

Minutes of the Palomar Mountain Planning Organization Meeting January 24, 2009

Board Members Present:

Terri Bailey, Heather Beer, Glenn Borland, Cecelia Borland (alternate), Robert Carlyle, Bruce Graves, Rob Hawk, Bob O'Neill, Bonnie Phelps, Michael Pique, Alan Serry, Earl Walls.

Board Members Absent:

Donna Dose, Elizabeth Getzoff (alternate), Susan Humason, Scott Kardel, John Tainer.

The PMPO Board Meeting was convened about 10:00 AM January 24, 2009, at the Palomar Mountain Volunteer Fire Department. The minutes of the August 18 and November 3, 2007, and the January 19 and November 8, 2008, board meetings were distributed, corrected, and approved. Treasurer Alan Serry said that at the last board meeting, November 8, 2008, the balance carried forward was \$44,034.91. Income was \$40.41 interest; expenses were \$4,552.46 (\$1,552.46 for printing evacuation plan brochure and \$3,000.00 for materials for the Community Center of Palomar Mountain). The balance carried forward as of January 24, 2009, is \$39,522.86. The treasurer's report was approved.

Old Business

Traffic Safety:

Alan Serry said recent work has concentrated on safety after snowfalls, because of the heavy tourist traffic. The Palomar Mountain Volunteer Fire Department is sometimes blocked by snow-bunny visitors and unable even to get to the Observatory. The CHP sometimes limits traffic up Sunshine Highway but is not sure that can legally be done on Palomar. The CHP will bring up a tow truck next time. Alan is working with PMVFD Battalion Chief Cliff Kellogg and the road department regarding signs - may even get "Residents only due to road conditions" signs for Crestline and Bailey's. The PMVFD will write the CHP about the dangers of road blockage. Alan requests the PMPO also write a letter to CHP explaining we really need our roads open during snow days. Glenn Borland asked if it would help to open the camping areas for parking; the issue really is plowing for parking.

Alan has met three times with the county Department of Public Works on guard rails and more safety signage. Bonnie Phelps noted that guard rails sometimes seem to invite speeding, pointing out the South Grade milepost 45 skid marks. Alan Serry said the PMVFD records indeed show four accidents there, and Cliff Kellogg said they even hit the same tree 100 feet below. Bonnie asked about moving a few boulders around on the road sidings, was there some liability issue?

Plans are in place for next month's bicycle race, expected to draw thousands of spectators along the South and East Grade roads.

Ground Water Monitoring:

Rob Hawk reported that he and Michael Pique met twice with members of the La Jolla Indian Reservation, discussing well monitoring and visiting (and measuring) candidate wells near the LJIR's East Grade water-mining site. The LJIR promises to set up automatic electronic logging in several existing Palomar wells. Earl Walls commented he was impressed with the LJIR response. The LJIR pumping test will not begin for several more weeks, at the earliest, because they need to renovate their production well first.

Rob has not yet met with the Palomar Mutual Water Company operator Mike Probert to coordinate our own monitoring. Rob thinks the PMPO might need our own, not shared, well probe costing about \$600. Rob will get a quote for such a probe ready for the next Palomar Action Committee (PAC) meeting. Bruce Graves said the current probe is shared at least two ways, by the PMPO and by the Yoga Center. Tom Burton said the probe could be kept at the Yoga wells since they are measured monthly. Robert Carlyle moved the board authorize \$1000 to buy a well-depth measuring probe if the PAC approves (seconded by Bruce Graves, approved with Bonnie Phelps opposed).

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North Mountain San Diego General Plan 2020:

Tom Burton reported that, as authorized by the PMPO Board in November, the Palomar Action Committee (PAC) transcribed our old plan information and recommendations into a new required format and sent it to the county. The PAC has been in touch with the Julian and Pauma Valley community sponsor groups since they have situations similar to ours. The General Plan revision process is painfully slow, but the real important time will be when the 2020 GP revision goes for approval before the county Board of Supervisors. The Forest Conservation Initiative sunsets on December 31, 2010, so the plan now is to have the GP 2020 adoption in fall 2010.

