

Comment Letter A

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3/19/2013

Re: Response to TIERED EQUINE ORDINANCE ENVIRONMENTAL IMPACT REPORT (EIR)

POD 11-011; SCH NO. 2012011052

To whom it may concern,

Thank you for the opportunity to comment on the above-mentioned EIR. We request that this letter be made part of the permanent record for this project and that a copy be sent to every member of the San Diego County Planning Commission and Board of Supervisors, as well as county staff personnel working on this project.

Thank you for making the EIR available online in pdf format.

Comments below indicate the paragraph in the EIR to which the comment applies. We look forward to your detailed responses to each of our comments and hope that they will be well-considered and factual and not the usual minimal perfunctory county effort.

As someone who has lived in rural Elfin Forest for more than 25 years, we have had extensive experience with neighbors who own horses for personal use, who board horses, who train horses, and who offer riding lessons. Many of them use the trails that are made available through the generosity of neighbors. Some have been good stewards of both the horses and the land, others have not. It is based on these experiences that we offer the following comments.

In addition, although it is not required by CEQA, we are deeply troubled that this EIR and how the project demonstrates the county's willingness to provide special favors for a very small special interest group. It treats equine-related businesses differently from other small and large businesses and gives them preferential treatment. In addition, it defacto changes rural residential zoning to commercial without putting this to a vote of the people.

The proposed density of horses per acre is much more than is healthy for them. The county has been provided with data from other California counties, and around the US and no other areas permit the density proposed by San Diego County. In addition, there is no funding mechanism in place to assure that all the sanitation and good housekeeping/horsekeeping portions of this EIR are implemented. This is essential to prevent a nightmare situation. In addition, there is no economic justification for this EIR and no evidence that there is pent-up demand for additional horsekeeping, breeding, and training facilities.

Alemanni response to TIERED EQUINE ORDINANCE ENVIRONMENTAL IMPACT REPORT (EIR) POD 11-011; SCH NO. 2012011052 1



Response to Comment Letter A

Joe and Evelyn Alemanni  
 March 19, 2013

**A-1** The comments enclosed in this letter are included in the public record, have been sent to staff, the Planning Commission and the Board of Supervisors. The remainder of this comment is introductory in nature and does not raise any specific environmental issues for which a response is required.

**A-2** This comment does not raise environmental issues for which a response is required. However, it should be noted that the intent of the Proposed Zoning Ordinance amendment (proposed project) is to “update equine regulations and better facilitate the development of equine uses,” as stated in Section 1.1 of the DEIR. A description of permits associated with the proposed project is provided in Section 1.4.1 of the DEIR, which includes a Zoning Verification Permit, Administrative Permit and Major Use Permit. The proposed project does not include a rezone or change to rural residential zoning to commercial zoning as indicated in this comment. The commercial horse stable use type is currently allowed in areas zoned rural residential and agricultural within the County. The unincorporated County was zoned 35 years ago to allow equine uses, including Horse Stables in most residential and agricultural zones. Horse stables,

