked by the City.

17. This Conditional Use Permit Amendment may be revoked by the City if there is a material breach or default in any of the conditions of this permit.

18. This Conditional Use Permit Amendment is a covenant running with the lands and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out.

19. This Conditional Use Permit Amendment allows an additional use to the uses approved in CUP 6066-PC, CUP 6066-PC AM-1 and CUP 6066-PC AM-2. The uses and conditions in CUP 6066-PC, CUP 6066-PC AM-1 and CUP 6066-PC AM-2 remain in effect and are not changed or altered with the approval of this permit.

20. The building structure will be all-metal non-combustible construction.

21. Volatile fluids or chemicals will not be used or stored within the building.

22. An all-weather access road, satisfactory to the Fire Department, will be maintained to the building site.

23. A 500-gallon water tank with two outlets, as approved by the Fire Department, should be provided at the site of the building.

24. A brush and weed-free area, as required by the Fire Department, shall be maintained around the building site.

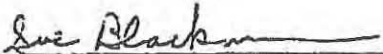
Passed and Adopted by the Planning Commission of The City of San Diego on August 2, 1984.

CUP No. 83-0789 (Am. to CUP No. 6066 and amendments thereto)

AUTHENTICATED BY:



Nick Osler, Senior Planner
Planning Department



Sue Blackman, Secretary to the
Planning Commission

State of California,)
County of San Diego.) ss.

On this 13th day of August, in the year 1981,
before me, Catherine L. Meyer, a Notary Public
in and for said county and state, personally appeared Nick Osler,
personally known to me (or proved to me on the basis of satisfactory
evidence) to be the person who executed this instrument as Senior
Planner of The City of San Diego Planning Department, and SUE BLACKMAN,
personally known to me (or proved to me on the basis of satisfactory
evidence) to be the person who executed this instrument as Secretary
to the Planning Commission of The City of San Diego, and acknowledged
to me that The City of San Diego executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, in
the County of San Diego, State of California, the day and year in this
certificate first above written.

NOTARY STAMP

Name Catherine L. Meyer
(typed or printed)
Signature _____



#504870

FIVE-YEAR REVIEW REPORT
of the
COUNTY INTEGRATED WASTE MANAGEMENT PLAN
for the
COUNTY OF SAN DIEGO

Prepared by the
COUNTY OF SAN DIEGO
DEPARTMENT OF PUBLIC WORKS

March 23, 2011

COUNTY OF SAN DIEGO
Five-Year CIWMP/RAIWMP Review Report
March 23, 2011


SECTION 1.0 COUNTY OR REGIONAL AGENCY INFORMATION			
I certify that the information in this document is true and correct to the best of my knowledge, and that I am authorized to complete this report and request approval of the CIWMP or RAIWMP Five-Year Review Report on behalf of:			
County or Regional Agency Name County of San Diego		County San Diego	
Authorized Signature 		Title Deputy Director	
Type/Print Name of Person Signing Donna Turbyfill	Date 3/23/11	Phone (858) 505-6470	
Person Completing This Form (please print or type) Stephanie Ewalt	Title Recycling Specialist II	Phone (858) 694-2458	
Mailing Address 5201 Ruffin Road, Suite D	City San Diego	State CA	Zip 92123
E-mail Address Stephanie.Ewalt@sdcounty.ca.gov			

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SECTION 2.0 – BACKGROUND

S:\Recycling\CIWMP\2010 Planning Docs\5 Year Review Docs\2010\Draft Report 5 year review\5YearReport_Finalv7se.doc

This is the County of San Diego's second Five-Year Review Report since the approval of CIWMP.

The following changes have occurred since the approval of the County of San Diego's planning documents or the last Five -Year CIWMP.

None of the following have occurred.

- ☒ Diversion goal reduction
- ☒ New regional agency
- ☒ Changes to regional agency
- ☒ New city (none)
- ☐ Other _____

County of San Diego Five - Year CIWMP Review Report – March 2011

SECTION 3.0 LOCAL TASK FORCE REVIEW

- a. In accordance with Title 14 CCR, Section 18788, the Local Task Force (LTF) reviewed each element and plan included in the CIWMP:

☒ At the 2/24/11 and 3/15/11 LTF meetings. ☒ Electronically (fax, e-mail) ☐ Other:

The Citizens Advisory Committee reviewed and voted in favor of this report on February 24, 2011. The meeting minutes in Appendix B reflect this.

