

July 22, 2014

To: Mark Slovick, Project Manager
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[\(858\) 495-5172](tel:(858)495-5172)

Subject: Revised DEIR Public Comments Regarding the DEIR Chapter 2.8 Noise with regard to the Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001(GPA),PDS2012-3810-12-001 (SP).

Dear Mr. Slovick:

Subject: DEIR Public Comment to the Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001(GPA), PDS2012-3810-12-001 (SP), DEIR Chapter 2.8 Noise

In DEIR Subchapter 2.8 Noise the County of San Diego factually understates Significant Impacts and offers ineffective Mitigation of the Noise Impacts that the County concedes are Significant.

Comment 2.8-1: THE COUNTY'S ANALYSIS OF NOISE IMPACTS DOES NOT ACCURATELY ASSESS THE TRAFFIC NOISE IMPACTS TO EXISTING OFF SITE RESIDENTIAL STRUCTURES

The County of San Diego has not fairly represented to the Public the Off-Site Noise Impacts of the Project upon existing Off-Site Residences in its DEIR.

The DEIR's Noise Study Chapter does not reasonably disclose factual impacts to the existing residential housing located off Covey Lane, Mountain Ridge, Rodriguez Private Roads, West Lilac Public Road and other offsite existing residential structures at other locations.

For example, the modeled results in Table 12 of Appendix M- Noise Report for APN 129-430-13 (Receptor R-150) conflict with the 60 and 65 CNEL noise contour presented in FIGURE 6-b in Appendix M (Attachment 1). We challenge the County's representation that future cumulative noise level at 57 CNEL for location R-150, since the residence is in the path of the 65 CNEL contour in FIGURE 6-b in Attachment 1.

Other existing residences in the locations mentioned above when objectively analyzed have Significant Impacts above thresholds.

The County's lack of independent analysis is evident in the DEIR assessment of Noise Impacts. The Project's single point "offsite noise modeling" (Attachment 2) selects a point along West Lilac where there are no existing houses. The Project claims that they have (maybe) set back future Project residential housing **within the subdivision boundaries** from the 65 CNEL contour.

How about the impact on existing homes? Why wasn't a stretch of West Lilac further east with existing housing selected for analysis?

The County needs factual and complete disclosure of Traffic Noise impacts on ALL EXISTING OFFSITE RESIDENTIAL HOUSING.

An unbiased and comprehensive analysis of Traffic Noise modeling for all existing offsite residential units is required by the County to fairly and objectively measure the impacts of this proposed Project.

Comment 2.8-2: THE COUNTY'S PROPOSED MITIGATION IS INEFFECTIVE IN MITIGATION OF TRAFFIC NOISE IMPACTS TO EXISTING OFF-SITE RESIDENTIAL STRUCTURES

Existing Residential Structures are infeasible to convert to Noise abating construction. On most of the offsite locations, the Applicant does not have property rights to construct sound walls or earth berm mitigation.

The mitigations proposed by the County; Mitigations MN1 through 20 (excepting Impacts 3 and 17 which are admitted to be Unavoidable) are pedantic discussions that DO NOTHING to mitigate the Noise Impacts evaluated as Significant. A key theme of these "mitigations" is future non-specific promises of performance for which there is no guarantee. Mitigation needs to be specific and certain.

The proposed Mitigations offer theoretical approaches, with no applied solutions that reduce noise below the thresholds of Significance.

Therefore, Impacts N-1, 2, 4, 5,6, 7,8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, and 20 remain Significant and Unmitigated.

Comment 2.8-3: THE COUNTY'S PROPOSED MITIGATION M-N-1 IS INEFFECTIVE

From page 89 Noise Report"

"MM N-1: Prior to approval of the master tentative map, or subsequent implementing tentative map, as appropriate, the project applicant shall dedicate "noise protection easements" on the master tentative map and each subsequent implementing tentative map for all lots located within the noise easement contour, as shown on Figures 6a and 6b."

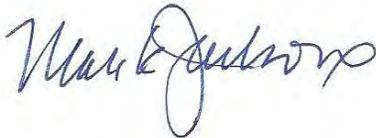
How does the County propose to acquire “Noise Protection Easements” for the Project’s Offsite Noise Impacts on (proposed) Covey Lane Public Road, Mountain Ridge Private Road, Rodriguez Private Road, West Lilac Public Road and Circle R Drive Public Road?

These offsite routes for Project Traffic will generate huge Noise effects. The Applicant does not own property to provide “noise easements” along these routes. There are existing residential structures within the offsite “noise easement” space.

The County is defective in offering NM-1 as mitigation.

This mitigation is infeasible and the Impact remains **Significant and Unmitigated.**

Sincerely,



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Att 1 Figure 6a and 6b Noise Report App M
Att 2 Appendix 2 Offsite Noise Modeling

Image source: Custom image provided by client (flown March 2012), and SanGIS (flown May 2012)

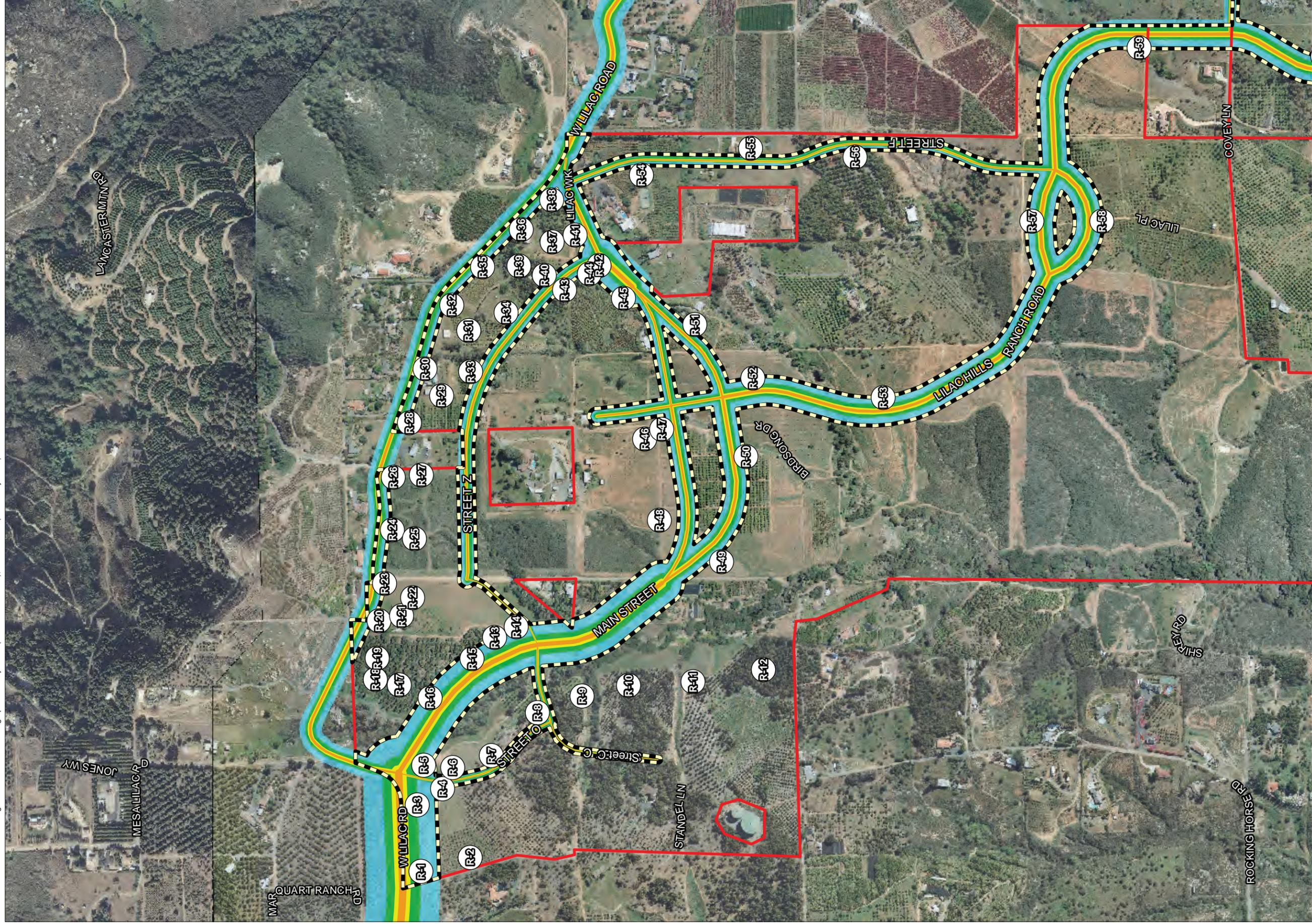
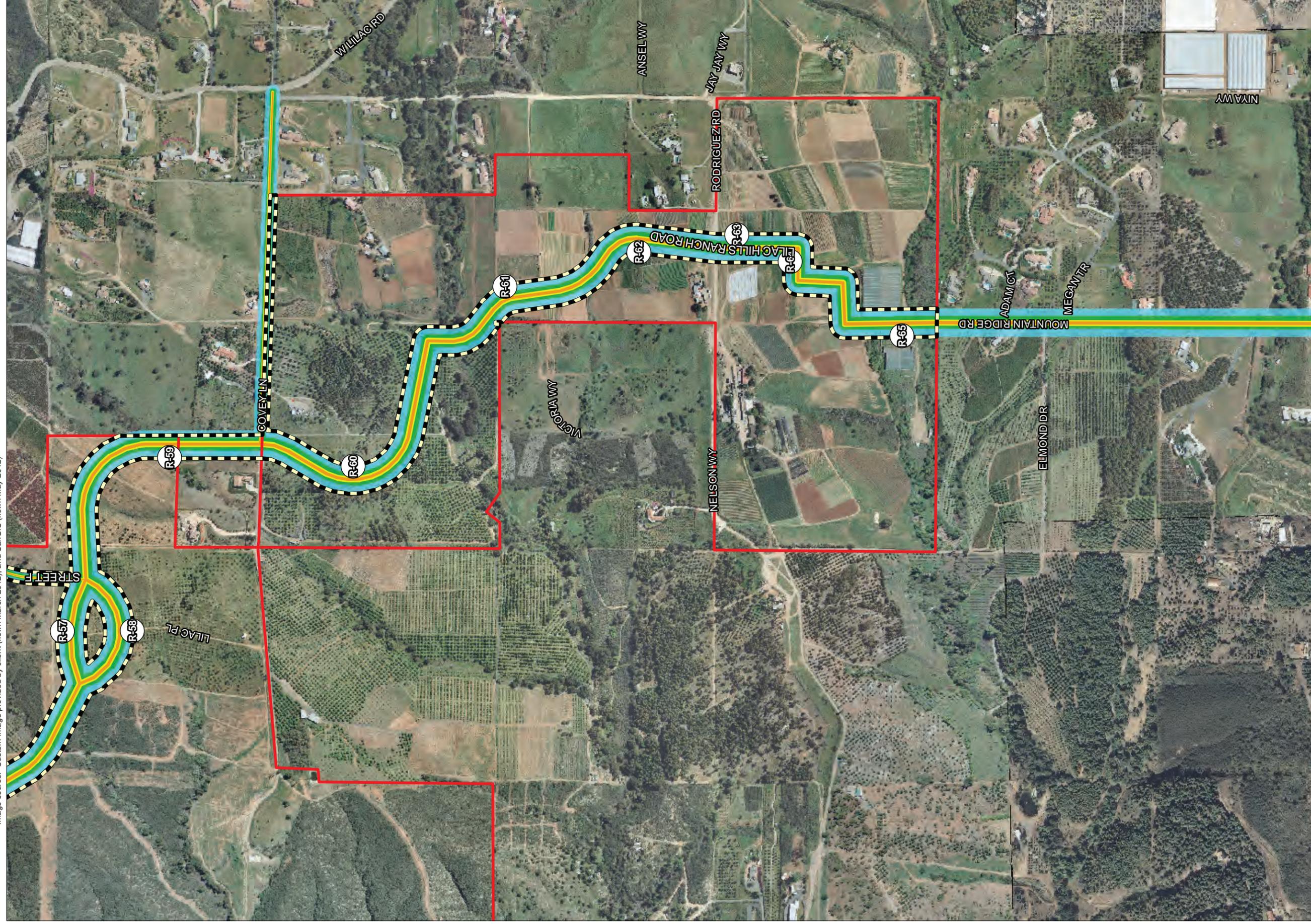


FIGURE 6a

On-site Noise Level Contours (North)

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Image source: Custom image provided by client (flown March 2012), and SanGIS (flown May 2012)