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	<p>although a commercial use, are not typically allowed in commercial zones. Furthermore, the current Zoning Ordinance and any future amendments require a vote of approval by the Board of Supervisors who are directly elected by the people.</p> <p><b>A-3</b> This comment does not raise environmental issues for which a response is required. However, substantial evidence used in the preparation of the proposed project indicates a healthy area for boarding a horse is approximately 200 square feet. For example, as indicated in Section 1.4.3 of the DEIR, a typical horse stall size is 12 feet by 12 feet. Additional area is required for exercise, which is also provided for by the proposed project. Under the proposed project, the maximum density of 10 horses per acre would equate to approximately 4,350 square feet per horse.</p> <p>Sanitation and horsekeeping practices are currently being implemented and enforced by the County's code enforcement staff and stormwater management staff. These departments would continue to do so if the proposed project is approved.</p> <p>While economic justification is not required for the proposed project and preparation of the DEIR, it should be noted that the proposed project would streamline the permitting process for equine operations as indicated in Section 1.1 of the DEIR. The cost and complexity of a Major Use Permit as currently</p>
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<p>In conclusion, if this proposal goes forward, I would hope that each of you who voted for it or worked for its success will live next to a property that has 10 horses per acre.</p> <p>S.2.1 Tier One: Please indicate the minimum property size for Tier One.</p> <p>Tier Two: please provide technical evidence that 10 horses per acre is healthy and appropriate. Other California counties limit horses to one per acre, which seems much more appropriate.</p> <p>Zoning verification permit: a site visit by a county employee should be required before the permit is granted to assure that the site is appropriate for the number of horses.</p> <p>Administrative permit and Major Use permit: a site visit by a county employee should be required before the permit is granted to assure that the site is appropriate for the number of horses.</p> <p>S.2.2 "Equine facilities are long-term land uses". Please define "long term". Why do you think equine facilities are long term?</p> <p>"contribute economically" How have you arrived at this assertion? Has an economic study been completed? If not, remove this assertion.</p> <p>items 6 and 7. "increase level of knowledge..." and "assist property owners..." How are these efforts to be funded? What level of staffing and education on the county's part will be required? How can we be sure that this will happen?</p> <p>S.4 "odors" - The County needs to address odors in the same manner as odors emanating from any facility.</p> <p>"adequacy of setbacks". It would seem that adequate setbacks could be defined in the ordinance. If not, why not.</p> <p>S.5 "Mitigation measures". How will the county ensure that mitigation measures are being taken?</p> <p>S.6.1. "Four horses per acre". This alternative is still 400% more than other California counties permit. The Tier 3 and 4 options are unacceptable and unhealthy for horses and people.</p> <p>Table S-1, #3. Your statement clearly demonstrates that the EIR preparer has not visited many equine facilities. Within one mile of my home, there are facilities that are disgraceful. Manure piles, trailers for workers, broken and leaning fences, etc. are all EXISTING issues affecting visual character or quality. Many of these people will add horses for the extra income and not fix the problems. The county needs to consider mitigation measures and a means to fund them and their enforcement.</p> <p>#4. Your assertion that the proposed project will not result in significant impacts in light and glare is incorrect. Many riding facilities have classes at night and have bright lights on, creating</p> <p><small>Alamanni response to TIERED EQUINE ORDINANCE ENVIRONMENTAL IMPACT REPORT (EIR) POD 11-011; SCH NO. 2012011052 2</small></p>	<p>↑ A-3 Cont.</p> <p>[ A-4</p> <p>[ A-5</p> <p>[ A-6</p> <p>[ A-7</p> <p>[ A-8</p> <p>[ A-9</p> <p>[ A-10</p> <p>[ A-11</p> <p>[ A-12</p> <p>[ A-13</p> <p>[ A-14</p> <p>[ A-15</p> <p>↓ A-16</p>	<p>required for development of an equine use regardless of size or operating characteristics is often a barrier for smaller equine uses and poses a hindrance to the economic viability of the equine industry within the County.</p> <p><b>A-4</b> As indicated in Section 1.4.1 of the DEIR, there is no minimum acreage requirement for Tier One.