The Technical Advisory Committee also voted and approved this report. This committee provided an approval letter on March 15, 2011 and that is also included in Attachment B.

- b. The County of San Diego received no written comments from the LTF.

SECTION 4.0 - TITLE 14, CALIFORNIA CODE OF REGULATIONS SECTION 18788 (3) (A) THROUGH (H)

San Diego County CIWMP documents, accompanied by individual annual reports, continue to serve as appropriate reference tools for implementing and monitoring compliance with AB939. The goals, objectives, and policies in the elements are still applicable.

The subsections below address the areas of change specified in the regulations, and provide specific analysis regarding the continued adequacy of the planning documents including a determination regarding any need for a revision to one or more of the planning documents.

SECTION 4.1 – CHANGES IN DEMOGRAPHICS IN THE COUNTY OR REGIONAL AGENCY

Tables 1a and 1b below depict the County of San Diego's demographic data. The rate of change for population and employment is shown from 2000 to 2008.

San Diego County experienced a high rate of population and economic growth from 2000 to 2008. Population changes vary from jurisdiction to jurisdiction. Countywide, population increased 11% with one jurisdiction growing by 50% (San Marcos) since 2000 and one jurisdiction dropping 4% (Coronado). The Countywide employment rate grew by 7%.

The jurisdictions in the County of San Diego have responded to increases in population with a variety of different measures, including adding new or improved solid waste management and more recycling programs, instituting mandatory recycling requirements, and providing technical assistance for residents and businesses, all of which help meet AB939 requirements.

Seventeen of the 19 San Diego jurisdictions exceeded the 50% diversion requirement by 2006 (Table 4). The highest diversion rate reached in the county was Solana Beach with 68%. Lemon Grove and Vista fell below the 50% diversion requirement, and continue to work with the State to increase their diversion rates.

Tables 2 and 3 illustrate changes in the quantities of waste generated and disposed within the county. Table 2 illustrates the countywide waste generation in 2000 and 2006 including the rate of change between those years. Table 3 shows San Diego's solid waste disposal tonnages in 2000 and in 2008 and also includes the rate of change. Table 4 summarizes each jurisdiction's progress in implementing the Source Reduction and Recycling Element (SRRE) and compliance with the 50% diversion rate requirement. In 2007, AB1016 changed the diversion reporting from a percentage calculation to a target of daily pounds per capita disposal based on each jurisdiction's

County of San Diego Five - Year CIWMP Review Report – March 2011

average waste generation from 2003 through 2006. In Table 4, years 2007 and 2008 are displayed as 50% equivalent per capita disposal.

Further analysis of generation and disposal of solid waste appear in Section 4.2

Table 1a. Demographics of Jurisdictions in San Diego County from 2000 through 2008

Population				
	2000	2008	2000-2008	2000-2008
Jurisdiction	Total Population	Total Population	Difference	% Change
Carlsbad	78,247	103,406	25,159	32%
Chula Vista	173,556	230,397	56,841	33%
Coronado	24,100	23,030	-1,070	-4%
Del Mar	4,389	4,561	172	4%
El Cajon	94,869	97,555	2,686	3%
Encinitas	58,014	63,615	5,601	10%
Escondido	133,559	143,259	9,700	7%
Imperial Beach	26,992	28,092	1,100	4%
La Mesa	54,749	56,445	1,696	3%
Lemon Grove	24,918	25,511	593	2%
National	54,260	56,144	1,884	3%
Oceanside	161,039	178,102	17,063	11%
Poway	48,044	50,744	2,700	6%
San Diego	1,223,400	1,333,617	110,217	9%
San Marcos	54,977	82,419	27,442	50%
Santee	52,946	55,850	2,904	5%
Solana Beach	12,979	13,447	468	4%
Unincorporated County	442,919	489,958	47,039	11%
Vista	89,857	95,400	5,543	6%
Countywide	2,813,833	3,131,552	317,719	11%

Source: 2000 and 2008 Population Figures: SANDAG Website: <http://datawarehouse.sandag.org/>