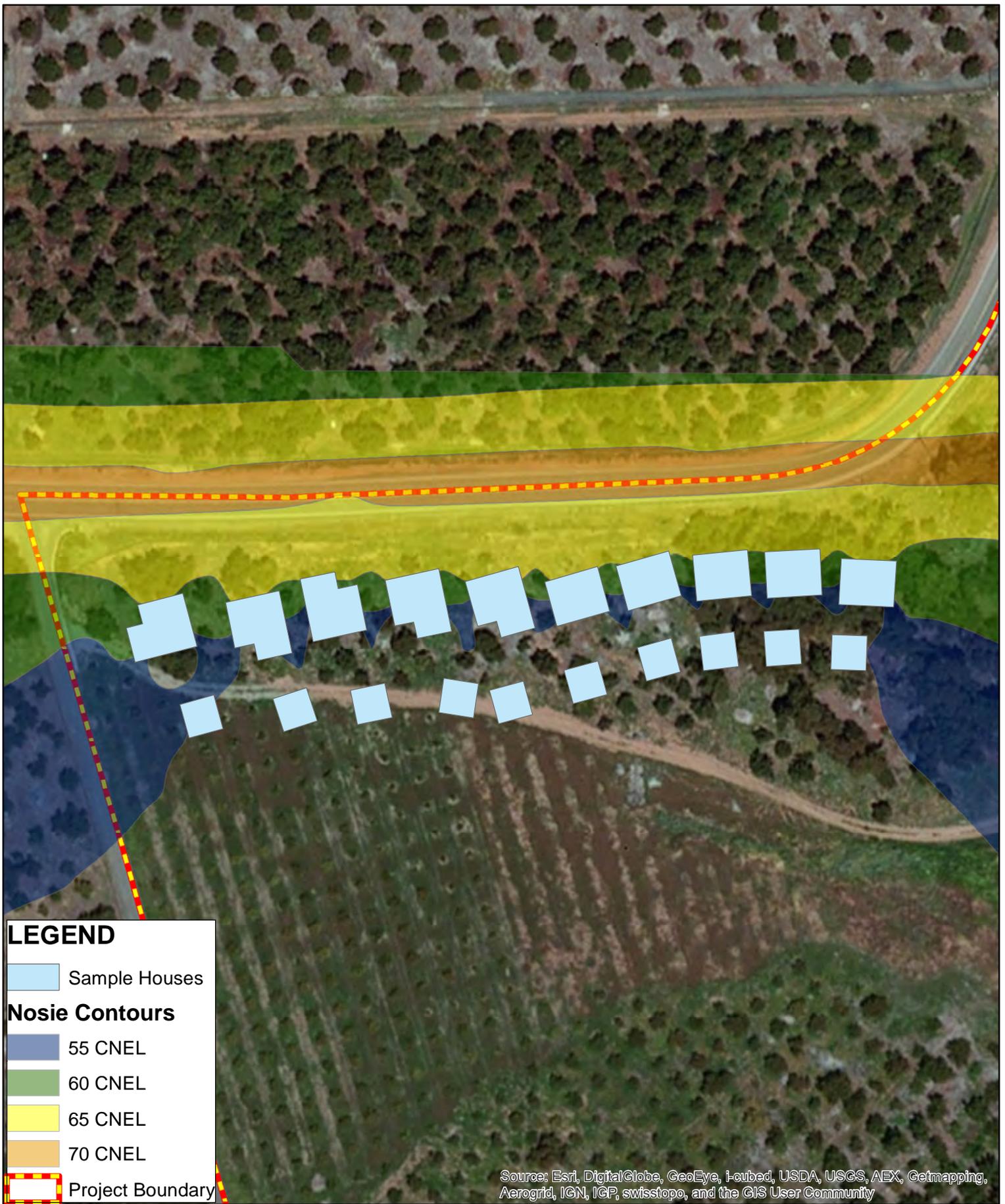


- Project Boundary
- Onsite TNM Receivers
- Noise Easement
- 75 CNEL
- 70 CNEL
- 65 CNEL
- 60 CNEL

0 Feet 550

FIGURE 6b

On-site Noise Level Contours (South)



Appendix Figure 1
Noise Mitigation Evaluation - West Lilac Road

July 8, 2014

To: Mark Slovick, Project Manager
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Subject: Revised DEIR Public Comments Regarding Water, Noise Impacts, and DEIR Chapter 2 Noise Impacts, Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001(GPA), PDS2012-3810-12-001 (SP).

Dear Mr. Slovick:

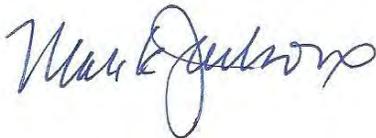
Attached are the August, 2013 Noise Impact Comments regarding the County's Lilac Hills Ranch DEIR.

The REIR factually did not directly respond to each of the items and failed to adequately respond to the issues raised in this letter.

Specifically, the REIR did not provide an answer to the questions raised on every questioned element of the attached Cumulative Impact Comment letter.

Published County policies and specific assurance from County Staff have clearly stated that all August 2013 DEIR comments if resubmitted, will be responded to. Therefore, respond to each specific issue raised in the attached letter as part of the County's Response to Public Comments for the revised DEIR.

Sincerely,



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August 16, 2013

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Subject: DEIR Public Comment to the Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001(GPA), PDS2012-3810-12-001 (SP), DEIR Chapter 2.8 Noise; Noise Report of the proposed Lilac Hills Ranch (LHR) Project

By way of brief summary, the County has failed to include assessment of Impact areas which are directly related to the proposed LHR Project Noise generation. The Noise analysis was not performed for these Noise Sensitive Land Uses (NSLUs), Environmental Impact is impossible to assess.

There are contradictory values for projected Community Noise Evaluation Level (CNEL) values presented without reconciliation of the differing values.

The evaluation of Existing Noise Conditions appears too limited and not at the correct locations to establish a meaningful baseline for assessment of the Noise Impacts of the proposed LHR Project.

A major component of the proposed LHR Project is Traffic Generated Noise. The Noise Analysis relies on the June 28, 2013 Chen Ryan Traffic Impact Study assessment of Average Daily Trips (ADTs) Traffic volume and distribution. The August 16, 2013 Darnell Associates Independent Expert review of the Chen Ryan Traffic Impact Study presents factual evidence that the Chen Ryan Traffic Impact Study understated the Traffic volume and distribution. The reliance on the deficient Chen Ryan Traffic information directly affects the Noise modeling employed by Recon resulting in inaccurate Traffic Generated Noise levels.

Significant potential Impacts outside the Subdivision boundaries are not evaluated, or properly evaluated and need to be.

A. Impacted existing NSLU's not evaluated for Noise Impacts

TABLE 12 – "FUTURE OFF-SITE NOISE LEVELS AT SPECIFIC LOCAL RECEIVER LOCATIONS" p. 47 of the Noise Report has errors and exclusions of key existing NSLU's.

Every Assessor Parcel Number (APN) listed in the Table is incorrect. Please correct this deficiency.

Also, Figures 6a and 6b geo-locate On-Site Local Receiver locations, and provide a reference back to Table 12. Figure 7 for Off-Site Local Receivers does not label Local Receivers with a reference back to Table 12. Remedy this by labeling Figure 7 Off-Site Receivers with a reference back to Table 12. Also, include a Table in similar format to Table 9 which cross references Off-Site Local Receivers to map locations.

Rodriguez Private Road is indicated on Sheet 9 of 9 of the Tentative Parcel Map. Rodriguez Road is being improved to a 24' paved surface. Consequently, the Traffic Study should indicate the traffic volume and the Noise Report should assess Traffic Generated Noise for all NSLU's along the route of Rodriguez Road.

There is no indication in the discussion beginning at page 47 of the Noise Report that the Noise Impacts of Rodriguez Private Road increased traffic volume directly related to the proposed LHR Project was assessed. Please discuss specifically if and how Rodriguez Road is included in the Noise modeling results.

The following NSLU's on the eastern border of Rodriguez Road were not included as Specific Local Receivers in Table 12 "Future Off-Site Noise Levels at Specific Local Receiver Locations" p.47 of the Noise Report:

APN 129-190-37-00
APN 129-190-30-00
APN 129-380-01-00

Were these NSLU's assessed as Local Receivers? If not, why were these residential NSLU's omitted from analysis??

B. Contradictory CNEL Values for the same Local Receiver Location

Table 12 at p. 47 of the Noise Report specifies a predicted future Noise Level of 54 CNEL for 128-290-77-00 (APN corrected to proper value from the erroneous value in Table 12). This Assessor Parcel Number corresponds to the existing residence at 9550 Covey Lane.

Table 13 (page not numbered) "**TABLE 13 - CUMULATIVE OFF-SITE TRAFFIC CNEL AT 100 FEET FROM CENTERLINE (continued)**" lists an existing value of 44.2 CNEL and a LHR Project Build out value of 55.7 CNEL at the LHR project eastern boundary, which is approximately 190 feet from the property line of the 9550 Covey Lane NSLU.

From **2.3.2 Cumulatively Significant Noise Impacts** p, 56 "The nearest residence to the future centerline of Lilac Hills Ranch Road is approximately 200 feet to the west and 50 feet north of Covey Lane, which would result in a combined noise level of 61 CNEL at the building façade." This location is the residence at 9550 Covey Lane.

There is a conflict with the cumulative CNEL value as presented in the text on Page 56 with Table 13's value. Which value is correct?

C. Evaluation of Existing Noise Conditions

Please discuss and justify the following regarding the baseline Existing Noise Conditions evaluation taken Wednesday, July 25, 2012 between 11am and 3:30 PM:

1. Why were only 8 locations evaluated? Please justify the adequacy of the 8 location sample size to construct a rational baseline for the project.
2. Please elaborate in detail the rationale for each of the 8 site locations selected.
3. Please elaborate in detail and justify the use of 15 minute mid-afternoon single samples as an adequate baseline for establishing Existing Noise Conditions.

D. Traffic Generated Noise Analysis relies on the June 28, 2013 Chen Ryan Traffic Impact Study

Table 12 - "FUTURE OFF-SITE NOISE LEVELS AT SPECIFIC LOCAL RECEIVER LOCATIONS" p. 47 of Noise Report is presented as the basis for ADT traffic volume for modeling the LHR project Traffic Generated Noise.

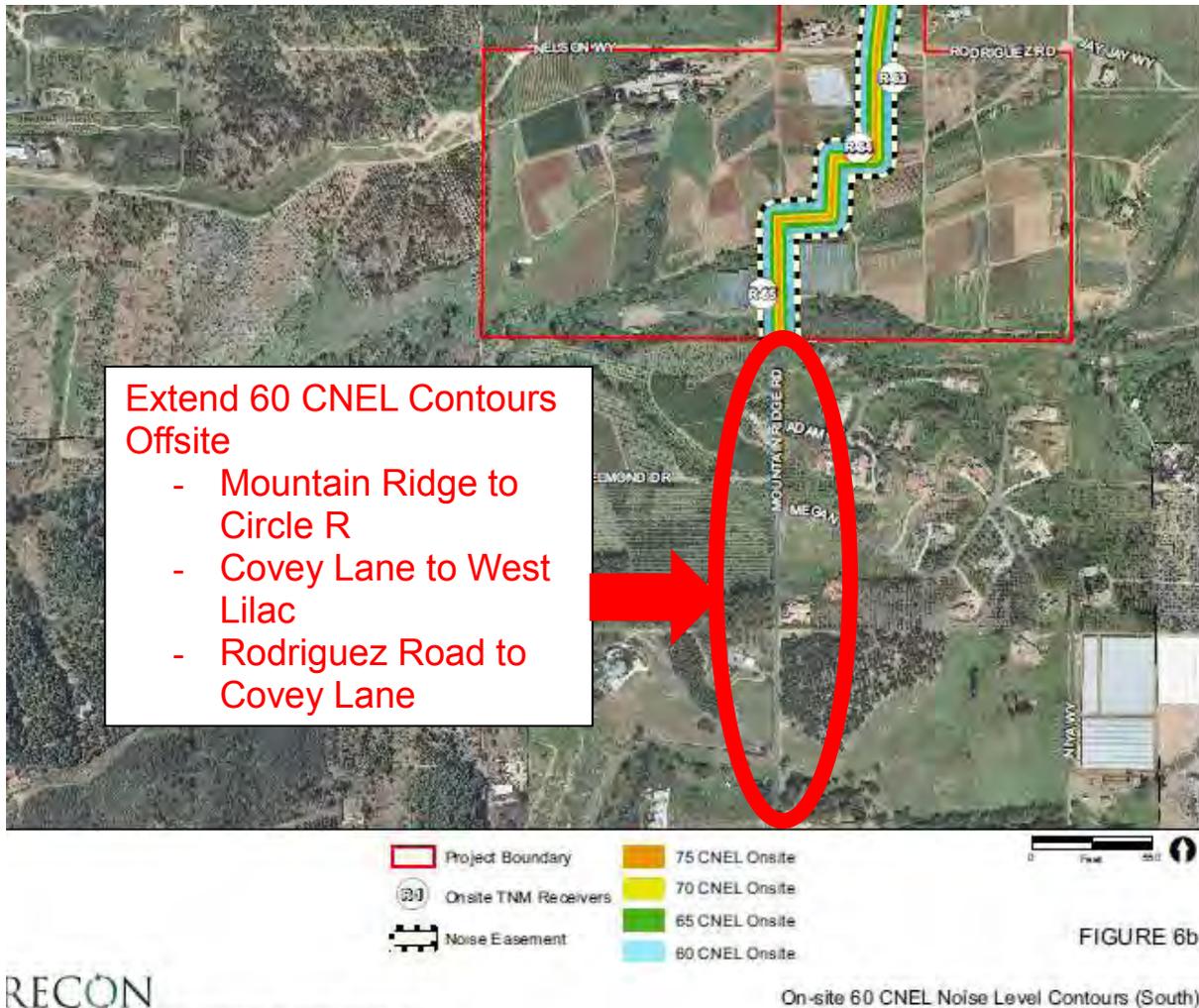
The August 16, 2013 Darnell Associates Independent Expert review of the Chen Ryan Traffic Impact Study submitted as Public Comments for the LHR DEIR presents factual evidence that the Chen Ryan Traffic Impact Study (TIS) understated the Traffic volume and distribution.

In summary, the Chen Ryan TIS understated ADT trip generation 11.9%. Additionally, Chen Ryan overstated internal trip capture, which would change ADT distribution assignment to area roads. Further, the Darnell August 16, 2013 Independent Study assigns far greater traffic volume to Mountain Ridge and Covey Lane Private Roads, where a large population of Offsite NSLU receivers are located.

The reliance on the deficient Chen Ryan Traffic information directly affects the Noise modeling employed by Recon resulting in inaccurate modeling of Traffic Generated Noise levels.

Fact based assessment of Noise Impacts mandates revision of the Chen Ryan Traffic Impact Study, and corresponding revision of the Traffic Generated Noise modeling from RECON.