</p> <p><b>A-5</b> See response to A-3. Staff's project research shows that other large Southern California Counties regulate horses in different ways. Some use a threshold of 2 to 4 horses per acre and some use about 8 horses per acre. Counties that are similar to San Diego County such as Los Angeles and Orange counties with similar patterns of development limit horses to about 8 horses per acre when permitted. However, the horse density requirements in these counties do not take into account the same best management practices and other limitations which the proposed project includes. The project objective to allow for flexibility in permitting is important and therefore, allowing up to 10 horses per acre with best management practices provides for a high level of flexibility for potential stables.</p> <p><b>A-6</b> The Zoning Verification Permit is not required to have a site visit by County staff. The permit will be approved with a plot plan, which will indicate the usable area, setbacks, best management practices, structures, etc. and other requirements and limitations</p>
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	<p>to assure the site is appropriate. If the site is not in compliance with the granted permit, then code enforcement may conduct a site visit.</p> <p><b>A-7</b> For most Administrative Permits and all Major Use Permits, a County staff planner conducts a site visit to document the property. As indicated in A-6, a plot plan will be required as part of these permits which will assure usable area and site calculations. Additionally, after construction, if the site is not in compliance with the granted permit, then code enforcement may conduct a site visit.</p> <p><b>A-8</b> Long term land uses are those not considered temporary in the County. Typical land uses for example, would be residencies, commercial or industrial uses within permanently constructed structures. Most commercial horse stable uses fall into this category. As documented in Appendix B of the DEIR (Interviews with Existing Commercial Equine Facilities Representatives), many stables within the County have been operating for decades thus making them a long term land use.</p> <p><b>A-9</b> County staff believes the equine industry provides an economic benefit to the County because equine facilities are an active employer of County residents and equine facilities purchase agricultural goods, such as hay, which contribute to the County's agricultural industry. Additionally, some equine facilities hold</p>
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	<p>events and activities for the equestrian community within the County. See Appendix B of the DEIR for additional information. An economic study is not required for the proposed project.</p> <p><b>A-10</b> Much of the education effort is already ongoing and funded through programs such as the stormwater program and project clean water. Additionally, County staff has attended more than a dozen public meetings with operators and equine facility operators and owners. As a result, most equine operators and owners within the County are aware of the requirements under the proposed project and have a greater understanding of the proposed streamlined permit process. As part of proposed project adoption and implementation, County staff will be trained to educate prospective equine operators regarding the proper management of equine facilities and how to comply with regulations.</p> <p><b>A-11</b> Odors and contaminants are addressed the same as from any facility through the Air Pollution Control District (APCD) regulations and requirements as referenced in the amendment and found in the existing Zoning Ordinance, Sections 6316, Particulate Matter and Air Contaminants, All residential, commercial and industrial uses shall be so operated as not to emit particulate matter or air contaminants which are readily detectable without instruments by the average person at or beyond any lot line of the lot containing</p>
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	<p>such uses. Air contaminant emissions shall not exceed any applicable rule or regulation promulgated by the Air Pollution Control District. And Section 6318, Odors, All commercial and industrial uses shall be so operated as not to emit matter causing unpleasant odors which are perceptible by the average person at or beyond any lot line of the lot containing said uses.</p> <p><b>A-12</b> Setbacks are defined in the ordinance and require compliance as part of permitting. Animal enclosure setbacks are required in Section 3112 and standard building setbacks are required in Section 4800, with only specific exemptions for certain situations. This part of the EIR states that setbacks are an area of controversy as some public comments and agency comments requested additional setbacks. The ordinance proposes to require a greater setback for certain situations, such as the 50 foot setback from existing residences to horse stable operations.</p> <p><b>A-13</b> Some mitigation measures will reduce direct and cumulative impacts and are already part of County requirements, and therefore ensure that they are implemented. Other measures will be part of ordinance implementation, such as the new Zoning Verification Permit process. And as indicated in S.5 there will be unmitigated effects and there are infeasible mitigation measures which will not be implemented.</p> <p><b>A-14</b> See response to A-3, some counties permit 8 horses per</p>