Table 1b. Employment in San Diego County from 2000 through 2008

Employment Factor	2000	2008	% Change
Countywide Employment	1,407,152	1,501,080	7%

Source: 2000 and 2008 Employment, Figures: SANDAG Website: <http://datawarehouse.sandag.org/>

SECTION 4.2 CHANGES IN QUANTITIES OF WASTE WITHIN THE COUNTY OR REGIONAL

County of San Diego Five - Year CIWMP Review Report – March 2011

AGENCY; AND CHANGES IN PERMITTED DISPOSAL CAPACITY AND
WASTE DISPOSED IN THE COUNTY OR REGIONAL AGENCY.

Between 2000 and 2006, the quantity of solid waste generated within the County increased by 33% from 2000 to 2006, totaling 2,154,506 tons (Table 2). All jurisdictions generated more solid waste. Jurisdictions with the greatest increases over the seven years were Chula Vista, Oceanside, San Marcos, and Santee. Countywide solid waste disposal dropped by one percent between 2000 and 2008.

The 2005 Siting Element of the Countywide Integrated Waste Management Plan (CIWMP) measured an annual rate of increase in the disposal rate to landfills of approximately 5.4 percent from 1995 to 2003. At that time, the growth was expected to slow to a 3.4% increase per year from 2005 to 2017, accommodating projected changes in population growth (Figure 1), and assuming a 50 percent diversion rate.

In 2005, regression analysis predicted an increase from 3.7 million tons landfilled in 2002 to 6.1 million tons disposed in landfills by 2017. By 2017, county daily permitted tonnage at the landfills would be saturated. This did not include proposed expansions at Sycamore Landfill. Considering the 2002 permitted daily tonnages, and predicted landfill expansions, plus exports minus predicted imports, the mean value of the regression predicted sufficient landfill space will be available until 2028.

In 2005, the proposed Gregory Canyon Landfill was assumed to come on line later that year, but opening has been delayed. In this analysis, Gregory Canyon is assumed to open in 2015, though the actual year is unclear.

In 2005 landfilled tonnages were at their peak in San Diego County, and tonnage has fallen dramatically from 2006 through 2010 by about one million tons. No single factor has been identified for this precipitous drop, but the economic recession has caused more people and businesses to discard less waste. Another strong reason for the reduced landfilling rate has been increased conservation and recycling activities. Xeriscape landscaping, which reduces production of green waste, is more widely used, compost facilities have expanded, jurisdictions have implemented mandatory recycling ordinances, and there are several new construction and demolition recycling facilities.

The one million-ton decrease in solid waste disposal between 2006 and 2010 had a significant effect on the statistical prediction for landfill space needs in the county. The tonnage reduction and two new major landfill expansions, one at Miramar Landfill and one at Sycamore Landfill, have changed the county's capacity (Figure 1).

Following the approved method of prediction in the previous Siting Element (2005) a linear regression model was used to plot future disposal trends by using disposal data from 1995 through 2009. The trend line projects a gradual increase in disposal from 2010 to 2030. The data fit a linear regression for predictability ($R^2 = 0.3338$) through the required 15 years estimation period (2010 – 2025).

Using current tonnage figures through 2009 in Figure 1, the decrease in disposal tonnage from 2006 through 2009 results in approximately one million additional tons capacity, which equates to approximately two million cubic yards of additional landfill space.

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Table 2 - Solid Waste Generation Tonnage Comparison for San Diego County 2000 to 2006				
Jurisdiction	2000	2006	2000-2006 Difference	2000-2006 % Change
Carlsbad	264,304	307,568	43,264	16%
Chula Vista	228,243	440,359	212,116	93%
Coronado	91,864	118,604	26,740	29%
Del Mar	29,841	34,943	5,102	17%
El Cajon	219,618	276,813	57,195	26%
Encinitas	140,997	177,226	36,229	26%
Escondido	250,584	316,120	65,536	26%
Imperial Beach	34,392	42,536	8,144	24%
La Mesa	104,714	133,080	28,366	27%
Lemon Grove	35,976	44,689	8,713	24%
National City	129,395	162,638	33,243	26%
Oceanside	249,588	405,545	155,957	62%
Poway	160,494	181,642	21,148	13%
San Diego	3,299,472	4,211,231	911,759	28%
San Marcos	156,773	239,316	82,543	53%
Santee	89,468	134,590	45,122	50%
Solana Beach	35,484	45,997	10,513	30%
Unincorporated County	819,238	1,195,560	376,322	46%
Vista*	216,395	244,889	28,494	13%
County Total	6,558,840	8,713,346	2,154,506	33%