In response to a question by Terri Bailey, Tom said the current PAC membership is himself, Earl Walls, Bonnie Phelps, Bruce Graves, and Jerry Fisher (who replaced Heather Beer upon her resignation).

Bonnie Phelps recounted how, looking at the county's draft map of land use designations, both Ranchita and Sunshine Summit have pink "commercial" boxes while Palomar Mountain has none, and Palomar has many times more visitors. We need space for at least a public restroom, restaurant, and post office.

Terri Bailey asked where the PMPO was "asking for pink". Tom Burton said the letter asked for what the PMPO decided in the previous meeting, including the moderately level spots along State Park Road. Right now, the county maps show no pink at all. Michael Pique offered to post on his www.palomarmountain.com web site the PAC letter and map attachments, if sent to him.

Cecelia Borland asked if dates were set for the next county public meeting. Tom said not yet, but he will ask Bonnie to email how to subscribe to the county's 2020 newsletter.

Dual Survey:

Tom Burton has input from Palomar Mountain / Highway 76 resident Jerry Fisher's USFS discussions requesting access to his property in order to conduct a new survey. Jerry has escalated the question to someone who might also act on our Section 14 dual-survey issue. Tom Burton has drafted a letter offering a land swap - Tom's land in exchange for the Crestline "wedge" and the 6-acre group campsite next to the Fire Station. He will work with Bonnie Phelps and Jerry Fisher on this, as a letter from him personally, rather than from the PMPO. Bonnie Phelps showed a map comparing Tom Burton's offered land with the USFS-claimed wedge and the group camp.

For many years, attorney Robert Haase has been helping the PMPO on the dual survey, at no charge. We received in December 2007 a letter from his law office (Robins, Kaplan, Miller & Ciresi) asking the PMPO to write and confirm that their file can be closed. The board in August 2008 approved writing such a letter, to include a request that the office's files be transferred to the PMPO. Glenn Borland sent this letter in November 2008 but it was apparently not received as they have asked again. Glenn will check up.

Iverson and Group Camp Property:

The Iverson family owns two parcels adjoining the Fire Department that the Action Committee is hoping to obtain either deeded easements over or receive as a donation to the Fire Department; without the Iverson land, the PMVFD parcel has no legal access. Bruce Graves and Tom Burton met in December with Mr. and Mrs. Iverson, who have agreed to deeding an easement. Signing and recording this easement is waiting for surveyor Lorne da Pron to complete his survey of the adjoining PMVFD parcel, and he seems out of communication.

Pala Motorcycle Racing Stadium:

Tom Burton said the Pala Indian Reservation has converted the old Vulcan Materials quarry (on Highway 76 about 2 miles east of Pala Casino) to a motorcycle track. The PAC has heard that plans now include building a 40,000-seat racing stadium, but with no road improvements. Tom is trying to get information about this from the Pauma Valley Planning Organization.

SDG&E Electricity Cut-Off Plans:

Cor & Toby Sheafer told the PAC of a California Public Utilities Commission (PUC) investigation of SDG&E's electrical power cut-off plans during high fire risk times. Liability claims from

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poor pole maintenance may have led to this. The impact on us would be great if the electricity were off for several days, including water, school, and medical issues. Cor and Toby will be helping the PAC follow this.

New Septic Restrictions:

Tom Burton says the California Water Board may soon be targeting septic tanks; this may affect only large landowners, but we're not sure yet. He will pass follow-up to Bonnie Phelps.

Insurance Cancellations:

The next PAC meeting will discuss back-country fire insurance non-renewals and cancellations. The PAC may explore these with the State Insurance Commissioner office.

Easement Project (Legal Access to Land Parcels):

Cecelia Borland and Bonnie Phelps showed a big map of Crestline and Birch Hill with colored status markings. Cecelia said deeds for Birch Hill, in section 14, are moving ahead although slowly. One owner, after a year, has now sent his draft deed to an attorney for review, and another has requested a road maintenance agreement before signing. Bonnie said they now know to start easement perfection at the public road and work outwards, rather than inward from the distal ends.