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<p>a significant visual impact. The county needs to fund enforcement for the dark skies ordinance and for monitoring and inspection of these facilities.</p>	<p>↑ A-16 Cont.</p>	<p>acre. Tiers 3 and 4 will be evaluated on a case by case basis as they are discretionary to determine what is acceptable for horses or people. Tier 3 allows for up to 10 horses per acre and Tier 4 has no limits, therefore the Major Use Permit will evaluate the project.</p>	
<p>Table S-1, 2.2 Agriculture #3. The assertion that there are no impacts to forest and timberlands is incorrect. Horse people generally have a sense of entitlement: they feel are welcome to ride anywhere. There must be regulations that restrict horses to specific areas to prevent them from trampling forests, timberlands, farmlands, and areas of biological sensitivity. Horses riding through farms can track disease and bacteria onto sensitive areas. Mitigation and enforcement are absolutely necessary.</p>	<p>A-17</p>	<p><b>A-15</b></p>	<p>The EIR preparers visited many equine facilities. Existing issues associated with manure piles, trailers for workers, broken fences, etc., are addressed by County Code Enforcement on a compliant basis. Code Enforcement is currently funded and staffed. See Section 2.1.6 of the DEIR for Mitigation Measures related to Aesthetics and Visual Quality.</p>
<p>Table S-1, 2.3 Air Quality #1 and 3. Considering the amount of methane produced by a horse, please re-evaluate the assertion that the addition of literally hundreds of thousands of horses to an area will not affect air quality.</p>	<p>A-18</p>	<p><b>A-16</b></p>	<p>The lighting ordinance, including the dark skies ordinance are currently in effect, funded and staffed for enforcement. Sections 6322 Outdoor Lighting and 6324 Lighting Permitted in Required Yards are existing code sections which adequately regulate the use of lights for horse stables. Lighting in the County must be fully shielded and permitted with an approved building permit to be allowed. See Section 2.1.6 for Mitigation Measures related to Aesthetics and Visual Quality.</p>
<p>#4 Sensitive receptors. As a person living next to two horse facilities, I can tell you that I am a sensitive receptor affected by exposure to substantial pollutant concentrations. Please revise your statement that the impact is less than significant.</p>	<p>A-19</p>	<p><b>A-17</b></p>	<p>Horses are restricted to riding on approved trails in the unincorporated County. Horses are not permitted to impact sensitive areas with disease, bacteria or other. Areas with biological sensitivity in documented open space are not to be ridden through. When necessary</p>
<p>#5. Odors. Please explain how the county will monitor and enforce this provision. Of my many neighbors who have horses, NONE currently has an enclosed manure container. I have NEVER seen any of my neighbors wash horse stalls twice a day, let alone once a day. How is the county going to enforce that?</p>	<p>A-20</p>		
<p>#6. Generation of greenhouse gases. Your assertion that the impact is less than significant is incorrect. Please re-evaluate the assertion and update the document.</p>	<p>A-21</p>		
<p><a href="http://www.horsetalk.co.nz/features/carbonhoofprint-160.shtml">http://www.horsetalk.co.nz/features/carbonhoofprint-160.shtml</a> Methane is a greenhouse gas that's 21 times more powerful than carbon dioxide. Even worse is nitrous oxide, which is 310 times worse than carbon dioxide. This number is known as their carbon equivalent. That means the output of any activity can be measured in these carbon equivalents so we get a true measure that allows for the different kinds of greenhouse gases produced. Both methane and nitrous oxide can be a major problem in the poor composting of manure. Unless an effort is made to compost horse manure in the proper manner, there's a real possibility that the dung mountain is releasing unnecessarily large amounts of carbon dioxide, methane and nitrous oxide into the atmosphere.</p>	<p>A-21</p>		
<p>Table S-1, 2.4 Biology #2 Riparian Habitat. Because horse people have a sense of entitlement about where they may ride, it is essential that the county restrict areas from horse traffic, just as cars are restricted to paved roadways, horses must also be restricted to certain areas to prevent damage to ecosystems. The potential increase in horses and related horse traffic in rural areas will certainly impact areas where horses are ridden. The county needs to be able to fund inspection, monitoring, and enforcement.</p>	<p>A-22</p>		
<p>Table S-1, 2.6 Hazards and Hazardous Materials</p>	<p>↓ A-23</p>		
<p><small>Alameda response to TIERED EQUINE ORDINANCE ENVIRONMENTAL IMPACT REPORT (EIR) POD 11-011; SCH NO. 1012011052 3</small></p>			