Sources

Source: 2000 and 2006 Figures: CalRecycle: <http://www.calrecycle.ca.gov/LGCentral/Tools/mars/DrmcMain.asp>

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Table 3. Solid Waste Disposal Tonnage Comparison for San Diego County 2000 to 2008

Jurisdiction	2000	2008	2000 - 2008 Difference	2000 - 2008 % Change
Carlsbad	109,479	122,397	12,919	12%
Chula Vista	150,767	174,583	23,815	16%
Coronado	40,859	47,870	7,011	17%
Del Mar	14,603	10,376	-4,228	-29%
El Cajon	97,985	105,222	7,237	7%
Encinitas	70,646	68,583	-2,063	-3%
Escondido	133,573	141,991	8,417	6%
Imperial Beach	17,952	12,894	-5,058	-28%
La Mesa	63,943	37,265	-26,678	-42%
Lemon Grove	22,733	21,557	-1,177	-5%
National City	61,122	52,009	-9,113	-15%
Oceanside	135,458	136,715	1,257	1%
Poway	56,414	62,420	6,006	11%
San Diego	1,723,501	1,544,891	-178,610	-10%
San Marcos	84,067	89,132	5,065	6%
Santee	60,281	52,184	-8,097	-13%
Solana Beach	19,240	16,412	-2,828	-15%
Unincorporated San Diego County	461,371	613,270	151,898	33%
Vista	110,040	104,187	-5,854	-5%
County Total	3,434,036	3,413,957	-20,079	-1%

Sources: 2000 and 2008 Figures: CalRecycle:
<http://www.calrecycle.ca.gov/LGCentral/Reports/DRS/Origin/WFOrgin.aspx>

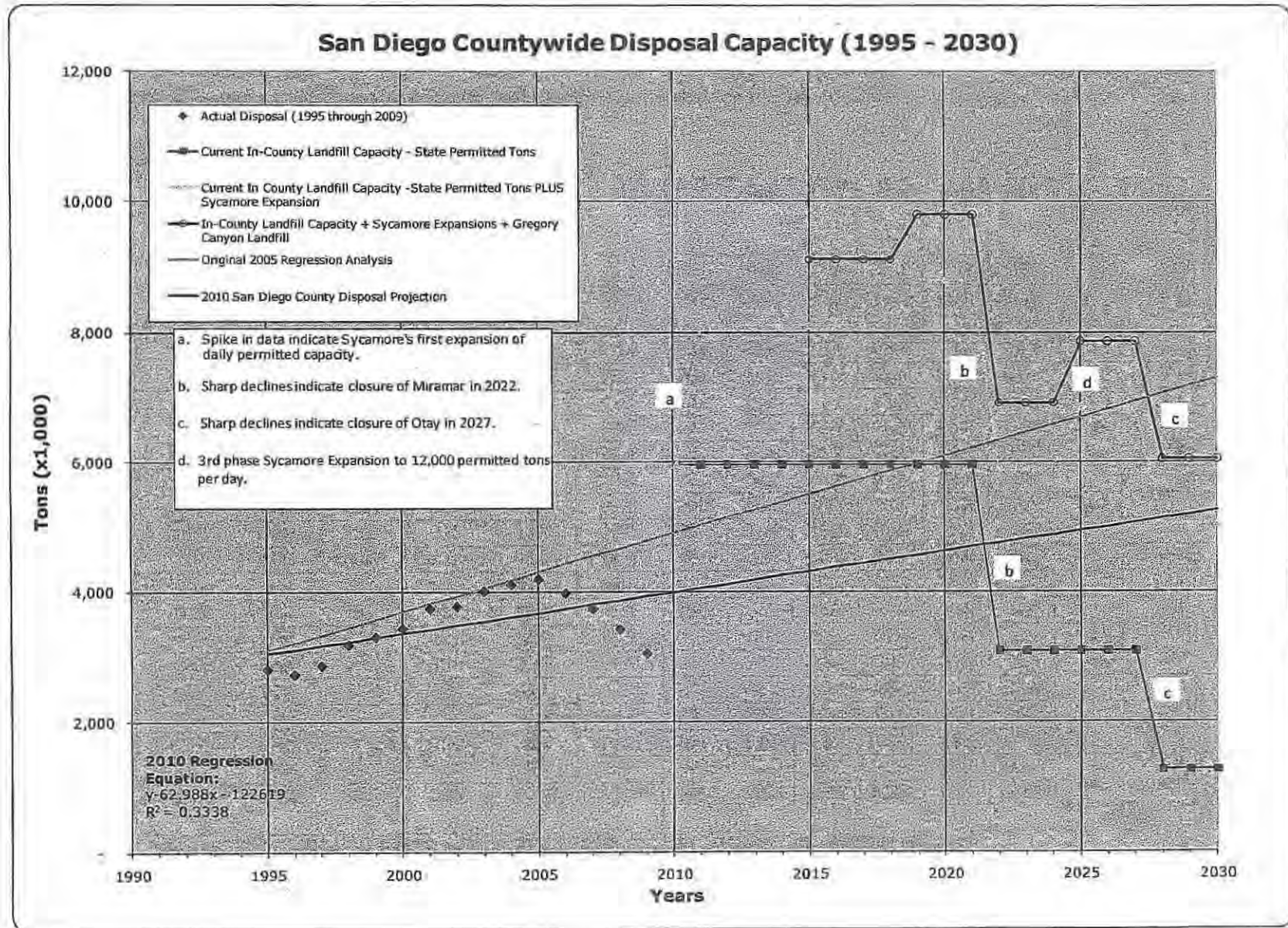
Table 4. Solid Waste Diversion Rates for all San Diego County Jurisdictions 1995 to 2008