E. Impacts outside the Subdivision Boundaries



The 60 CNEL Noise Level Contour Graphic needs to be extended to include the Off-Site Impacts for ALL of the Projects Secondary Access Roads:

- Mountain Ridge from the Subdivision boundary to Circle R Drive
- Covey Lane from the Subdivision eastern boundary to West Lilac Road
- Rodriguez Road to Covey Lane

This Graphic will highlight several areas of inconsistencies in the DEIR Subchapter 2.8 – Noise and the Noise Report.

For example, DEIR Subchapter 2.8 – Noise **2.8.2.1 Issue 1: Traffic Generated Noise** p.28-8:

“Existing receivers along Mountain Ridge Road south of the project site would experience a potentially substantial increase in ambient noise levels of 8 CNEL, however, noise levels within 100 feet of the roadway centerline would be 53 CNEL or less.”

When Mountain Ridge Private Road traffic volume is increased to the levels indicated in

the August 16, 2013 Darnell Associates Independent Expert Review, and the 60 CNEL Noise Level Contour line is plotted on Mountain Ridge, in excess of 60 CNEL will be indicated at the residential façade at 31013 Mountain Ridge (APN 129-430-13-00).

This Graphic will highlight other Off-Site Impacts where Cumulative Noise Levels exceed County Standards on Covey Lane and Rodriquez Road.

Summary

DEIR Subchapter 2.8 – Noise and the Noise Report have many significant errors and omissions, and the reports rely on the flawed LHR Traffic Impact Study.

Informed Environmental Analysis is impossible to perform with this flawed information.

Please revise DEIR Subchapter 2.8 and the Noise Report and notice and recirculate for Public Comment.

Sincerely,

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July 22, 2014

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Subject: Revised DEIR Public Comments Regarding the DEIR Chapter 1 Project Objectives with regard to the Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001(GPA),PDS2012-3810-12-001 (SP).

Dear Mr. Slovick:

The following Public Comments pertain to Chapter 1 – Project Objectives:

Chapter 1- Objectives Subchapter 1.2.2 Technical, Economic, and Environmental Characteristics

THIS SECTION NEEDS THE ADDITION OF A FRANK AND SUCCINCT DISCUSSION OF THE PROJECT'S FACTUAL LACK OF LEGAL RIGHT OF WAY FOR ROADS, SEWER, AND RECYCLED WATER. FACTUAL AND QUANTITATIVE DISCUSSION NEEDS TO BE MADE PROMINENTLY APPARENT TO DECISION MAKERS ON HOW OFFSITE IMPROVEMENTS REQUIRED FOR THIS PROJECT WILL BE ACQUIRED. THERE ARE FACTUALLY 30 OR MORE RIGHT OF WAY ACQUISITIONS THAT PROJECT REQUIRES. THE PROJECT HAS MADE LITTLE PROGRESS IN FOUR YEARS ON ACQUIRING REQUIRED RIGHT OF WAY. IT IS HIGHLY LIKELY THAT THE USE OF EMINENT DOMAIN FOR A MINIMUM OF THIRTY AND LIKELY GREATER NUMBER OF SEPARATE TAKINGS OF UNWILLING PROPERTY OWNERS' LAND OR INTEREST IN ROAD AND UTILITY EASEMENTS WILL BE REQUIRED TO MAKE THIS PROJECT FEASIBLE.

The County of San Diego has received hundreds of pages of factual information from multiple Attorneys that demonstrate the absence of many legal rights for the Project's intended use of private roads and right of way for Sewer and Recycled water utility pipelines.

The Valley Center Municipal Water District (VCMWD) has verified that the Project has proposed pipeline routes for which no legal right of way currently exists for Sewer and Recycled Water. To use the Project's preferred Sewer and Recycled Water pipelines for this project, Eminent Domain taking of right of way is required. The Project's Alternate 4 pipeline route is claimed by the Applicant to have full legal right of way. However, as pointed out in Chapter 3 Public Comments, this claim requires substantiation in the three areas questioned.

The County has taken the position that Private Road right of way disputes are between individual private parties. That said, the County of San Diego has certain knowledge that offsite road improvements for the Project will require right of way for at least thirty separate takings of unwilling property owners' land or interest in road easements.

The County has been less than forthright in providing Public information on required right of way for Offsite Improvements for assessment of Environmental Impact. Provide the following information:

The County needs to disclose the following information so that impacts are identified and required Mitigation can be implemented.

A). Required Disclosure of Relevant Information regarding legal rights for construction of Off Site Improvements as well as how the Applicant intends to gain legal rights

In the DEIR, the County has not provided adequate disclosure regarding off-site impacts of the Project and its Alternatives to surrounding property owners.

This information is necessary to demonstrate Project Feasibility that the Project can ever be legally built.

For the Project and each of its Alternatives, provide the following information regarding off-site improvements for which Accretive Investments currently holds less than full legal right of way. Please provide evidence that there is adequate Project rights for construction of these improvements, including temporary encroachment permissions for construction that enable continued use of the road by Residents during construction.

For each impacted parcel, indicate what the Applicant has done to attempt to secure legal rights. Disclose how the Applicant or the County intends to secure the necessary legal rights for these parcels:

<u>Parcel Number</u>	<u>Property Owner</u>	<u>sq ft. Right of Way required</u>	<u>sq.ft.Slope Easement</u>	<u>Total sq. ft. Encroachment</u>
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i) West Lilac Road

Scenario 1 – Construction of West Lilac Road from Old Hwy 395 to proposed new Road 3b to 2.2 C Road Standards as is the General Plan Baseline. No information on offsite improvements has been provided by the County for the full route of this Alternative, which is the present General Plan Mobility Element baseline.

Scenario 2 a – As per “Right of Way Analysis W. Lilac Rd Alt 1 2.2C/2.2F dated Oct 31, 2013 **with additional land necessary to incorporate Reid Middleton Roundabout design modification recommendations identified.** The Oct 31, 2013 study found that 22 parcels were impacted for a total of 4.3 acres. The Study did not quantify the additional parcels impacted by Roundabout redesigns recommended by Reid Middleton. Please include a current and accurate disclosure of the parcels as impacted by Roundabout redesign.

Scenario 2 b – As per “Right of Way Analysis W. Lilac Rd Alt 1 2.2 C dated Oct 31, 2013 **with additional land necessary to incorporate Reid Middleton Roundabout design modification recommendations identified.** The Oct 31, 2013 study found that 22 parcels were impacted for a total of 5.6 acres. The Study did not quantify the additional parcels impacted by Roundabout redesigns recommended by Reid Middleton. Please include a current and accurate disclosure of the parcels as impacted by Roundabout redesign.

Scenario 3 – Impact of improvement from non-compliant 2.2F to 2.2E configuration to improve horizontal curves and provide bicycle lanes in each direction and 8 foot shoulders for West Lilac Road from Easterly boundary of Subdivision (currently near existing Lilac Walk private road intersection) to Covey Lane. This scenario is discussed further in section 2). Direct Impacts to West Lilac Road section of this letter.

ii). Covey Lane/West Lilac Intersection

Scenario 1 – Impact of construction to Applicant’s proposed design **including Sight Distance Clearance and turn tapers. Please carefully analyze the need for Additional Slope Easements beyond those granted in IOD’s.**

iii). Mountain Ridge Private Road including Mountain Ridge/Circle R Intersection

Scenario 1 – Impact of improvement to Applicant’s proposed design **including Sight Distance Clearance and turn tapers.**

Scenario 2 – Impact of improvement of Mountain Ridge Private Road to 30 Mph Private Road Design Speed Standards **including Sight Distance Clearance and turn tapers.**

Scenario 3 – Impact of construction of Mountain Ridge Private Road to Public Road Design Standards **including Sight Distance Clearance and turn tapers.**

iv). Rodriguez private road. Please further enumerate the all improvements proposed for Rodriguez Road as represented in Master Preliminary Grading Plan TM 5571 RPL 4 Sheet 7 of 12. Provide the legal basis of rights to construct the improvements to Rodriguez Road. Provide a copy for Public Review of document 2013-0021800 Rec. 1-11-2013.

Property Rights ARE a DEIR Issue. Without the acquisition of land for offsite improvements, this Project IS INFEASIBLE.

Executive Summary Comment DEIR Paragraph S.3 Areas of Controversy page S-4 – Item 2 – Infeasibility of the Project’s undefined and infeasible Phasing Sequence

Phasing – The Applicant seeks the utmost in flexibility in developing the Project in Phases of which there are many possible permutations, and no assurance whatsoever of Project performance of Conditions of Development.

The County has endorsed this approach without any assurance of performance by the Applicant, such as bonded indemnification to ensure specific performance.

The Applicant states in the Specific Plan and the County states in the EIR that some Phases may never be built. Mitigations for Traffic Impacts are tied to events that may never happen. This is a serious defect with the EIR. There is no assurance that promised Mitigation will ever occur.

Refer to the following Table 1 – 4 from Chapter 1 EIR Objectives page 1- 34.

TABLE 1-24
GRADING QUANTITIES BY PHASE (cy)

Phase	Cut	Fill	Net
1	715,000	860,000	(145,000)
2	635,000	830,000	(195,000)
3	1,815,000	1,260,000	555,000
4	295,000	420,000	(125,000)
5	610,000	700,000	(90,000)
TOTAL	4,070,000	4,070,000	-

The Project represents that it requires no import or export of soil for all Phases in total. The Project requests any possible Phase implementation sequence. It is **clear** that Phase 3 is the source of fill dirt **for all of the other four Phases** and is required to be at least partially graded concurrently with the first and any other Phase. Please identify how the Project intends to implement Phase 1 without grading on Phase 3. Also, will Phase 3 be used as a quarry for fill dirt for an extended period?

The County of San Diego is deficient for not recognizing this most basic disconnect. The net result of this is a Significant Impact of Project Feasibility.

This example of infeasibility or vastly different Environmental Impacts is repeated over and over again with every Infrastructure aspect: Roads, Sewers, Waste Water, etc.

The timing of implementation of Mitigation is also required to be defined with much more rigor than the County has employed. Road Improvement from Significant Impacts are 'triggered' by attainment of a threshold number of Residential Units. The County of San Diego should recognize that certain Commercial Land Uses are far greater drivers of Traffic Impacts than Residential.

Another related defect of this "Phase Game" is that the sum of the Traffic related analyses, for example, have analyzed fewer than 50% of the possible permutations of Phase execution that the County has endorsed in this EIR.

Left with the unbounded Phasing strategy the Applicant proposes, the Project as implemented will have vastly different Environmental Impacts than those analyzed in this EIR.

The Project needs to be required to adopt a defined Phasing Plan sequence with only a few allowable Phase Alternates in order that the proper Environmental Impacts can be assessed.

1.6 Project Inconsistencies with Applicable Regional and General Plans

This section of the DEIR needs to include an unbiased evaluation of the Project's General Plan and Community Plan Consistency as of today, prior to a Board decision on the Project.

In this section and Chapter 3.1.4 Land Use Planning, the County has accepted the proposed advocacy position of the Applicant without any test of reason. This County states that indeed the Project as proposed is inconsistent with dozens of major General Plan Policies. **But if** the Board approves the General Plan Amendment, **by definition** the Project would comply with the General Plan, because the approval of the Board's amended the General Plan.

This circular logic does not observe the fundamental tenant of CEQA – to assure that decision makers **prior** to making a land use decision are informed of the Project's Environmental Impacts, and have taken all possible measures to Mitigate Impacts.

Factually disclose to the Lead Agency Decision Makers an unbiased evaluation of the General Plan and Community Plan policies included in August 2013 Public Comment contained in the letter Ltr 8-13-13 re General Plan and Community Plan Inconsistencies (Attachment 1).

Waste Water Growth Inducement Chapter 1.8.4.3

The County makes the Statement that the Project is a part of an existing Sewer Service Area. Please provide a copy of a current map which depicts the Project as part of the current Lower Moosa Sewer Service Area.

Growth Inducement Ch 1.8.4.3 – The County's statement below from page 1-48 is misleading and lacks disclosure of several relevant facts:

“Likewise, the Lower Moosa Canyon WRF is operating under an existing MUP that would accommodate modifications to allow wastewater from a maximum of 1,250 equivalent dwelling units to be treated.”

There are several misleading statements in this incomplete statement that the County has made or inferred here:

1). While the County issued in 1996 a Major Use Permit for the Lower Moosa Water Reclamation Facility (LMWRF) expansion, having an approved MUP is not the only permit required. The facility does not have a permit from the San Diego Regional Water Quality Control Board (SDRWQCB) for implementing this expansion, which is a large undertaking. Obtaining this permit approval take a great deal of time and will likely require the entire LMWRF to be upgraded to current Title 22 tertiary water treatment standards. Upgrade of the LMWRF likely will have Environmental Consequences far different than those assessed in 1996. The existing as built configuration of LMWRF will accommodate an approximate 450 additional EDU's at the current disinfected secondary treatment level of the plant. And there are other competing users for service. The Project does not have sole claim for all existing capacity.

The County has not demonstrated that Sewer Service can be provided for the proposed Project in the time frames that the Lilac Hills Ranch Project requires service, nor has it quantified the Environmental Impact of providing Sewer service.

2). The Project claims service capacity for 1250 EDU's of the Project. As stated without considerable qualifiers, this statement is not true. It assumes improvements to LMWRF that are not currently in place. Please list the other planned Projects besides Lilac Hills Ranch that require LMWRF service and accurately restate the net available service for the Project based on today's as built physical plant and treatment standards.

GROWTH INDUCEMENT

In 2014, the County, who is Lead Agency for the Lilac Hills Ranch Project, finds that the expansion of LMWRF to not be growth inducing.