Next will be the road on the west side of the Lodge, adjoining the Palomar Mountain Mutual Water Company (PMMWC). Bonnie Phelps has all of the existing easements there completely plotted and on file with a single title company. Cecelia now has legal descriptions of the parcels along it, and the Lodge owner, Dr. Sanders, is willing to sign off but needs to subordinate a loan first, which is a several month project. Cecelia said all properties behind the Lodge are burdened already with 30-foot (15 foot from road centerline) easements as a "public road" but the new deeds will be benefiting "residents of record, their assigns and successors." Bonnie said that much of Crestline still shows as land-locked, but thanks to Jack Norvall, nine years ago the county recorded nine little public roads 273' apart (none really on the ground). The Mutual Water pipeline road from Crestline down to Pedley Valley is also a public road, and the current owner of the cabin at the junction is willing to grant the easement to Pedley Valley along a no-longer-drivable road, not through the National Forest as the as-built road goes.

Doug Lande asked about the roads - are they listed "as-built" or are they increased width? Cecelia said the roads won't change at all, the goal is legal deeded easements. Rob Hawk said the current written easements are flawed; as we've said many times before, we'd have to have a round of lawsuits to perfect the easements. Doug Lande said he dislikes all these different surveys and moving roads, that "the way you're doing it isn't right: should only be roads as-built. New road easements would be a detriment to my property for the benefit of someone else's property. If I have someone's 20-foot wide easement over my property, they could come and make a road there." Bonnie Phelps said that if so, they already could. The PMPO is just trying to get the legal language right for the easements that exist now.

Doug Lande said that she was being deceptive, that the assessor's map indicates that long ago the County Supervisors approved all the legal easements. He said a 15-foot easement shown on Cecelia's map is not on his deed. Bonnie said that Doug's property was the subject of a lawsuit and he settled with two neighbors on a private road; there is still yet another easement burdening his property. Doug said he disagrees with that additional easement. Bonnie said she reviewed the deed (held by George Ravenscroft) last week and the county does show that as an easement.

Rob Hawk asked Doug what Doug thinks the PMPO's intent to have easements legalized is. Doug said he has no problem with as-built roads, neighbors have done many legal and illegal builds; he does not know what the county would allow to be rebuilt if burned down. He thinks the PMPO's intent is for further development, benefiting builders and real estate agents. "Birch Hill was divided up as campground lots, not building lots, and to say people should build on your lots is wrong." Rob Hawk said the PMPO easements do not change any building regulations or permitting at all. Bonnie Phelps remarked that Scott Hewlett's lot across from Doug Lande's may be the issue. This lot, up for sale many times, was bought from Charles Rizzo with a pre-approved county setback variance.

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Fire Safe Council:

Robert Carlyle reported that the letter that will fund the FSC fuels-reduction grant is still sitting on a desk in Los Angeles, unsigned since December 22. This has delayed hiring a contractor, but a non-profit funding "pass-through" has now been arranged without the PMPO's involvement, which the FSC no longer requests. The deadline for spending the money is December 21, 2009.

Community Center of Palomar Mountain (CCPM):

Earl Walls said the remodel continues, they have three sides sheeted and waterproofed. Inside, dry walling is beginning in earnest and they can use help next Saturday. The CCPM board submitted a \$287,000 grant application and were advised to reduce the request to \$200,000, which they did, redesigning the building to simplify further.

Closure of the Dump:

The East Grade Road Bin Transfer Station, known as "the dump", will soon be closed. Tom Burton said the PAC found that none of our Julian neighbors have done anything about their dump closures; Laidlaw owns Ramona Disposal and has closed many of their dumps.

New Business

Alan Serry noted that the PMPO minutes occasionally describe letters to be written, such as at the November 3, 2007, meeting, and he asks whether they actually do (and did) get written. Glenn Borland noted that those were before his time on the board, but he will check with then-Chair Jim Hamerly. Bonnie Phelps suggests preparing and circulating a task-list to supplement the minutes.

The meeting was adjourned at 11:56 AM.

Michael Pique, Secretary. Minutes approved by PMPO board November 13, 2010