	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007*		2008*	
													Target	Actual	Target	Actual
Carlsbad	57%	48%	50%	44%	50%	59%	55%	55%	48%	57%	55%	57%	8.4	7.0	8.4	6.5
Chula Vista	42%	42%	41%	39%	36%	34%	53%	54%	51%	50%	48%	54%	5.3	4.7	5.3	4.2
Coronado	36%	27%	23%	12%	51%	56%	54%	53%	50%	57%	55%	54%	12	11.6	12	11.4
Del Mar	40%	36%	35%	NA	NA	51%	50%	51%	54%	58%	52%	56%	20.3	17.1	20.3	12.5
El Cajon	43%	51%	42%	60%	63%	55%	51%	50%	51%	54%	55%	59%	7.4	6.2	7.4	5.9
Encinitas	46%	49%	51%	40%	47%	50%	49%	49%	48%	55%	54%	56%	7.5	6.4	7.5	5.9
Escondido	49%	45%	48%	43%	43%	47%	42%	41%	49%	53%	49%	53%	5.9	5.2	5.9	5.3
Imperial Beach	40%	41%	42%	40%	44%	50%	45%	48%	45%	49%	54%	57%	4.0	3.0	4.0	2.5
La Mesa	47%	41%	50%	48%	42%	43%	45%	38%	30%	42%	50%	54%	6.2	4.8	6.2	3.6
Lemon Grove	19%	34%	37%	7%	15%	39%	30%	31%	46%	52%	47%	44%	4.7	4.7	4.7	4.6
National City	34%	48%	38%	38%	47%	53%	50%	52%	50%	53%	53%	53%	6.9	5.4	6.9	5.1
Oceanside	48%	47%	49%	47%	47%	46%	45%	41%	40%	57%	58%	59%	6.3	4.6	6.3	4.2
Poway	55%	56%	53%	51%	53%	65%	44%	57%	54%	56%	63%	62%	8.6	7.3	8.6	6.7
San Diego	35%	45%	49%	46%	45%	48%	51%	44%	45%	52%	52%	55%	8.4	7.1	8.4	6.3
San Marcos	47%	45%	51%	48%	44%	47%	42%	43%		52%	53%	57%	8.9	6.6	8.9	5.9
Santee	39%	52%	45%	30%	35%	33%	36%	47%	47%	51%	54%	61%	6.5	5.6	6.5	5.1
Solana Beach	48%	52%	53%	42%	47%	46%	50%	53%	50%	56%	56%	68%	8.9	7.6	8.9	6.7
Unincorporated County	48%	45%	50%	45%	48%	44%	51%	54%	50%	50%	50%	54%	6.8	7.2	6.8	6.7
Vista	43%	48%	55%	51%	42%	49%	50%	45%	34%	46%	41%	47%	6.5	6.5	6.5	6.0
San Diego County Average	43%	45%	45%	41%	44%	48%	47%	48%	47%	53%	53%	56%				