In 1996, the County sent in Public Comments to Lead Agency Valley Center Municipal Water District that the expansion IS growth inducing (Pages 131 to 133 of the 1996 EIR provided by the County)

The County stated on June 20, 1996:

"GROWTH INDUCEMENT

It is clear that the proposed project is growth inducing. In fact CEQA Section 15126 g. uses a waste water treatment plant as an example of a project which would allow for more construction, i.e. is growth inducing. Also, CEQA identifies projects which will remove obstacles to population growth as growth inducing. Thus the DEIR must comply with CEQA 15126 g. The current draft does not comply with these requirements."

Please answer why Sewer Expansion to LMWRF caused by Lilac Hills Ranch is not Growth Inducing, as the County found it to be in 1996?

Sincerely,



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Attachment 1 – Ltr 8-13-13 re: General Plan and Community Plan Inconsistencies

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August 13, 2013

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Subject: DEIR Public Comment to the Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001(GPA),PDS2012-3810-12-001 (SP)-**General Plan and Community Plan Inconsistencies**

Dear Mr. Slovick –

Our firm represents Heart of Valley Center, a California Non-Profit Corporation. On its behalf, we offer the following comments on the General Plan and Community Plan Consistency discussion in the Draft Environmental Impact Report (“DEIR”). By way of summary, the failure of the DEIR to meaningfully analyze an unprecedented number of project inconsistencies with the County General Plan and the Valley Center Community Plan requires that the DEIR be rewritten and recirculated for public review and comment.

As you are aware, inconsistency is often evidence that an inconsistent project feature will have a significant environmental effect. If the inconsistency has not been identified or analyzed, significant environmental impacts of the Lilac Hills project may likewise have not been identified or analyzed. In addition, the inconsistencies may, or (in the case of this project) do, need to be cured before the project can be approved. *See Families Unafraid v. County of El Dorado* (1998) 62 Cal.App.4th 1332(project must satisfy mandatory general plan policy that is fundamental and unambiguous).

Moreover, the type and number of GP policies requiring amendment in order to accommodate this inconsistent project will require far reaching revision of the San Diego County General Plan with appropriate comprehensive environmental review of associated impacts throughout the County.

August 13, 2013

I. GENERAL PLAN INCONSISTENCY OVERVIEW

In comments submitted over the last year, the Valley Center Planning Group and the Valley Center Design Review Board have challenged the proponent's assertions that this Specific Plan/General Plan Amendment ("SP/GPA") is consistent with the adopted County General Plan ("GP"), or with Valley Center's Community Plan ("VCCP"), or with Valley Center Design Guidelines.

These previous comments, which are attached hereto as Exhibits 1-2 are incorporated herein by reference, submitted as part of the public comments on this DEIR and require a response. These previous comments have also challenged the logic exhibited throughout the Specific Plan and now in the DEIR: that amending a particular GP Regional Category to suit the project somehow also reconciles the project's inconsistencies with a wide array of General and Community Plan Goals and Policies.

The proposed SP/GPA is inconsistent in broad and fundamental ways with the San Diego County General Plan and the Valley Center Community Plan. Further, the DEIR fails to disclose and analyze these broad and fundamental inconsistencies and their environmental consequences as CEQA requires. The DEIR is derelict in concluding as it does that: *"Overall the project would be consistent with the General Plan; therefore land use impacts associated with policy inconsistencies would be less than significant"* (DEIR Chapter 3 Environmental Effects Found Not To Be Significant p. 3-65). As explained below, the project presents multiple inconsistencies with the GP and VCCP and a "reasonable person" could not find this project to be consistent with either the GP or the VCCP. See *No Oil v. City of Los Angeles* (1987) 196 Cal.App.3d 223, 242; *Mitchell v. County of Orange* (1985) 165 Cal.App.3d 1185.

This DEIR fails to perform the analyses required for decision makers, first, to understand the parameters of this proposal, and, second, to appreciate the nature and reach of its impacts. The DEIR does not even have a rudimentary analysis of Consistency with the General Plan.

Internal consistency of all County General Plans in California is required by California State Law. Therefore, in considering a Specific Plan, particularly one that requires amendments to an adopted General Plan, it is crucial to understand exactly where the Specific Plan is inconsistent with General Plan regional categories, land use designations and road classifications, principles, elements, goals and policies.

A Specific Plan is an implementation vehicle. Approval requires compliance with CEQA. A DEIR must examine consistency issues including the web of interconnected and mutually-supporting elements, goals, policies and maps of the County General Plan. 14 Cal. Code Regs. Section 15125(d). Inconsistency requires denial of the project, re-design of the project or amending the General Plan to fit the Specific Plan – the tail wagging the dog.

August 13, 2013

Making major changes to, for example, the Land Use, Mobility and Safety Elements in the San Diego County General Plan to achieve consistency with the proposed Specific Plan will require revisiting the environmental impacts of the entire San Diego County General Plan. Specific amendments, if not pursued with great caution, would possibly invalidate the entire San Diego County General Plan based upon internal consistency defects.

These are all of course very serious issues for the entire County. Accordingly, both the law and sound public policy require that the DEIR for this SP/GPA analyze specifically and individually the General Plan Vision and Guiding Principles and the reflection of these in the Community Development Model, as well as specific goals, policies and relevant maps across the GP's seven elements: Land Use, Mobility, Conservation and Open Space, Housing, Safety and Noise. The goals and policies of the Bonsall and Valley Center Community Plans must also be considered.

Once inconsistencies are disclosed there are only three ways to resolve them: reject the project, re-design the project, or re-build the County General Plan to suit these applicants. Inconsistencies with General and Community Plans, Design Guidelines and other ordinances and policies are NOT subordinate to this project's Specific Plan, as the Specific Plan asserts.

California Government Code Section 65454 "Consistency with General Plan" provides:

No specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the General Plan.

As detailed below, the Accretive Lilac Hills SP is inconsistent with multiple principles, goals and policies of the County General Plan and the VCCP. These inconsistencies must be fully identified, analyzed and cured.

II. GP AMENDMENTS NECESSARY TO ACCOMMODATE THIS SP/GPA WILL REQUIRE REJECTING THE GP'S FOUNDATIONAL VISION OF SMART GROWTH AND ELIMINATING MANY GP POLICIES SUPPORTING IT.

It is manifestly not the intention of the San Diego County General Plan to drop "new villages" into semi-rural and rural areas. To the contrary, the County General Plan is rooted in its "Smart Growth" intention. Smart Growth is a two-sided concept. On the one hand, Smart Growth locates future development in areas where infrastructure is established; and on the other hand, Smart Growth also retains and/or enhances the County's rural character, economy, environmental resources, and unique communities. These are integrated, co-dependent concepts. They work together.

The proposal to drop a dense, from-scratch 608-acre Village of 5000 people into

August 13, 2013

several thousand acres of infrastructure-lacking, Semi-Rural and Rural land is fundamentally inconsistent with the County's commitment to "sustainable development." This foundational concept is described at length in the introduction to the County General Plan; and it is expressed across the web of interdependent GP Guiding Principles, Goals and Policies that have been put in place to bring about the County's Smart Growth Vision. To reject this Vision now will, in essence, require an entirely new County General Plan.

III. PARAMOUNT AMONG THE PROJECT'S GP INCONSISTENCIES IS ITS FAILURE TO COMPLY WITH LAND USE GOAL LU-1 AND POLICY LU-1-2

Consistency with Land Use Goal LU-1 and with Policy LU-1.2 is especially crucial for this project's approval. These provisions speak directly to the requirements for establishing NEW villages in San Diego County. They emphasize the primacy of the Land Use Element and the Community Development Model, and prohibition of Leapfrog Development.

Land Use Element Goal LU-1: Primacy of the Land Use Element. *A land use plan and development doctrine that sustain the intent and integrity of the Community Development Model and the boundaries between Regional Categories.*

Land Use Element Policy LU-1.2: Leapfrog Development. *Prohibit leapfrog development which is inconsistent with the Community Development Model. Leapfrog Development restrictions do not apply to new villages that are designed to be consistent with the Community Development Model, that provide necessary services and facilities, and that are designed to meet the LEED- Neighborhood Development Certification [LEED ND] or an equivalent. For purposes of this policy, leapfrog development is defined as Village densities located away from established Villages or outside established water and sewer service boundaries. (See applicable community plan for possible relevant policies.)*

The DEIR for this SP/GPA asserts that the project is consistent with GP Policy LU-1.2. But, this is clearly not the case. The SP/GPA fails in the most fundamental ways to respect the County's commitment to sustainable development.

- A. The project is inconsistent with the GP Community Development Model,
- B. The project is inconsistent with LEED ND standards,
- C. The project is inconsistent with the 3rd requirement for waiving the prohibition on leapfrog development: provide necessary services and facilities. Among other impacts, the project requires (at least) ten (10) modifications to the County road standards to REDUCE capacities to sub-standard levels. Traffic impacts are significant and deemed unmitigable by the DEIR and the project fails to meet 5 minute response times for Fire and Emergency Medical Services.

August 13, 2013

The project also fails to present a legal and viable point design for sewage and waste water treatment and there is insufficient, unavailable right of way for private roads into and out of the proposed development.

A. The Accretive SP/GPA is Inconsistent with the GP Community Development Model

The proposal, by definition, is inconsistent with the Community Development Model because consistency can be achieved only by amending the General Plan to fit the project. The General Plan states (San Diego County General Plan: Land Use Framework; Community Development Model, p.3-6): *“The Community Development Model directs the highest intensities and greatest mix of new uses to Village areas, while directing lower-intensity uses, such as estate-style residential lots and agricultural operations to Semi-Rural areas To facilitate a regional perspective the Regional Categories of Village, Semi-Rural and Rural Lands have been applied to all privately-owned lands ...”*

First, as the above statement in the County General Plan makes clear, **the Community Development Model is not a moveable abstract concept**. If this were true then Village “puzzle pieces” could be dropped into Semi-Rural and Rural lands anywhere in the County and pronounced consistent with the Community Development Model.

Rather, the Community Development Model reflects a complex of planning principles and ideas that are expressed through the whole system of the General Plan’s Regional Categories. Amending a Regional Category, therefore, requires also amending the network of planning concepts that the category implements, for example:

1. The General Plan states (pp.3-7), *“Village areas function as the center of community planning areas and contain the highest population and development densities. Village areas are typically served by both water and wastewater systems. Ideally, a Village would reflect a development pattern that is characterized as compact, higher density development that is located within walking distance of commercial services, employment centers, civic uses, and transit when feasible.”*
2. The proposed site is designated not for Village development but for large semi-rural parcels (SR 10 and SR-4). This SP/GPA proposes to place a high density Village into the middle of an area that the Community Development Model designates for Semi-Rural and Rural development. This action requires **AMENDING** the Community Development Model. Instead, with no discussion or analysis, the SP/GPA and the DEIR all assert that consistency with the Community Development model is achieved with a simple change to the Land Use map.

August 13, 2013

3. The site abuts SR-4, SR-10 and Rural-40 acreage. The Community Development Model **requires** a “feathering” of residential densities from intense Village development to SR-0.5, SR-1, SR-2, SR-4, and so forth. (GP pp. 2-8 through 2-9) The Accretive SP/GPA is inconsistent with the concept of feathering which is reflected properly in the current pattern of land use designations in Valley Center’s central valley.
4. This SP/GPA is located many miles from areas that the Community Development Model designates for Village development and miles from employment centers, shopping, entertainment, medical services, and civic organizations and activities.
5. Regarding infrastructure, there are few existing roads in the area. They are built and planned to service Semi-Rural and Rural development, as in the current General and Community Plans. Despite proposing intense Village development, the proponents also propose to retain or **reduce** capacities of these roads. Water infrastructure serves 50 homes and agricultural irrigation. There is no wastewater service.
6. The intent of the Community Development Model is to intensify development in **existing** Villages -- not to create NEW Villages through the destruction of Semi-Rural and Rural lands. The Community Development Model was applied in Valley Center during the General Plan update process. Village boundaries were drawn. Village densities were planned to feather from the commercial and mixed use core to meet the Semi-Rural designations. Twenty-five percent (25%) of the community’s future development is now planned for the “Village” area in the center of the Valley Center Planning Area, at the community’s traditional “crossroads” where road, water and wastewater infrastructure, as well as schools, churches, shops and businesses are **already** in place.
7. A key component of including a Community Development Model in the General Plan with “integrity” was to create a framework for future growth in and around existing villages. The DEIR ignores this GP concept by concluding that a high density project placed in a semi-rural and rural area would not be growth inducing. This conclusion defies reality and contradicts the General Plan which identifies existing villages as the hubs for growth.
8. The lands surrounding the proposed project (and some lands which the proposed project surrounds) will still be designated at lower semi-rural densities than the village densities proposed for the Accretive SP/GPA. Into the future, these land owners will likely seek similar higher density treatment. The County has a long track record of approving General Plan Amendments that increase density using the density of adjacent properties as justification. The DEIR claims that this would not occur, but history and reality have proven otherwise.

August 13, 2013

9. The DEIR refers to the Property Specific Request (PSR) General Plan Amendment process that was directed by the Board of Supervisors and claims that the project is not growth inducing. This suggestion is misleading. The outcome of the PSR/GPA process remains to be seen. Approval is not a foregone conclusion and processing will be lengthy. More likely is that approval of the Accretive Lilac Hills project would usher approval of the PSRs/GPAs in Valley Center, thus inducing unplanned growth of this area.

Second, the project design defies the GP principles, goals and policies for Village development and for Village expansion, which the Community Development Model reflects.

