

April 26, 2012

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File Number: 0100-092378

ED&S Committee Consultant
Dominika Bukalova
202 C Street, MS 3A
San Diego, CA 92101

Re: Regulatory Relief Day Suggestions/Clarification

Dear Dominika:

This is in response to your March 20, 2012 letter requesting clarification for the San Diego Regional Chamber of Commerce's Suggestion #27, Part 1 and 2. As we recently discussed in our call, Part 1 of the Chamber's suggestion 27 was to limit cycle issue/assessment letter comments to only those that could not have been known when an earlier cycle/assessment letter was issued. Ensuring that comments are raised in the initial review of project submittals helps avoid unnecessary delays and enables projects to be processed more quickly and efficiently.

On occasion, it has seemed as if the City reviewer may have been unable to spend adequate time reviewing the submittal prior to his or her deadline for submitting comments, and, given the time constraints, has failed to notice issues that are then raised in later cycle/assessment letters, thus appear to the applicant as a "late hit" that has delayed processing of the project application. Where issues should and could have been raised at the time the materials were initially presented for review, instead waiting to raise them until later assessment letter review cycles creates delay and possible late revisions being required to other sections of the project as well. We would propose implementing a policy that requires not only that project submittals be reviewed by a set deadline, but also that the City raise any issues it has with the materials the first time those materials are submitted for review, and that the only issues that can be raised in later review cycles are those relating to newly submitted or revised information.

Part 2 of our comment 27 was meant to address the number of screencheck EIRs that must be circulated for internal City review prior to their release as the draft EIR for public review. As is the case for Part 1, this issue relates to frustrations on the part of project applicants when multiple screencheck EIRs are required because issues that could have been raised in previous reviews were not raised until later. The Chamber recognizes that there are times in which more than three screencheck EIRs will be required due to changes that have been made to the project or in the law, or other facts or circumstances. And in those cases it is in everyone's best interest to allow for additional screencheck EIRs to ensure that the Draft EIR ultimately circulated is legally adequate. However, the Chamber would suggest implementing a general guidance that it is expected that no more than three screencheck EIRs will be required, absent extenuating circumstances, and that might help resolve the issue.

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I hope the above information helps clarify these issues, but if not we are happy to speak to you about them at your convenience.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Donna Jones", written in a cursive style.

Donna D. Jones
Chair, Public Policy Committee
San Diego Regional Chamber of Commerce

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