Source: <http://www.calrecycle.ca.gov/LGCentral/Tools/MARS/JurDrSta.asp?VW=In> and
<http://www.calrecycle.ca.gov/LGCentral/Tools/mars/JurDrSta.asp?VW=In>

*New disposal measurement introduced in 2007 per SB1016. Population Disposal number used (PPD - Annual).

Figure 1.



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Annual disposal is predicted to increase to approximately 5.25 million tons in 2030. The methods for the predictive model are as follows for Figure 1: (1) The annual disposal for years 1995 through 2009 was identified and plotted; (2) Regression analysis determined the slope ($y = 62.988x - 122619$), with an R^2 of 0.3338; (3), The total permitted daily landfill capacity for San Diego landfills, including Sycamore, Borrego, Otay and Miramar was determined by consulting Local Enforcement Agencies and landfill operators. The total annual tonnage capacity of landfills was calculated by multiplying tons permitted daily and permitted days of operation per year.

Results.. In Figure 1, the plotted line indicated with squares represents the total in-county capacity which the State currently permits. The plotted line indicated by triangles represents the total in-county capacity which the State currently permits plus the Sycamore Landfill expansions assumed to begin in late 2010. The following assumptions were made during this analysis.

- Permitted daily capacity provided by Local Enforcement Agencies was used to determine remaining landfill space. Note: permitted daily capacity is different than airspace and permits can and may be issued to expand capacity or days of operation.
- Otay Landfill has 27 million cubic yards of capacity as of March 2010 and has a closure date of 2027.
- Miramar Landfill is assumed to close in 2022.
- Sycamore Landfill has 43 million cubic yards of capacity (not considering expansions). Sycamore's first expansion is assumed to be completed in 2012 and follow a graduated expansion in permitted tons per day. Additional expansion phases will occur as needed and will coincide with needs such as Miramar and Otay closures. It is assumed that in 2012, permitted tons per day will increase to 6,800 tons per day; in 2020 to 9,000 tons per day; and in 2026, to 12,000 tons per day.
- A countywide disposal of 3,047,044 tons is assumed for 2009.

The disposal growth projection trend line and the permitted total capacity plot line, including the Sycamore Landfill and Miramar expansions, cross in 2028 (Figure 1). When these two lines cross, disposal will meet permitted capacity. This illustrates that the County of San Diego has enough daily permitted disposal capacity for the next 18 years, thereby meeting the State requirements that the County maintain 15 years of disposal capacity.

Given the above analysis and continued improvements in recycling, San Diego County continues to have 15 years of disposal capacity. Revision to the Countywide Siting Element of the CIWMP is not warranted at this time.

Section 4.3 - CHANGES IN FUNDING SOURCE FOR ADMINISTRATION OF THE SITING ELEMENT (SE) AND SUMMARY PLAN (SP)

Since approval of the CIWMP Siting Element and Summary Plan in September 2005, the County has not experienced any significant changes in funding sources for administration and therefore revision of the planning documents is not warranted.

Section 4.4 - CHANGES IN ADMINISTRATIVE RESPONSIBILITIES

Since the last approval of the CIWMP Siting Element and Summary Plan in September 2005 the County has not experienced any significant changes in administrative responsibilities. Revision of the planning documents is not warranted.

Section 4.5 - PROGRAMS THAT WERE SCHEDULED TO BE IMPLEMENTED BUT WERE NOT

This section addresses programs that were scheduled to be implemented but were not, a statement as to why they were not implemented, the progress of programs that were implemented, a statement as to whether programs are meeting their goals, and if not what contingency measures are being enacted to ensure compliance with Public Resources Code section 41751.