1. The 608-acre project site, only a portion of which is actually owned by the applicant, sprawls 2 miles N-S, and 2 miles E-W across several thousand acres, largely in active agriculture. These surrounding acres are owned by people whose dreams and ambitions for their rural properties are in accord with the Community Development Model's Regional Category assignment: Semi-Rural and Rural.
2. The sprawling site creates some 8 miles of edge effects that will threaten surrounding agriculture, horticulture and animal husbandry that the GP Community Development Model protects by designating this area for Semi-Rural and Rural development. This sprawling shape also increases the likelihood that the proposed project will be growth inducing as previously mentioned.
3. With 1746 units and 90,000 SF of commercial on 608-acres, there is insufficient land available for "feathering" residential densities as the Community Development Model intends and describes.
4. The site requires 3 separate commercial nodes to support the "walk-able" claim. The project cannot be characterized as a "walk-able Village" when it is, in fact, three circles of dense housing. Two of these housing areas are at least a mile from what the Community Development Model would characterize as Village amenities. The LEED Neighborhood Development standard ("LEED ND") for "walking distance" is ½ mile, the GP also cites ½ mile (GP, p.3-8).
5. This is not the "walk-able" compact Village it purports to be. The faux Town Center is more than one and a half miles from the ½ mile standard required by LEED ND and cited in the General Plan.
6. The proximity of Rural Lands to the project presents wildfire threats which the applicant's Fire Protection and Evacuation Plans recognize. However the threats are not adequately mitigated. In addition to wildfire, the Accretive project adds the additional hazards of Urban Multi Story Structure Fires and nearly two orders of magnitudes increased volume and complexity of Emergency Medical Services

August 13, 2013

(EMS). The Accretive Fire Protection Plan barely mentions the Structures and EMS hazard potential, and does not provide reasonable mitigation plans. The Deer Springs Fire Protection District (DSFPD) has gone on the record three times (6/12/2012, 3/5/2013 and 8/7/2013) stating that DSFPD has major issues with the Project as proposed. Accretive has glossed over these issues raised by a Public Safety agency and the County has allowed the Project to proceed in the General Plan Amendment process. The DEIR needs to specifically address the issues raised by the DSFPD.

B. The Accretive SP/GPA is Inconsistent with LEED Neighborhood Development Certification standards

Compliance with LEED Neighborhood Development Certification standards is a second critical requirement for this project. Without meaningful analyses required by CEQA, the DEIR merely asserts compliance with LEED-Neighborhood Development requirement.

The DEIR is required to comprehensively address the numerous and exacting requirements of LEED Neighborhood Development Certification ("LEED ND"). If the County is not applying LEED ND but an "equivalent standard" as policy LU1-2 allows, the DEIR analysis must name the standard and show how it is equivalent.

We believe there is no recognized equivalent to LEED ND.

Attached hereto as Exhibit "3" are key excerpts from the booklet, ***LEED 2009 FOR NEIGHBORHOOD DEVELOPMENT***. However, the DEIR, in analyzing consistency, should consider the entire publication where these exacting standards are discussed and illustrated in detail. The booklet is published by the U.S. Green Building Council and is available on its website, USGBC.org.

As the attached excerpts make clear, to obtain LEED ND Certification, certain location, conservation and design criteria are mandatory. This means that, regardless of how many "points" are accumulated for "green" amenities, LEED ND Certification cannot be achieved without meeting essential standards in particular categories.

GP LU Policy 1-2 provides that the Accretive SP/GPA must comply with all essential standards that are required for LEED-Neighborhood Development Certification. These standards include the following:

SMART LOCATION and LINKAGE

These are PRE-REQUISITE criteria. Compliance is mandatory.

Prerequisite 1 Smart Location

Prerequisite 2 Imperiled Species and Ecological Communities

Prerequisite 3 Wetland and Water Body Conservation

August 13, 2013

Prerequisite 4 Agricultural Land Conservation
Prerequisite 5 Floodplain Avoidance

NEIGHBORHOOD PATTERN AND DESIGN

These are PRE-REQUISITE criteria. Compliance is mandatory.

Prerequisite 1 Walkable Streets
Prerequisite 2 Compact Development
Prerequisite 3 Connected and Open Community

Accretive's SP/GPA fails to meet fundamental requirements for LEED ND Certification for the following reasons:

1. **The site is not a "Smart Location."** (See p. 1 LEED 2009 for Neighborhood Development ("LEED 2009") attached hereto as Exhibit 3). The EIR concludes that the project is consistent with LEED ND but completely overlooks its mandatory site selection requirements. Further, the EIR does not address how this site selection aspect of LEED ND can simply be overlooked when the LEED program was specifically designed to "place emphasis" on site selection. A fundamental premise of Smart Growth is to lower automobile dependency as compared to average development. The SANDAG average miles/trip for all of San Diego County is 5.8 miles/trip. The SANDAG average miles/trip for unincorporated San Diego County is about 13 miles/trip which is why the region is directing growth to the incorporated cities and existing villages. Accretive is proposing an automobile based urban sprawl community that even with exceedingly high and unsubstantiated internal trip rate estimates (see traffic analysis submitted under separate cover) is 47% higher than the San Diego County average (8.52/5.8) trip distance.
2. **The site is too large (exceeds the 320-acre maximum size).** (See p. xvi LEED 2009) This maximum area is based on critical factors such as providing the appropriate density of services and neighborhoods within a compact community and achieving walkability. The EIR fails to address how the project is still in compliance with the LEED ND program when it exceeds a standard that was determined by the "core committee's research."
3. **The proposed SP/GPA fails to meet LEED ND standards for a "walkable" neighborhood** (See p. xvi LEED 2009). The DEIR repeatedly asserts that the proposed project will be "walkable". However, the only "evidence" provided of "walkability" consists of three circles on a map and a suggestion that someone could walk to someplace within any circle. This does not evidence or constitute a walkable community. The LEED ND standards were developed through the research of a core committee which suggests that a walkable neighborhood is no more than 320 acres and all services, civic uses, employment, and high density housing are contained within that 320 acres.

August 13, 2013

Describing the proposed project as walkable is unsubstantiated and misleading. Further, technical analyses that rely on the unfounded and unsubstantiated premise that the project is walkable have impacted the assessment of impacts and thereby likely underestimated the impacts of the project on traffic, air quality, and greenhouse gas emissions.

4. **The proposed project is neither an infill site nor a new development proximate to diverse uses or adjacent to connected and previously developed land. It is sprawl placed into a functioning agricultural area, with no existing infrastructure.** (See p. 1 LEED 2009) The objectives of the LEED ND program are clearly compatible and in alignment with the guiding principles of the County of San Diego's General Plan and with the siting of "new green neighborhoods." As a result, the LEED ND program was integrated into the Leapfrog development policy of the General Plan. Any proposed deviation from LEED ND, such as ignoring siting criteria, size restrictions, and density guidelines, should be carefully scrutinized for significant environmental impacts.
5. **Because a site design is not available for the Town Center area we have no way of knowing whether this area itself complies with LEED ND standards.** The Specific Plan claims compliance, but this claim is not substantiated.
6. **The site is not served by existing water infrastructure that is adequate to serve urban density.** Water infrastructure is designed for agricultural users and needs significant revision for high density Urban uses. There is no wastewater infrastructure.
7. **No water or wastewater service is planned to serve urban development of this area.** (See p. 1 LEED 2009) The General Plan and the VCMWD's plans do not currently call for expansion of the infrastructure required for a project such as this. The Project clearly must provide new water and wastewater infrastructure but it cannot do so because Accretive does not own sufficient easements for sewer and wastewater lines. (See Letter from Kevin K. Johnson APLC regarding Wastewater Management Alternatives Study submitted to the County on August 9, 2013).
8. **The Project description demonstrates that the SP/GPA cannot satisfy ANY of the 3 OPTIONS for the Smart Location REQUIREMENT**(See p. 1 LEED 2009):
 - a. It is not an Infill Project.
 - b. It is not an Adjacent Site with Connectivity (does NOT have is at least 90 intersections/square mile as measured within a 1/2-mile distance of a continuous segment of the project boundary, equal to or greater than 25% of the project) boundary, that is adjacent to previous development.

August 13, 2013

- c. The site is not designed as a Transit Corridor or Route with Adequate Transit Service. The only mass transit consists of two bus routes located 4 miles north of the Project which run the circuit of the 4 Indian Casinos on SR- 76.
- d. None of the LEED ND significant public transit service requirements are met by the proposed circulation system.
- e. The only transit mentioned by the Specific Plan and/or the DEIR is that NCTD might consider a bus stop serving part of the project. This is inadequate.

C. The Accretive SP/GPA fails to provide necessary services and facilities for the intense urbanization being proposed.

1. ROADS. Traffic impacts are significant and the applicant has proposed no acceptable mitigation measures.

Accretive proposes Village development of a rural area but it **does not propose Village capacity roads necessary to accommodate the traffic that will be generated by the Village project**. Incongruently, and not disclosed or analyzed openly in the SP or the DEIR, the applicant has proposed ten (10) modifications to the County Road Standards that will *reduce capacities* of roads that were planned, in the first place, to accommodate Rural and Semi-Rural residential development.

One key purpose of the General Plan Mobility Element and County Road Standards is to specify road standards and automobile capacities that are necessary to serve surrounding land uses throughout the County. Land Use and Mobility Elements are coordinated and interrelated. Village-capacity roads are specified as necessary to serve Village land uses. Degrading road capacity standards will likely cause a variety of known and unknown environmental impacts.

In essence, the applicant proposes to compromise standards that are employed uniformly across the County in order to win for themselves entitlements to urbanize land uses -- without responsibility for urbanizing road capacities. Specifically, they propose to add 20,000 Average Daily Trips to Mobility Element roads, and to pass the real costs of improving these roads on to the taxpayers. They seek "consistency" with County planning standards not by complying with them, but by relaxing them.

For example, their proposal is to **DOWNGRADE** West Lilac Road from its current Class 2.2C to a reduced-capacity Class 2.2F (DEIR Ch. 3, p. 65). They further propose that two segments of West Lilac Road and one segment of Old Highway 395, which will operate at unacceptable Levels of Service E and F as a result of the Project be sanctioned as official "exceptions" to the County standard for minimum Level of Service. TIF fees of approximately \$5 Million are utterly inadequate to afford the road reconstruction necessary to service this development's traffic. The Valley Center Road widening five years ago cost in excess of \$50 million.

August 13, 2013

In remote places road improvement costs are often enough to make projects infeasible. Here the project applicant argues *against* improving roads to capacities that are functional and safe because it:

- is too difficult and costly
- will require rights-of-way that may be unobtainable
- will be time consuming to construct
- will be disruptive to off-site property owners
- will face opposition from existing neighbors
- will require condemnation of right-of-way
- will impact biological open space

These are, of course, the exact reasons why the San Diego County General Plan and LEED Neighborhood Development both direct urban development away from undeveloped sites like this one into areas where infrastructure, necessities and amenities required for urban dwellers are already present. In other words, the clear goal is to avoid sprawl.

The proposed SP/GPA will add 5000 urban residents to country roads while *reducing* road widths, *reducing* road design speeds and *ignoring other standards* established for safe, efficient transportation. The proposal:

- Fails to provide necessary services and facilities
- Is inconsistent with GP premises that development will pay for itself;
- Is inconsistent with the GP minimum standard for LOS D on County roads;
- Compromises the safety, comfort and quality of life of prospective residents as well as all the other residents of Valley Center who depend on these Mobility Element roads.

Sanctioning the requested road standard exemptions will create significant long term SAFETY and liability issues for the County of San Diego.

2. INTERSECTIONS. Additionally, in order to meet County Road Standards, two out of four secondary access intersections (Covey Lane and Mountain Ridge) with public roads will require the use of County prescriptive rights (for continual brush clearance) and eminent domain (to secure land from unwilling property owners). Accretive Investments has filed Sight Distance Analyses on these two intersections that confirm the above assertion.

3. RESPONSE TIME. The SP/GPA fails to meet 5 minute response time for Fire and Emergency Medical Services. The Deer Springs Fire Protection District has commented in writing that none of the proposed options listed in the Specific Plan and Fire Protection Plan are feasible solutions for the District to meet the 5 minute emergency

August 13, 2013

response requirement for Lilac Hills Ranch.

4. WASTEWATER TREATMENT. The project fails to present a legal and viable point (site location and sewage and waste water treatment functional description) design for sewage and waste water treatment. The preferred option listed by the applicant lacks legal right of way for offsite sewer and recycled water pipelines.

IV. THE ACCRETIVE S/GPA IS INCONSISTENT WITH THE PURPOSE, INTENT AND GUIDING PRINCIPLES OF THE COUNTY GENERAL PLAN ,

A. Purpose of the General Plan. Chapter 1 of the General Plan contains in its Introduction and Overview an array of highly relevant directives that the DEIR fails to identify and discuss.

*The General Plan must be referred to in its entirety, including separately bound portions (such as community plans). While the General Plan is internally consistent, some issues are addressed through multiple policies and some receive refined and more detailed direction in community plans.
(GP at p.1-4)*

1) Policies cannot be applied independently.

2) If you are a SD County resident or property owner, the General Plan indicates the general types of uses that are permitted around your home and changes that may affect your neighborhood, and the policies the County will use to evaluate development applications that might affect you or your neighbors. The Plan also informs you regarding how the County plans to improve mobility infrastructure, continue to provide adequate parks, schools, police, fire, and other public services, protect valued open spaces and environmental resources ...

3) Future development decisions must be consistent with the Plan.

4) The essence of the Plan lies in its goals, policies, and implementation programs.

*5) Policies provide guidance to assist the County as it makes decisions relating to each goal and indicates a commitment by the County to a particular course of action.
(GP at p.1-5)*

B. General Plan Guiding Principles. These Guiding Principles are intended to GUIDE development and conservation in San Diego County.

Advance Planning Staff worked with hundreds of stakeholders-citizens, property owners, real estate developers, environmentalists, agricultural organizations, building

August 13, 2013

industry representatives, and professional planners-for years to create a General Plan that would build what is reasonably needed, and to conserve what we must. These Guiding Principles gave birth to the Community Development Model, and to the systematic method through which planning principle, and the County's commitment to authentic sustainable development, was transferred from human hearts and minds to the ground.