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	<p>such infractions should be documented by the Parks and Recreation Department or code enforcement for action.</p> <p><b>A-18</b> See response to A-11. In addition, staff is unaware of an addition of hundreds of thousands of horses to an area. The ordinance is not anticipated to substantially increase the numbers of horses that exist in the County.</p> <p><b>A-19</b> See response to A-11. Odors and contaminants are already adequately regulated to minimize impacts to sensitive receptors, which are defined in CEQA as areas with concentrated populations, such as schools, child care centers, senior care centers, etc.</p> <p><b>A-20</b> See response to A-11. There is ongoing enforcement, and stormwater management requirements. Staff documented that most facilities in our stable interviews already either composted or had manure in a covered container. Additionally, most stables did wash stalls and other areas used by horses once per day. Code enforcement is staffed to enforce the ordinance.</p> <p><b>A-21</b> See response to A-11. The issue area has been found less than significant, manure is required to be composted correctly as allowed under the stormwater management program and project cleanwater. Properly composted manure turns in to fertilizer which is used for residential and agricultural use throughout the County. In turn the plants fertilized with composted manure produce oxygen.</p>
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<p>#6 and 7. Emergency Response and Evacuation Plans. During the 1996 Harmony Grove Fire, before the large neighboring subdivisions were built, moving horses out of harm's way resulted in a massive traffic jam of trailers. Today, the increased population in the area will be even less hospitable to an orderly evacuation of what could potentially be thousands of horses. This, in turn, will endanger the lives of residents. Please reconsider your assessment and revise your findings.</p> <p>#8. Vector sources. Current horse operations have resulted in annoying flies. The county has done nothing about it. Increasing the number of horses to the proposed 10 per acre will increase the fly issue. How will the county fund enforcement, monitoring, inspections and mitigation? Please reconsider your assessment and revise your findings.</p> <p>Table S-1, 2.8 Transportation and Traffic #4. Same comment as #6 and 7 above.</p> <p>p. 1-3. "Existing operators have indicated that it is impossible to process a use permit for a stable and maintain profitability." Please explain why this necessitates an ordinance change. If any other business had trouble making a profit, the county would not go to this extent to accommodate them.</p> <p>p. 1-4. "Operators have indicated that help from the County... may allow for some of the industry to recover." This is a false premise. The only way for the industry to recover is if there is greater demand for horse boarding, training, breeding, etc.</p> <p>p. 1-9. Fire Protection and vector control. Please explain how the county will provide and fund inspections. Will these measures be required of current equine facilities or only new ones?</p> <p>CEQA Assumptions. It is unfortunate that the County limited its data collection to "representatives of 20 existing active commercial equine facilities..." and did not consult with their neighbors to discover the true impact of these facilities.</p> <p>p. 1-12. Ground Disturbance. It appears that "ground disturbance" is being applied to the effect of new structures. Please include the effect of thousands of horses trampling the ground every day.</p> <p>p. 1-13. Air Quality Analysis. Does the air quality analysis take into consideration dust impacts? Horses on sand arenas generate a lot of dust.</p> <p>Figure 1-3. The county has opted to show an attractive visual setting without showing what is too often the reality of today's equine operations.</p> <p>p. 2.1-19 and 20. Infeasible Mitigation Measures. Listing a visual resource study for all new equine facilities as infeasible is patently ridiculous. Why is it infeasible? Why is the county showing preferential treatment to equine businesses? Other businesses that impact visual quality are required to do visual resources studies.</p> <p><small>Alemanni response to TIERED EQUINE ORDINANCE ENVIRONMENTAL IMPACT REPORT (EIR) POD 11-011; SCH NO. 2012011052 4</small></p>	<p>A-23 Cont.</p> <p>A-24</p> <p>A-25</p> <p>A-26</p> <p>A-27</p> <p>A-28</p> <p>A-29</p> <p>A-30</p>	<p><b>A-22</b> See response to A-17. Horses are limited to only approved trail areas. Horses are not allowed in protected riparian habitat and open spaces. Enforcement of what is required under County Code and the Zoning Ordinance is funded.</p> <p><b>A-23</b> See response to A-18. The project does not anticipate an increase in the numbers of horses in the County. The project will allow many unpermitted facilities in the County to come into compliance with the ordinance. The existing situation with trailers on roads in a wild fire scenario is not changing. The population in Elfin Forest and Harmony Grove has not increased substantially in recent years.</p> <p><b>A-24</b> There is an existing Vector Control Program (VCP) with the Department of Environmental Health, which is funded and enforced. The VCP works in the county of San Diego to monitor and control vectors and the diseases that they carry. The VCP has been reducing and controlling mosquitoes and other vectors since the 1930's.</p> <p>The VCP:</p> <ol style="list-style-type: none"> <li>1. Protects public health by surveying for diseases carried by vectors.</li> <li>2. Controls and reduces peoples' exposure to vectors and human diseases.</li> </ol>
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	<p>3. Responds to public requests for vector inspections.</p> <p>4. Educates the public about mosquitoes and other vectors to help residents protect themselves from the diseases vectors can carry.</p> <p><b>A-25</b> Transportation and Traffic is considered a potentially significant impact, an existing mitigation measure, see section 2.8.6 of the DEIR. New Horse Stables are required to have a Fire Protection Plan, which would include an emergency evacuation plan. The project, however does not retroactively apply to existing facilities, therefore, existing traffic, if it impedes evacuation, will continue to exist.</p> <p><b>A-26</b> See response to A-2 and A-3. The direction from the Board was to protect and promote equestrian operations by implementing a new tiered permitting system with permit flexibility. The County has recently implemented the same type of ordinances for small wineries and small wind turbines, among others. Operators who are currently unable to obtain a Major Use Permit due to project cost would not have to close. Under the new ordinance, if they can obtain a permit, many may be allowed to remain in operation. Fire protection, vector control and enforcement are funded; see A-3, A-24 etc.</p> <p><b>A-27</b> The County did not “limit” data collection to only the Stable Interviews (Appendix B). Staff attended more</p>
