

AM



GARY L. PRYOR  
DIRECTOR

SAN MARCOS OFFICE  
151 E. CARMEL STREET  
SAN MARCOS, CA 92078-4309  
(760) 471-0730

EL CAJON OFFICE  
200 EAST MAIN ST. - SIXTH FLOOR  
EL CAJON, CA 92020-3912  
(619) 441-4030

# County of San Diego

## DEPARTMENT OF PLANNING AND LAND USE

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1666  
INFORMATION (858) 694-2960  
TOLL FREE (800) 411-0017

March 29, 2007

Catherine C. Engberg  
Shute, Mihaly & Weinberger LLP  
396 Hayes Street  
San Francisco, CA 94102

Re: Public Records Act Request For Technical Studies Concerning The Blackwater West Project (P06-09)

Dear Ms. Engberg:

We are in receipt of your letter dated March 21, 2007 requesting copies of all technical studies prepared by or received by the County in relation to the Blackwater West project.

The Department of Planning and Land Use (DPLU) has received and approved the following environmental technical studies related to the Blackwater West project that will be made available for your review: (1) Safety Plan; (2) Phase I Environmental Site Assessment; (3) Limited Geotechnical Reconnaissance. Please contact Greg Krzys at (858) 694-3103 to arrange an appointment for its review or for photocopying and mailing of the study to you.

The Department also has in its possession certain draft technical studies relating to environmental studies that will be required for the project. These include draft studies related to biological resources, air quality, noise, traffic, cultural-archaeological, drainage-hydrology, stormwater management, and fire protection plan. Your request for inspection of these draft documents is denied. These documents are exempt from disclosure under the California Public Records Act (Gov. Code Sec. 6250 et seq.), Section 6254(a) and Section 6255. The public interest in withholding those records outweighs the public interest in disclosing them, because of the strong potential for the public (including yourself and your clients) to become misinformed or misled by erroneous information which may be contained in the draft studies, which may be deleted, corrected or further explained in the final document. The determination to deny access to these draft documents has been made in consultation with the County Counsel's Office.

Upon the completion and approval of these draft technical studies, they will be promptly available for your review. Please contact Greg Krzys at (858) 694-3103 if you have additional questions.

Sincerely,

A handwritten signature in black ink, appearing to be 'G. Pryor', written over a horizontal line.

Gary Pryor, Director  
Department of Planning and Land Use

Cc Alyssa Maxson, Planning Manager, Department of Planning and Land Use  
Barry Beech, Project Manager, Department of Public Works  
Greg Krzys, Project Manager, Department of Planning and Land Use