The DEIR should, but does not, thoroughly discuss and analyze the GP Guiding Principles (GP pp. 2-6 through 2-15), but merely cursorily sets them out and in some cases, without analysis of to the factual aspects of the Accretive project, asserts compliance.

The following discussion reviews several key **San Diego County General Plan Guiding Principles**, their application to the proposed project and reveals the project's failure to comply with these guiding principles.

:

Guiding Principle 1: Support a reasonable share of regional population growth. (GP p. 2-6)

The DEIR fails to note that the GP forecasts Valley Center to have 9,796 residential housing units at the end of 2030, the General Plan planning horizon. (GP Housing Element Update Report p. 41). At the average Valley Center persons/house factor of 2.97 persons, this equates to a residential population at build-out of 29,094, not the 41,000-plus that would result from this project's placement of a new city in the middle of a well-functioning agricultural area. This discrepancy is not recognized or analyzed. Additionally, the General Plan already accommodates more growth than SANDAG projects for 2050. In this context, the DEIR fails to justify the need for 1,746 additional homes and 90,000 additional SF of commercial.

There are significant environmental and planning consequences from providing an excess of housing and employment in a rural area that are not addressed in the DEIR:

1. As a region, with SANDAG providing coordination, we have been trying to steer growth to incorporated cities where transportation investments are occurring and goods, services, and employment are in abundance. The proposed project undermines this effort. It contradicts growth principles that all jurisdictions have developed through SANDAG, and conflicts with the Regional Transportation Plan and Sustainable Communities Strategy (SCS).
2. The SCS is the region's strategy for addressing GHG emissions targets for land use and transportation yet the DEIR fails to address the consequences of the proposed project conflicting with it.
3. By providing a glut of housing in a rural area, the proposed project throws a wrench in the region's growth strategy. The provision of more

August 13, 2013

homes in Valley Center will reduce the demands for homes elsewhere. Generally, it has been the incorporated cities that have needed to plan for more homes to accommodate future regional growth. The proposed project will eliminate that need by 1,746 homes. If built in the incorporated cities pursuant to regional plans, these homes would have shorter vehicle trip lengths, be closer to transit, jobs, and services, and use less water and electricity. The DEIR fails to address these consequences.

There are also impacts of providing excessive commercial uses. The proposed project plans for commercial uses in excess of local and regional forecasted needs. There are two possible consequences of this situation:

1. The commercial space in the proposed project will remain vacant and the town center will not function as intended;
2. The proposed project will pull commercial uses from other existing commercial areas nearby such as the Valley Center and Bonsall town centers. This will result in vacancies and blight in these village centers and will undermine their growth strategy and vision.

The DEIR needs to include a comprehensive economic study of the proposed project and its economic viability within the context of community and regional plans. The results of such a study will reveal grounds for the evaluation of additional environmental impacts of the project.

Guiding Principle 2: Promote health and sustainability by locating new growth near existing and planned infrastructure, services and jobs in a compact pattern of development. (GP p. 2-7)

As previously discussed, the Accretive project site lacks both existing and planned infrastructure. Infrastructure proposed by the project cannot be provided at a level consistent with County standards. The proposed project is not a compact pattern of development. It sprawls over 2 miles and has to include 3 town centers rather than 1 to try to support the claim that it is “walkable” and thus, presumably, compact.

The project and DEIR fail to analyze this inconsistency with Guiding Principle 2 (and its implementing Goals and Policies) and attempt to avoid it with the fiction that adopting a map with different land use designations for 608 acres will create compliance with the County General Plan.

The GP and VC Community Plan currently embody and comply with Guiding Principle 2, with the design for the central Villages and the feathered-out supporting semi-rural and rural designations. The Accretive project is inconsistent with and would destroy that design and compliance.

August 13, 2013

Guiding Principle 3: Reinforce the vitality, local economy, and individual character of existing communities when planning new housing, employment, and recreational opportunities. (GP p. 2-9)

The Accretive project does not comply with or implement this Principle. The DEIR fails to recognize Valley Center's two existing villages or analyze the impact of the Project on the existing and proposed central Village economy and character. In its inadequate discussion of the key CEQA issue whether the project will physically "Divide an Established Community" the DEIR states that there is no established community! (DEIR Ch. 3, section 3.2.4, p. 3-120.) and thus there is no need to address this issue in the DEIR. The central valley villages DO exist, they are the heart of the existing Valley Center community, and they are where the GP and CP plan Valley Center's future growth consistent with the General Plan. Consistency with Guiding Principle 3 must be fully analyzed in the DEIR.

Guiding Principle 4: Promote environmental stewardship that protects the range of natural resources and habitats that uniquely define the County's character and ecological importance. (GP 2-10)

The Project fails to comply with this principle and proposes bulldozing 4 Million cubic yards of natural hills to make manufactured slopes to accommodate an urban-styled city in an active and productive agricultural area.

Guiding Principle 5: Ensure that development accounts for physical constraints and the natural hazards of the land. (GP 2-11)

In contrast to this principle, the Project proposes bulldozing 4 Million cubic yards of natural hills to make manufactured slopes, to accommodate an urban-styled city in an active and productive agricultural area.

Guiding Principle 6: Provide and support a multi-modal transportation network that enhances connectivity and supports community development patterns and, when appropriate, plan for development which supports public transportation. (GP 2-11)

The DEIR indicates that NCTD might be interested in a bus stop. The project is isolated from existing villages and entirely car-dependent. If approved there are no commercial amenities, no schools, and no parks until phase 3, 6-8 years after building phase one houses in an area entirely removed from public transportation. The Project does not have easement rights for the required ingress and egress to the planned homes. If the homes were constructed, they would undermine rather than enhance existing connectivity by the applicant's request to downgrade a portion of West Lilac Road from a 2.2C Circulation Element road to a 2.2F Circulation Element road.

August 13, 2013

In short, my adding 5,185 residents in an automobile dependent commuter community with no access to public transit and with a degradation in road standards, the project will degrade emergency ingress and egress for fire, law enforcement and evacuation in the event of fire and detract from, not support, community development patterns in the existing central Villages.

Guiding Principle 7: Maintain environmentally sustainable communities and reduce green house gas emissions that contribute to climate change. (GP p. 2-12)

This Project claims it is environmentally sustainable, but ignores fundamental requirements for sustainable building where substantial investments have already been made in urban infrastructure and amenities. Moreover, the project replaces agricultural operations and functioning rural lands that genuine “sustainable development” would preserve and protect. The characterization of the project as “sustainable” is without factual support and undermines the ability of the public and decisions makers to reasonably evaluate the project and its impacts.

Guiding Principle 8: Preserve agriculture as an integral component of the region’s economy, character, and open space network. (GP p. 2-13)

The Project conflicts with this principle by removing 504 acres of productive agricultural lands from use and replacing this valuable acreage with an urban city. The DEIR relies on an inappropriate model to devalue existing productive agriculture and ignores the reality that the project site and surrounding area contain some of the most unique and valuable agricultural operations in the region.

Guiding Principle 9: Minimize public costs of infrastructure and services and correlate their timing with new development. (GP p. 2-14)

The SP and implementation plan are inconsistent with this principle and are geared to increase public infrastructure costs while minimizing the Applicant’s infrastructure costs, in an area currently devoid of infrastructure.

Guiding Principle 10: Recognize community stakeholder interests while striving for consensus. (GP p. 2-14)

This applicant has ignored the Valley Center community and the Valley Center Community Planning Group throughout the planning process. No changes or attempts to reach consensus were ever made in response to community comments and concerns.

The project is inconsistent with and fails to fulfill the foregoing guiding principles.

August 13, 2013

V. COUNTY PLANNING STAFF IDENTIFIED 121 GP POLICY CONFLICTS IN THE SCOPING LETTER. THESE CONFLICTS ARE NOT ANALYZED IN THE DEIR OR THE SPECIFIC PLAN

On June 13, 2012, County staff issued a “*Project Issue Checklist*” listing (on 350-plus pages) more than 1000 project “issues” regarding the project and its planning documents. The list included Major Project Issues (with GP Policies) as well as GP and CP Policies that posed potential conflicts.

The staff directive to the applicant at that time was, “*Please immediately review the policies and indicate to staff how you would propose to revise these policies or if you disagree with staff’s analysis. If policy revisions are required to the County’s General Plan, then the project’s EIR must also analyze the impacts to the County’s General Plan.*” In subsequent editions, the “Checklist” refers the reader to other documents – in some instances to a GPAR (General Plan Amendment Report), in others to the Land Use Section of the DEIR. However, a review of these resources shows there is no policy by policy discussion of consistency. This level of analysis must be provided.

The June 13, 2012 version of the Project Checklist is attached hereto as Exhibit “4”. The DEIR should discuss in detail each of these GP and CP consistency issues.

VI. THE LIMITED CONSISTENCY ANALYSIS THAT DOES APPEAR IN THE DEIR IS INCOMPLETE AND INSUFFICIENT

The DEIR (in Section 3.1.4.1, pp 3-56–3-64) lists what it calls the “relevant policy and regulatory framework” for the project. But this list is not the detailed analyses that CEQA requires; instead, under the rubric of “Existing Conditions” this section is mainly a summary of applicable planning documents.

Section 3.1.4.2 (p 3-64) is titled “Analysis of Project Impacts and Determination of Significance.” In the subsection entitled “*Impact Analysis*” specifics are either missing or inadequate, and replaced with brief descriptions of the project followed by unsupported assertions. Select examples follow:

1. The DEIR fails to identify the array of GP policies that would have to change in order to approve the proposed SP/GPA. Instead, the DEIR merely asserts the unsupported conclusion that: “*The proposed project includes a General Plan Amendment which, if approved, would result in the project being consistent with the General Plan.*”
2. There is no discussion of LEED ND criteria, and the GP Community Development Model is presented as if it is no more than an arrangement of densities rather than a reflection of a whole complex of interdependent ideas about sustainable development. Nevertheless, the DEIR asserts without any

August 13, 2013

substantiation that *“the proposed project would be consistent with the Community Development Model of the County General Plan and designed to meet the LEED Neighborhood Development Certification or an equivalent.”*

3. In the few cases where specific GP policies are cited, the evidence for consistency with the policy is in some cases asserted by merely repeating the language of the policy itself. For LU-1.2: *“the project is not “leap frog development” because it is designed to conform to the Community Development Model, provides necessary services and facilities, and would be designed to meet the LEED Neighborhood Development Certification or an equivalent.”* For LU3-1, LU3-2 and LU3-3: *“The project likewise provides ‘a complete neighborhood’ to include a neighborhood center within easy walking distance of surrounding residences (LU-3-3) while providing a mixture of residential land use designations and development regulations that accommodate various building types and styles (LU-3-1 and LU-3-2).”*
4. In a few cases where the SP/GPA proposes amendments to Mobility Element road classifications or acceptable LOS, the DEIR asserts that the SP/GPA is not inconsistent with the GP because relaxing the standards makes it consistent. Again, the tail is wagging the dog and consistency is achieved only by amending the General Plan to fit the project.
5. The DEIR (Section 3.1.4, p 3-56, Land Use Planning, line 4) refers the reader to the Specific Plan, and asserts incorrectly (p. 3-65) that *“the project’s conformance with other General Plan policies is detailed in the Specific Plan. Overall, the project would be consistent with the General Plan; therefore land use impacts associated with policy inconsistencies would be **less than significant.**”*
6. In its cursory and indefensible dismissal of Growth Inducement (DEIR 1.8.1 p. 1-37) the DEIR states: *“...While the project site and surrounding areas are not identified in the General Plan for growth, it is a location where such growth is likely to occur because the project area can accommodate the growth.”* The DEIR then makes the untenable assertion that : *“Typical obstacles to growth include a lack of services and infrastructure **which are not present in this area.** The project area is positioned in proximity to the I-15 and within existing districts for sewer water and fire service. There is an adequate road network offering multiple routes throughout the project and would ultimately connect with freeway ramps.”* Elsewhere, the DEIR acknowledges and recognizes the project’s lack of infrastructure in the areas of road, water and sewer but inconsistently asserts at p. 1-37 that these obstacles to growth are not present in this area. The DEIR disingenuously continues: *“By itself, the proposed project takes advantage of the location of the project site, but would not result in any change in density for surrounding areas....”* There is a brief reference to potential increased density from

August 13, 2013

Property Specific Requests near the Project, **but there is NO discussion or analysis of the growth inducing impacts of new road, water and sewer infrastructure that properties west, east and south of the project would rely upon as reasons why they too should be developed at comparable higher, urban densities. The DEIR's conclusions concerning growth inducement are indefensible.**

7. The DEIR should also discuss and analyze the growth inducing impact and precedential effect of approving this project's notion that the Community Development Model is simply a "Village" puzzle piece that any developer can drop anywhere in the San Diego County's rural countryside.
8. There is no General Plan Amendment Report (GPAR). Historically, a GPAR presents the details of a GPA and discusses its consistency, or lack of consistency, with all GP elements, but this *Specific Plan* text does NOT include a *General Plan Amendment Report (GPAR)* even though the SP at page 1-12 states that "... Chapter V of the General Plan Amendment Report and Appendix A provides detailed analysis regarding how and why this Specific Plan is consistent with the goals and policies of the County General Plan..." There is neither a GPAR nor an Appendix A! This is a fundamental problem requiring a rewrite and reissuance of the DEIR.

VII. ADDITIONAL APPLICABLE GENERAL PLAN GOALS AND POLICIES NOT DISCUSSED OR ANALYZED IN THE DEIR INCLUDE:

A. Land Use Element

LU-1.4 Village Expansion: *"Permit new Village Regional Category designated land uses **only where contiguous** with an existing or planned Village and where all the following criteria are met:*

- *Public facilities and services can support the expansion without a reduction of services to other County residents*
- *The expansion is consistent with community character, the scale, and the orderly and **contiguous** growth of a Village area."* (emphasis added).