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	<p>than a dozen community meetings throughout the County and discussed the project with neighbors of facilities. Many neighbors of facilities asked direct questions regarding enforcement, regulations and limitations of the ordinance. Neighbors in contact with staff were encouraged to attend stakeholder meetings and community meetings to discuss the ordinance and EIR. Some neighbors of existing operations requested and scheduled specific site visits with staff to discuss the project.</p> <p><b>A-28</b> See response to A-11. Permitted horses riding every day, in addition to thousands of people walking on the ground every day or cars driving on dirt roads are not considered ground disturbance in this context. The construction of a new structure is ground disturbance, for example a new barn for horses or a new animal enclosure. Air Quality Analysis does take into account sand arenas, staff documented sand arenas in the Stable Interviews (Appendix B). Per Section 2.3.2 of the DEIR, the San Diego Air Pollution Control District (SDAPCD), Regulation IV, Rule 51, prohibits nuisance discharges; refer to Section 2.3.2 for further details. If dust from sand arenas rises to a level of nuisance, the SDAPCD may take action and implement control measures.</p> <p><b>A-29</b> This comment does not raise environmental issues for which a response is required. However, the County has</p>
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<p>p. 2.3-15. Fugitive Dust. It has been our experience that horse trainers and riders do not consistently wet down their riding arenas before use, resulting in significant dust impact. The SDAPCD Regulation IV: Prohibitions; Rule 55; Fugitive Dust ordinance does not adequately address this issue and needs to be amended to include it.</p>	A-31	<p>done extensive research including 20 stable interviews and discussions with operators to understand the visual setting and to accurately portray that as part of the project.</p>
<p>p. 2.3-16. County Code Section 87.428, Dust Control Measures. addresses clearing, grading and improvements but does not address typical dust caused by equestrian activities. Please amend the code.</p>	A-32	<p><b>A-30</b> Requiring a visual resource study does not meet with project objectives to create a flexible permit process. The ordinance was directed to protect and promote equestrian operations in the County. Most other commercial operations in the County are not required visual resource studies. Most commercial uses are permitted with a Site Plan Permit which requires compliance with already adopted visual requirements in a Community Plan, such as Community Design Review. The Zoning Verification Permit is similar to the Site Plan Permit. In addition, the Zoning Verification requires compliance with setbacks and other limitations of the zone, which limit visual impacts already.</p>
<p>p. 2.3-42. The assertion that "Tier Three and Tier Four facilities developed under the proposed project would potentially contribute to a cumulatively considerable impact. . . associated with odors" is yet another example of the county's preferential treatment of horse owners and equine facilities. Other businesses that emit odors are required to control them. Why are equine businesses exempt? Odors from these facilities also serve to reduce adjacent property values. (ref. <a href="http://realtormag.realtor.org/daily-news/2013/01/31/bad-neighbors-can-decrease-property-values">http://realtormag.realtor.org/daily-news/2013/01/31/bad-neighbors-can-decrease-property-values</a>) How are neighbors to be compensated for diminution of their property values?</p>	A-33	
<p>p. 2.3-43 par. 2.3.5. The statement "The proposed project would not result in potentially significant impacts relative to ... generation of GHG emissions..." is incorrect. Methane, which is produced in abundance by horses and their manure, is a GHG and its amount would be significantly increased by the equine densities proposed. Please correct the analysis and the statement.</p>	A-34	
<p>p. 2.3-43. The statement that in 2.3.6. "There are no potentially significant air quality impacts" is in direct opposition to the assertion on p. 2.3-42 that Tier 3 and 4 properties would considerably impact odors. Please correct the statement. Also correct this in par 2.3.6.6. and 2.3.6.7.</p>	A-35	
<p>p. 2.3-45. Mitigation measures. See earlier comment re stable cleaning. How will these measures be enforced? How will inspections be funded?</p>	A-36	
<p>p. 2.3-47. All statements on this page are incorrect, based on our experience with neighboring equine operations. If staff has made this determination based on visits to existing equine operations, perhaps they have an olfactory impairment. Please conduct additional site visits with personnel having fully functional olfactory senses and update these sections based on real world observations.</p>	A-37	
<p>2.4-23. The analysis focuses on potential buildings and structures but completely misses the point of continued incursion by riders who feel entitled to ride wherever they want, regardless of habitat or sensitive receptors. People riding their horses in sensitive areas would potentially disrupt sensitive species and their habitats, as well as destroy endangered and sensitive vegetation communities. It is important to develop a fenced trial network paid for by horse licensing fees to keep horses and their riders in a secure setting.</p>	A-38	
<p>p. 2.4-37 Mitigation measure. Why is the county not requiring equine projects that destroy habitat to purchase mitigation land? Another example of special treatment for the equine industry.</p>		<p><b>A-31</b> See response to A-11 and A-27. The APCD regulations and limitations address these issues.</p>
<p><small>Alternative response to TIERED EQUINE ORDINANCE ENVIRONMENTAL IMPACT REPORT (EIR) POD 11-011; SCH NO. 2012011052 5</small></p>		<p><b>A-32</b> The statement is that tier three and four facilities would potentially contribute to cumulative odors. Tier three and four facilities will be evaluated on a case by case basis. They may require mitigation related to odors and contaminants. There is no exemption in this statement for Equine operations. The EIR is indicating that these uses could potentially contribute a</p>