1. Progress of Program Implementation

- a. Source Reduction and Recycling Element (SRRE) and Household Hazardous Waste Element (HHWE)

All program implementation information has been updated in the CalRecycle's Electronic Annual Reports (EAR).

- b. Nondisposal Facility Element (NDFE)

All jurisdictions are in compliance. Two jurisdictions (Escondido and Lemon Grove) are currently updating their Non Disposal Facility Elements due to new developments, which were documented in their Annual Reports. The Unincorporated County NDFE was updated in November, 2008.

- c. Countywide Siting Element (SE)

The following items should be noted as changes from the Siting Element approved by the CalRecycle in 2005.

- i. There has been a significant decrease in estimated disposed tonnage annually from the original estimates in 2005. Given recycling efforts combined with the economic downturn, San Diego has been able to provide sufficient countywide disposal although population has steadily increased.
- ii. The Miramar Landfill height increase extends its closure date to 2022 rather than 2011.
- iii. Sycamore Landfill expansion: Although the plans for expansion are described in the 2005 Siting Element, plans for graduated increases in daily permitted tonnages have changed. The first expansion is assumed to be completed in 2012 and follow a schedule of graduated increases in permitted tons per day. Increases will occur as needed and will coincide with needs such as the closure of other regional landfills at Miramar (2022) and Otay (2027). This document assumes that in 2012, permitted tons per day will increase to 6,800; in 2020 to 9,000; and in 2026, to a maximum of 12,000 tons per day.
- iv. The 2005 Siting Element assumed that the Gregory Canyon Landfill would be operational in 2006. To date (March 2011) additional environmental analysis is being done pursuant to the National Environmental Policy Act for federal purposes, and the project is proceeding through applicable State permitting processes. Gregory Canyon has been included as part of the capacity analysis. It should also be noted that the contact information for this proposed landfill has changed to the following:

Facility Name: Gregory Canyon Landfill

Facility Owner:
Gregory Canyon Limited, LLC

County of San Diego Five - Year CIWMP Review Report – March 2011

Attention: James Simmons, Authorized Representative
160 Industrial Street, Suite 200
San Marcos, CA 92078

Facility Operator:
Gregory Canyon Limited, LLC
Attention: James Simmons, Authorized Representative
160 Industrial Street, Suite 200
San Marcos, CA 92078

- v. Considering the Miramar and Sycamore expansions, Gregory Canyon and closure of Otay 2027, the County of San Diego would have sufficient landfill space beyond 2028.

The following item should be noted as an update to the Siting Element approved by the CalRecycle in 2005.

- vi. With the passing of Proposition A during the June 8th, 2010 election San Diego County voters approved the East Otay Mesa Recycling Collection Center and Landfill. The main features of the East Otay Mesa site include a recycling collection center, a lined landfill, a scale area, a facilities and operation area, a borrow and stockpile area, a leachate collection system, chipping and grinding area, and storm-water retention facilities.

The passing of Proposition A required that the San Diego County Integrated Waste Management Plan be updated to include the East Otay Mesa Recycling Center and Landfill as a future disposal site. The Siting Element currently lists the East Otay facility in Chapter 7 as a "Tentatively Reserved Solid Waste Disposal Facility."

The East Otay Mesa site is updated from "Tentatively Reserved" to a "Proposed New Disposal Facility." This language is added to reflect that effective change that was made by the voters.

d. Summary Plan

There have been no significant information changes that would warrant amendment of the countywide Summary Plan.

2. Statement regarding whether Programs are Meeting their Goals

The programs have been reviewed, and are meeting their goals.

Section 4.6 - CHANGES IN AVAILABLE MARKETS FOR RECYCLABLE MATERIALS

A survey of San Diego recycling markets was distributed to local recycling companies. Overall, recycling markets for the region have improved and market status does not warrant a revision of the planning documents. Responses of the recyclers' survey were as follows:

San Diego County, like much of the country, experienced a severe decrease in all available recycling markets starting in fall 2008. This decrease was due to a drop in the economy and a decline in demand from overseas buyers. However, as of March, 2010 the markets have stabilized and are improved from the CIWMP submitted in 2005 (which used 2002 data). When local recycling companies were asked to rate the recycling markets as either "Excellent," "Good," "Average," "Fair," or "Poor," they responded that markets were "Good." More specifically,

County of San Diego Five - Year CIWMP Review Report – March 2011

aluminum, paper, cardboard, plastic, and metal have all increased in value since 2002. Glass prices have worsened.