Comment-INCONSISTENT: If there was an existing or planned Village in western Valley Center, Accretive could try to use this provision, instead of being prohibited by the Leapfrog Development provisions of LU-1.2. However, the only "existing or planned Village" in Valley Center is the Village in the central valley where north and south nodes are separated by a dramatic escarpment and Moosa and Keyes Creeks. This area has existed as a "Village", has been planned for expansion for more than 50 years and was designated a SANDAG Smart Growth Opportunity area with the recent update of the County General Plan. The area is sewered and has received a large grant from the state of California to expand wastewater facilities. Valley Center Road which traverses this area and connects to Escondido and Pauma Valley was improved to Major Road standards only a few years ago in anticipation of expanded

August 13, 2013

development here. The Valley Center Community Planning Group has increased residential densities in this area so that about 25% of the community's growth can be accommodated in the "vibrant, compact Villages" the community has envisioned.

This provision is a clear companion and complement to the other GP goals and policies designed to intensify development in existing Village areas and avoid leapfrog development by permitting new Village uses only where contiguous with an existing Village. The Project cannot satisfy this foundational requirement and fails to meet the additional criteria: Its construction would clearly reduce services to all Valley Center residents outside the development by taking away from the economic viability of the existing two Villages, as well as blocking emergency evacuation ability for current residents. Its urban pattern is totally out of "character and scale" with Valley Center's vision. A new Regional Category Village is simply not authorized if this Land Use policy is to be given effect according to its plain meaning.

LU-2.3 Development Densities and Lot Sizes: *"Assign densities and minimum lot sizes in a manner that is compatible with the character of each unincorporated community."*

Comment-INCONSISTENT: This is another example of the interrelated and internally consistent fabric of the GP. Densities and lot sizes reflect community character. Valley Center's community character is primarily rural, exemplifying the Community Development Model at the heart of the GP. Urban densities and lot sizes proposed by this Project are inconsistent with the Semi-Rural land use designations established by the GP and CP for this area.

LU-2.4 Relationship of Land Uses to Community Character: *"Ensure that the land uses and densities within any Regional Category or Land Use Designation depicted on the Land Use Map reflect the unique issues, character, and development objectives for a Community Plan area, in addition to the General Plan Guiding Principles."*

Comment-INCONSISTENT: Requiring projects to comply with the applicable Community Plan is the most effective way to meet the GP Goal LU-2, to maintain the county's rural character. Valley Center's community character is primarily rural, exemplifying the Community Development Model at the heart of the GP. This Project is inconsistent with the Semi-Rural land use designations established by the GP and CP for this area, as well as all the Guiding Principles.

LU-5.3 Rural Land Preservation: *"Ensure the preservation of existing open space and rural areas (e.g., forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, and groundwater recharge areas) when permitting development under the Rural and Semi-Rural Land Use Designations."*

Comment-INCONSISTENT: The Project as proposed fails to ensure the preservation of this rural area.. The proposed project destroys open space, agricultural lands, wildlife habitat and corridors, and watersheds with its urbanized design, density, and size. Urban densities and lot sizes proposed by this Project are inconsistent with

August 13, 2013

the Semi-Rural land use designations established by the GP and CP for this area.

LU-6.1 - Environmental Sustainability: *“Require the protection of intact or sensitive natural resources in support of the long-term sustainability of the natural environment.”*

Comment- INCONSISTENT: There have been thirteen (13) Group 1 animal ‘species of concern’ observed on the Accretive project site. DEIR Subchapter 2.5-11. They include lizards, snakes, raptors, small mammals, large mammals and passerine birds. Most of the wildlife surveys conducted focused on the proposed open space areas, functionally ignoring the environmental value for foraging and habitat of the considerable land area devoted to agriculture. Of the 608-acres on the Project site, 504-acres will be graded, cut and filled, for the construction of the Project.

The DEIR acknowledges the impacts to these 13 species [and presumably to other species numerous enough not to be of concern], and particularly the significant impacts to the foraging habitat of the raptor species [white-tailed kite, Cooper’s hawk, turkey vulture] due to the loss of 504-acres of foraging area [including agricultural areas]. DEIR Subchapter 2.5-18, 34. The DEIR dismisses this loss with 81.7-acres of on- and off-site mitigation area (DEIR Subchapter 2.5-38) [presumably already populated by members of these species with whom the impacted Project species will compete] and a substantial differential from the entire 608-acres actually impacted by the Project. Many of the individuals of the 13 species will be killed during construction operations, particularly the smaller, less mobile animals. Those surviving the construction impacts will be forced into new territory.

The Project is not consistent with this policy and fails to require the protection of sensitive natural resources with the exception of riparian wetlands. Such practices of building urban density projects in rural and even agricultural areas will ultimately decimate the natural environment.

LU-6.4 Sustainable Subdivision Design: *“Require that residential subdivisions be planned to conserve open space and natural resources, protect agricultural operations including grazing, increase fire safety and defensibility, reduce impervious footprints, use sustainable development practices, and when appropriate, provide public amenities. [See applicable community plan for possible relevant policies.]”*

Comment-INCONSISTENT: The Accretive Project instead proposes the minimum required open space, eliminates existing and imperils adjacent agricultural operations, and substantially worsens fire safety and defensibility, as shown by the Deer Springs Fire District comments. Instead of reducing impervious footprints, it proposes 1,746 residential units and commercial development, covering 504 of its 608 acres. Trumpeting “sustainable” development practices, it completely ignores the fundamental requirements of LEED ND to have a Smart Location and preserve Agriculture. The public amenities necessary to support this proposed city in the country, such as parks, schools and sewers, are all couched in “conceptual” terms, with built-in defaults to convert acres to still more additional residences. If, for example, the school or park sites

August 13, 2013

(proposed without school and park amenities or facilities) are not accepted, the SP provides for their easy conversion to residential uses.

LU-6.6 Integration of Natural Features Into Project Design: *“Require incorporation of natural features (including mature oaks, indigenous trees, and rock formations) into proposed development and require avoidance of sensitive environmental resources.”*

Comment-INCONSISTENT: Over four million cubic yards of grading destroys natural features and creates “manufactured” hills suitable only for urbanized residential construction. Native vegetation habitats will be destroyed and mitigated off-site. Animal populations will be destroyed or shoved to the remaining riparian set-asides or off-site. Avoidance of sensitive environmental resources is minimal. Destruction of this area’s natural features and mitigation elsewhere are the preferred approaches for this project and are inconsistent with this policy and Valley Center planning objectives.

LU-6.7 Open Space Network: *“Require projects with open space to design contiguous open space areas that protect wildlife habitat and corridors; preserve scenic vistas and areas; and connect with existing or planned recreational opportunities.”*

Comment-INCONSISTENT: This Project has reserved minimal open space along wetlands and riparian areas that are protected by federal, state, and county laws. The continuity of the open space will be broken by multiple road crossings with culverts mostly inadequately sized for safe wildlife passage. Intensely urban development will dominate the presently rural agricultural and natural vistas with rows of dense urban rooftops. The open spaces being set aside are not coordinated with the draft Multiple Species Conservation Program/Pre Approved Mitigation Area (“MSCP/PAMA”) and will not connect with any similar open space uses off-site. While the Project is within the draft MSCP boundary, it is not part of a PAMA.

LU-6.9 Development Conformance with Topography: *“Require development to conform to the natural topography to limit grading; incorporate and not significantly alter the dominant physical characteristics of a site; and to utilize natural drainage and topography in conveying stormwater to the maximum extent possible.”*

Comment-INCONSISTENT: The destruction of natural features proposed by this Project’s over four million cubic yards of grading is clearly inconsistent with this policy. The Project does not limit grading in a manner consistent with this policy. The Project proposes to significantly alter the dominant physical characteristics of the site.

LU-9.6 Town Center Uses: *“Locate commercial, office, civic, and higher-density residential land uses in the Town Centers of Village or Rural Villages at transportation nodes....”*

Comment-INCONSISTENT: As previously pointed out in the comments on the Project’s failure to meet the LEED ND Smart Location Requirement, the Project is not designed as a Transit Corridor or Route with Adequate Transit Service. It is not a “transportation node.”

August 13, 2013

LU-9.11 Integration of Natural Features into Villages: *“Require the protection and integration of natural features, such as unique topography or streambeds, into Village projects.”*

Comment-INCONSISTENT: This provision was included in the GP because Valley Center required the developers of the north Village to do exactly that, making the streambed there an open space centerpiece of their design in their cooperative plans for their adjacent projects. Accretive instead proposes to obliterate the natural topography for their entire project site, grading over four million cubic yards of “natural features” into faux hills.

LU-10.2 Development- Environmental Resource Relationship: *“Require development in Semi-Rural and Rural areas to respect and conserve the unique natural features and rural character, and avoid sensitive or intact environmental resources and hazard areas.”*

Comment- INCONSISTENT: This Project does not respect nor significantly conserve the unique natural flora and fauna of the site, nor does it conserve the rural character of the site. This Project will destroy a mosaic of natural vegetation habitats that are interspersed among agricultural uses. The current mix of natural habitats, orchards and row crops provides distinctive opportunities for a variety of faunal species [several of them sensitive], benefits the local hydrology by restraining and filtering run-off, and presents a pastoral viewshed that is historically characteristic of north San Diego County. The Project will create severe hydrology issues with the addition of hundreds of acres of impermeable road and rooftop surfaces that will cause excessive run-off. Run-off that would otherwise enter the water table and help to stabilize levels vital to the riparian habitats downslope, will be impounded and/or dispersed on the surface.

The Project will be composed of dense urban village configurations that are completely at odds with rural and semi-rural areas and the natural habitats and populations they support.

B. Mobility Element

M-12.9 Environmental and Agricultural Resources: *“Site and design specific trail segments to minimize impacts to sensitive environmental resources, ecological system and wildlife linkages and corridors and agricultural lands. Within the MSCP preserves, conform siting and use of trails to County MSCP Plans and MSCP resource management plans.”*

Comment-INCONSISTENT: Presently, the trails proposed for the Project will intrude into the buffer and Limited Building Zone (“LBZ”) areas adjacent to the designated biological open space as well as the open space itself. The fences proposed to separate and protect segments of the open space from the edge effects created by the Project [human intrusions, domesticated cats and dogs, invasive plant species, etc.] will also create barriers to the movement of wildlife. Instead of treating the biological

August 13, 2013

open space as retreats and corridors for the movement of wildlife, the trails proposed would become parks for humans and their pets. This will have an adverse effect on the value of the open space for wildlife.

C. Conservation And Open Space Element

GOAL COS-2 Sustainability of the Natural Environment: *“Sustainable ecosystems with long-term viability to maintain natural processes, sensitive lands, and sensitive as well as common species, coupled with sustainable growth and development.”*

Comment-INCONSISTENT: The Project will eliminate 504-acres of mixed native and agricultural lands that provide foraging area for numerous animal species identified in the biological resources report. This represents an incremental loss of habitat and ultimately a loss of local wildlife populations within the county and the Project site. The removal of the project site from the inventory of rural lands to create an urban village will constitute an irreversible loss and opposes the intent of sustainable development. It will result in growth inducing pressure on surrounding properties as the rural and natural characteristics of the land disappear.

COS-2.1 Protection, Restoration and Enhancement: *“Protect and enhance natural wildlife habitat outside of preserves as development occurs according to the underlying land use designation. Limit the degradation of regionally important Natural habitats within the Semi-Rural and Rural Lands regional categories, as well as within Village lands where appropriate.”*

Comment-INCONSISTENT: This Project proposes to set a devastating precedent for the intrusion of urban development into rural lands. While the Project site is within the MSCP boundary, it is not a part of a PAMA. The site is presently designated for estate housing and agricultural uses but would be modified to allow urban village densities, which would diminish rural and natural lands within the MSCP area and likely induce similar densities on surrounding properties. Such creeping higher densities within the MSCP would ultimately impact the neighboring PAMA areas through edge effects and compromise the value of those native habitats and the intent of the MSCP/PAMA program.

COS- 2.2 Habitat Protection through Site Design: *“Require development to be sited in the least biologically sensitive areas and minimize the loss of natural habitat through site design.”*

Comment- INCONSISTENT: Like GP Goal COS 2.2, the prerequisite of the LEED ND standard also is to place development in smart growth locations, such as urban infill and brown fields or adjacent to urban areas where there is easy access to infrastructure and job centers. This Project fails to meet those goals and, consequently, it will cause significant destruction of biological assets in an area that should be spared under the criteria for a smart growth location.

August 13, 2013

COS- 3.1 Wetland Protection: *“Require development to preserve existing natural wetland areas and associated transitional riparian and upland buffers and retain opportunities for enhancement.”*

Comment-INCONSISTENT: The project is preserving and restoring the on-site wetlands, habitats that are in shortest supply regionally, but the upland components will be subjected to severe grading, and fuel modification to accommodate the development. Rather than retaining any opportunity for preservation or enhancement, the upland areas will be deprived of any continuing value for both flora and fauna.

COS- 3.2 Minimize Impacts of Development: *“Require development projects to:*

- *Mitigate any unavoidable losses of wetlands, including its habitat functions and values; and*
- *Protect wetlands, including vernal pools, from a variety of discharges and activities, such as dredging or adding fill material, exposure to pollutants such as nutrients, hydromodification, land and vegetation clearing, and the introduction of invasive species.”*

Comment –INCONSISTENT: The Project proposes to mitigate the loss of wetlands caused by new road crossings by restoring or creating wetlands on-site adjacent to existing wetlands. The value of mitigating wetland losses on-site is questionable given the edge effects caused by human intrusion, domestic cats and dogs, invasive plant species, trash, etc. that cause mitigation efforts to be diminished.

The trails plan exacerbates these edge effects by establishing trails within and adjacent to the biological open spaces.