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<p>p. 2.4-40. Local policies. The community of Elfin Forest has a community plan on file with the county as do other communities. It would be important to respect the content of these locally developed plans and let them have precedence when they are more strict than the county plan and ordinance.</p> <p>Sincerely,    Evelyn Alemanni</p> <p><small>Alemanni response to TIERED EQUINE ORDINANCE ENVIRONMENTAL IMPACT REPORT (EIR) POD 11-011, SCH NO. 2012011052 6</small></p>	<p style="text-align: center;">↑ A-38 Cont.</p> <p><b>A-33</b> See response to A-11 and A-21. Manure will be properly controlled by the ordinance and stormwater management associated with project cleanwater. The existing mitigation ensures there would be no significant impacts relative to GHG emissions. Furthermore, the ordinance institutes a new system of permitting, but does not mandate an increase in equine densities, necessarily.</p> <p><b>A-34</b> See response to A-11, A-21 and A-31. Tier 3 and 4 are much larger facilities and would potentially have greater impacts when considering cumulative impacts.</p> <p><b>A-35</b> See response to A-3, enforcement of the ordinance is funded and staffed.</p> <p><b>A-36</b> All County staff conducting site visits as part of Stable Interviews (Appendix B) have functioning olfactory senses. Mitigation measures, such as setbacks, stormwater management, etc. are required, along with APCD requirements, combined when instituted, mitigate for odors and contaminants.</p> <p><b>A-37</b> See response to A-17 and A-22. Staff would agree, trails should be maintained and horses kept from any</p>
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## Reponses to Comments

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	<p>documented sensitive areas. However, there is no proposal for horse licensing fees as part of the project. County Animal Control previously attempted a horse licensing project many years ago. The project failed and is not proposed to be restarted as part of this project. Many open space and sensitive areas are required to be fenced by property owners to keep some animals, such as horses, out. The County is staffed and funded to enforce such fencing requirements as needed.</p> <p><b>A-38</b> Staff is not aware of approved and permitted County horse stable projects which destroyed sensitive habitat. The community plan is an integral part of the General Plan in guiding future community development over time. The Zoning Ordinance, which was updated as part of the General Plan, is what actually allows land uses in the County. The two documents work in concert, neither has precedence in this case. The community plan whether recently updated or not, cannot take precedence over a land use with is already allowed in an area under zoning in the Zoning Ordinance.</p>
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