The most limiting factor to recycling markets is lower volumes due to the worsened economy. Recycling markets in San Diego are generally strong.

Section 4.7 - CHANGES IN THE IMPLEMENTATION SCHEDULE

No implementation schedule is warranted.

SECTION 5.0 - OTHER ISSUES AND SUPPLEMENTARY INFORMATION**APPENDICES:**

- A. Letters from jurisdictions reflecting no need for document updates.
- B. Responses to Public Comments.
- C. Comment Letters and Committee Approval Letters.
- D. Full text of Proposition A

SECTION 6.0 - ANNUAL REPORT REVIEW

Annual Reports for each jurisdiction in the county have been reviewed, specifically those sections that address the adequacy of the CIWMP or RAIWMP elements. No jurisdictions reported the need to revise one or more of these planning documents. See APPENDIX A for letters from jurisdictions confirming this statement.

SECTION 7.0 - REVISION SCHEDULE (if required) – N/A

Appendix A:

Letters from San Diego County jurisdictions confirming annual report accuracy and updated status.

No.	Jurisdiction	Letter or Email Received
1	City of Chula Vista	✓
2	City of Carlsbad	✓
3	City of Coronado	Unable to obtain letter. County confirmed annual report was up to date with CalRecycle.
4	City of Del Mar	✓
5	City of El Cajon	✓
6	City of Encinitas	✓
7	City of Escondido	Unable to obtain letter. County confirmed annual report was up to date with CalRecycle.
8	City of Imperial Beach	✓
9	City of La Mesa	✓
10	City of Lemon Grove	✓
11	City of National City	✓
12	City of Oceanside	✓
13	City of Poway	✓
14	City of San Diego	✓
15	City of San Marcos	✓
16	City of Santee	✓
17	City of Solana Beach	✓
18	City of Vista	✓
19	County of San Diego	Author of document. All elements up to date.

No.	Jurisdiction	Letter or Email Received
1	City of Chula Vista	✓
2	City of Carlsbad	✓
3	City of Coronado	Unable to obtain letter. County confirmed annual report was up to date with CalRecycle.
4	City of Del Mar	✓
5	City of El Cajon	✓
6	City of Encinitas	✓
7	City of Escondido	Unable to obtain letter. County confirmed annual report was up to date with CalRecycle.
8	City of Imperial Beach	✓
9	City of La Mesa	✓
10	City of Lemon Grove	✓
11	City of National City	✓
12	City of Oceanside	✓
13	City of Poway	✓
14	City of San Diego	✓
15	City of San Marcos	✓
16	City of Santee	✓
17	City of Solana Beach	✓
18	City of Vista	✓
19	County of San Diego	Author of document. All elements up to date.



THE CITY OF SAN DIEGO

May 14, 2010

Wayne T. Williams, Ph.D.
Solid Waste Planning and Recycling Section
San Diego County Department of Public Works
5469 Kearny Villa Road
San Diego, CA 92123

Reference: Verification of Adequacy of Integrated Waste Management Plan Documents

Dear Dr. Williams:

The City of San Diego has reviewed the elements of its Integrated Waste Management Plan, (Source Reduction and Recycling Element, Household Hazardous Waste Element, and Non-Disposal Facility Element), and its annual reports to CalRecycle and has determined that all components of the Plan are adequate and up to date in accordance with the California Integrated Waste Management Act.

Sincerely,

Chris Gonayer
Environmental Services Director

ENCLOSURE



Office of the Director • Environmental Services Department

9601 Ridgehaven Court, Suite 210 • San Diego, CA 92123-1636

Tel (858) 573-1200 Fax (858) 492-5021

Directors/Officers Report

As of July 11, 2012

Allied Waste North America, Inc.

Directors

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Phoenix, Arizona 85054 (United States)

Donald W. Slager*Director*Primary Address

18500 North Allied Way
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Officers

Donald W. Slager*President*Primary Address

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CEOPrimary Address

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Brian A. Bales*Vice President*Primary Address

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