Further, the Project’s storm water run-off from the construction of hundreds of acres of impermeable surfaces will impact the water regime within the biological open spaces. Adding too much or, conversely, removing too much water from the water table can have adverse effects on the survivability of the riparian habitat.

D. Housing Element

H-1.9 Affordable Housing Through General Plan Amendments: *“Require developers to provide an affordable housing component when requesting a General Plan amendment for a large-scale residential project when this is legally permissible.”*

Comment-INCONSISTENT: There appears to be NO discussion anywhere in the SP or DEIR regarding Affordable Housing or Goal H-1 and Policy H-1.9. Perhaps, since there are no firm plans for anything beyond the Phase I -354 homes, the County considers this not to be a “large-scale residential project” Since the overall Project proposes more than 1,746 homes and over 5000 new residents, it appears to be a “large-scale residential project” for which the GP requires an affordable housing component. The DEIR should contain some discussion and analysis of why this provision is not applicable or is otherwise satisfied.

August 13, 2013

H-2.1 Development That Respects Community Character: *“Require that development in existing residential neighborhoods be well designed so as not to degrade or detract from the character of surrounding development consistent with the Land Use Element. [See applicable community plan for possible relevant policies.]”*

Comment: Requiring projects “not to degrade or detract from the character of surrounding development consistent with the Land Use Element” explicitly ties housing back to the bedrock Land Use Element, the Community Development Model, and the LEED ND Smart Location Requirement. Placing an urban project the size of Del Mar into a rural, predominantly agricultural area designated for Semi-Rural uses, is a significant degradation and detract from the “character of surrounding development.” This Project is inconsistent with the Semi-Rural land use designations established by the GP and CP for this area, as well as all the Guiding Principles.

VIII. VALLEY CENTER COMMUNITY PLAN (“VCCP”) INCONSISTENCIES

A. Community Character Goals

*Preserve and enhance the rural character of Valley Center by “maintaining a pattern of land use consistent with the following regional categories: A. **Village.** Enhance the rural village character of Valley Center’s north and south villages... B. **Semi-Rural Lands:** Preserve and maintain the overall rural and agricultural character of the semi-rural areas....”*

Policy 1 “Require that future projects are consistent with the goals, policies, and recommendations contained in the Valley Center Community Plan.

Policy 2. Maintain the existing rural character of Valley Center in future developments by prohibiting monotonous tract developments. Require Site design that is consistent with rural community character.

(VCCP p. 4)

Comment: The SP and DEIR cannot avoid the clear inconsistency with these provisions by the fiction of merely adopting a new Map showing three Villages instead of two. The rural character of the project site, indeed all of the Planning Area, will be destroyed by placing an urbanized area the size of Del Mar in the middle of an active agricultural area. Destruction of a designated Semi-Rural agricultural area cannot be interpreted as “preservation.” The DEIR must, but does not, explain and analyze the environmental effects of this patent inconsistency.

B. Land Use Goals

“Two economically viable and socially vibrant villages where dense residential uses, as well as commercial and industrial uses, are contained.

“ A pattern of development that conserves Valley Center’s natural beauty and resources, and retains Valley Center’s rural character....”

“ Development that maintains Valley Center’s rural character through appropriate location and suitable site design.”

(VCCP p. 8)

August 13, 2013

Comment: The SP and DEIR cannot avoid the clear inconsistency with these provisions which recognize only the two existing Villages, do not contemplate additional villages and are consistent with both the GP and VCCP, the Community Development Model, and the Smart Location requirements of LEED ND. The DEIR must, but does not, explain and analyze the Project's inconsistency with these provisions or environmental effects of these inconsistencies.

C. Village Boundaries Map (VCCP p. 9)

Comment: The SP and DEIR cannot avoid the clear violation of the existing Map, which shows the two existing villages, not three villages. Merely adopting a new Map showing three Villages instead of two fails to address the other resulting conflicts with the numerous identified GP and VCCP provisions. The DEIR must, but does not, explain and analyze the environmental effects of these multiple inconsistencies.

D. Rural Compatibility Policies (VCCP p. 11)

4. *"Require new residential development to adhere to site design standards which are consistent with the character and scale of a rural community. The following elements are particularly important: Roads that follow topography and minimize grading; Built environment integrated into the natural setting and topography; Grading that follows natural contours and does not disturb the natural terrain; Structure design and siting that allows preservation of the site's natural assets; Retention of natural vegetation, agricultural groves, rock outcroppings, riparian habitats and drainage areas."*

5. *"Require new residential development to construct roads that blend into the natural terrain and avoid "urbanizing" improvements such as widening, straightening, flattening and the installation of curbs, gutters and sidewalks. Follow Valley Center's Community Right of Way Development Standards."*

6. *"Buffer residential areas from incompatible activities which create heavy traffic, noise, odors, dust, and unsightly views through the use of landscaping and preservation of open space."*

Comment: Neither the SP nor the DEIR is clear as to which design standards apply. The SP purports to override all county documents and states it prevails over any inconsistent provisions in the GP, VCCP, ordinances or design guidelines. In other places, it states some aspect of the project is consistent with the VC Design Guidelines, implying that they would, nevertheless, be applicable. The many pictures clearly show urbanized design, out of scale and character for a rural community. The massive grading replaces natural hills with manufactured slopes to accommodate urban design, ignoring natural topography for both roads and residences. The request for deviations from road standards is also in direct conflict with these provisions in the VCCP. The DEIR must, but does not, explain and analyze the environmental effects of these inconsistencies.

E. Commercial Goals (VCCP p. 13)

"Commercial uses should be concentrated within the boundaries of these two Village[s]".

August 13, 2013

Policies:

1. *"Prohibit strip commercial development by containing commercial uses in the Cole Grade and Valley Center Road area and the Mirar de Valle Road and Valley Center Road area.*

9. *The Application of Land Use Designation Semi-Rural 2 and regional category of semi-rural lands are proposed for those properties that are currently zoned commercial and located outside of the Villages."*

Comment: Neither the SP nor the DEIR deals with the fundamental fact that the VCCP establishes commercial uses only in the two existing Villages, and eliminates commercial uses elsewhere, consistent with smart growth principles and the Community Development Model. The Semi-Rural Land Use Designation for the Project Site is required by both the GP and SP to remain so. The DEIR must, but does not, explain and analyze the environmental effects of these inconsistencies.

F. Agricultural Policies (VCCP p. 15)

1. *"Support agricultural uses and activities throughout the CPA, by providing appropriately zoned areas in order to ensure continuation of an important rural lifestyle in Valley Center.*

3. *Prohibit residential development which would have an adverse impact on existing agricultural uses."*

Comment: Neither the SP nor the DEIR address this major focus of both the GP and VCCP to "support" Agriculture, not destroy it. The DEIR must, but does not, explain and analyze the environmental effects of this inconsistency.

G. Mobility Policies (VCCP p. 52-53)

2. *"Road design shall reflect the rural character and needs unique the Planning Area. For example, turn radii shall be such that agricultural vehicles and equestrian rigs can be safely accommodated."*

4. *"Road alignment shall minimize the necessity of altering the landscape by following as much as possible the contours of the existing, natural topography without sacrificing safety or sight distance criteria."*

5. *"Required roadside and median landscaping shall reflect standards as outlined in the Valley Center Design Guidelines."*

12: *"Where a clear circulation need that benefits the overall community can be demonstrated, public roads consistent with Department of Public Works policy shall be dedicated and constructed. Where appropriate, future subdivisions shall be required to access public roads via at least two separate access points."*

Comment: As noted above, neither the SP nor the DEIR is clear as to which design standards apply. There appears to have been no consideration of : (1) whether this Project can provide two separate LEGAL access points to public roads; or (2) whether public roads within the project would provide a clear circulation need that benefits the entire community . The massive grading proposed appears to violate the requirement to minimize altering the landscape and follow existing natural topography. The DEIR must, but does not, explain and analyze the environmental effects of these inconsistencies.

H. Fire Protection Policies (VCCP p.54)

1. *“All new development utilizing imported water shall provide infrastructure for fire suppression (such as pipes and hydrants) in accordance with the prevailing standards.”*

Comment: The continued objections of the Deer Springs Fire District to this Project undermine conclusions regarding compliance with this policy The DEIR must, but does not, explain and analyze the environmental effects of this inconsistency particularly when viewed in conjunction with objections from the Fire District.

I. Education Policies (School Facilities) (VCCP p. 54)

1. *“Coordinate school facility planning with residential development to ensure that school facilities will be available to accommodate the increase in enrollment without overcrowding.”*

Comment: No school district has accepted the possible additional students generated by the Project. The residential construction will precede, not be coincident with, school construction. The potential school site will be converted into additional residences if not accepted by a school district. The DEIR must, but does not, explain and analyze the environmental effects of these inconsistencies.

J. Open Space Policies (VCCP p. 62)

3. *“Incorporate publicly and semi-publicly owned land into a functional recreation/open space system wherever feasible.*

5. *Design new residential development in a way that preserves an atmosphere of openness and access to surrounding open space.”*

Comment: The SP only tentatively designates a 12-acre public park site. The Project minimally meets the Park Lands Dedication Ordinance requirement of 3-acres per 1,000 population requirement, falling woefully short of the 10-acres per 1,000 GP goal for parks. At least 350 homes will be constructed and occupied before any parks, public or private are available. The SP makes no provision for construction of park amenities, just dedication of raw land. Overall Project site planning appears to destroy any existing connectivity for animal migration, instead of creating or maintaining a functional open space system. The Project design creates an isolated urbanized compound totally unrelated to its surroundings. This will be a closed community of urban sprawl, not one with “openness and access to surrounding open space.” The DEIR must, but does not, explain and analyze the environmental effects of these inconsistencies.

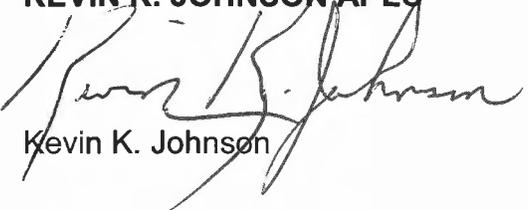
IX. CONCLUSION

The Accretive Lilac Hills DEIR fails to meaningfully analyze an unprecedented number of project inconsistencies with the County General Plan and the Valley Center Community Plan. The SP and DEIR fail to substantiate the limited GP consistency discussion with facts and evidence and fail to justify exemption from the clear prohibitions against Leapfrog development exemplified by this project. These

August 13, 2013

informational shortcomings deprive the public and the decisionmakers of essential information required by CEQA. Under the circumstances, the DEIR must be rewritten and recirculated for public review and comment.

Very truly yours,
KEVIN K. JOHNSON APLO



Kevin K. Johnson

cc: Claudia Anzures, Esq. (via email)
Mark Mead, Esq. (via email)

Attachments:

- Exhibit 1: Letter from Valley Center Community Planning Group("VCCPG") dated March 11, 2013 to Mark Slovick, Project Manager re: Lilac Hills Ranch Specific Plan and Related Documents with Appended Letter from VCCPG dated October 22, 2012
- Exhibit 2: Letter from Valley Center Design Review Board dated February 25, 2013 to Mark Slovick et.al re: Accretive Investment Group's 2nd revised submission (02-13-13) with attached comments from October 15, 2012 and June 14, 2012
- Exhibit 3: Excerpts from LEED 2009 for Neighborhood Development Created by the Congress for New Urbanism, Natural Resources Defense Council and U.S. Green Building Council (Updated October 2012)
- Exhibit 4: June 13, 2012, County of San Diego Planning and Development Services Project Issue Checklist for Lilac Hills Ranch Master Planned Community – Project Number(s) 3800 12-001(GPA), 3810 12-001 (SP), 3600 12-003 (REZ), 3100 5571 (TM), 3100 5572 (TM), 3300 12-005 (MUP), 3500 12-017 (STP), 3500 12-018 (STP)

July 8, 2014

To: Mark Slovick, Project Manager
County of San Diego Planning and Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123
Mark.Slovick@sdcounty.ca.gov
[\(858\) 495-5172](tel:(858)495-5172)

Subject: Revised DEIR Public Comments Regarding Traffic Related General Plan Consistency, and DEIR Chapter 1 Objectives, Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001(GPA), PDS2012-3810-12-001 (SP).

Dear Mr. Slovick:

Attached in Attachment 1 are the August, 2013 Public Comments regarding Lilac Hills Ranch Traffic Related General Plan Consistency Issues.

The REIR did not directly respond to each of the items and failed to adequately respond to the issues raised in this letter and its Attachments.

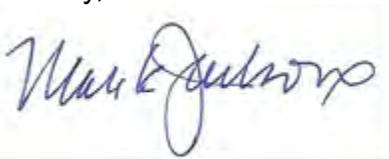
For example, the specific question was asked:

“The third issue is with the highlighted statement that follows: “creating a hydrologically sensitive community in order to reduce urban runoff.” From our analysis of the Accretive Hydromodification Design, we find the analysis is marginal; requiring rainwater collection and storage from rooftops and a total of 23 acres of permeable paving to meet Hydrology requirements with the indicated preliminary design. The truth of the matter is that Accretive is proposing covering large areas of rural farm land with impermeable surfaces. If the Hydro design is compliant, it achieves compliance only in the most optimistic scenarios with scant margin. **Is this what a hydrologically sensitive community is?**”

The Public is entitled to an answer to the question.

Published County policies and specific assurance from County Staff have clearly stated that all August 2013 DEIR comments if resubmitted, will be responded to. Therefore, respond to each specific issue raised in the attached letter as part of the County’s Response to Public Comments for the revised DEIR.

Sincerely,



Mark Jackson
9550 Covey Lane
Escondido, CA 92026
760-731-7327
jacksonmark92026@gmail.com

Attachments

August 16, 2013

To: Mark Slovick, Project Manager
County of San Diego Planning and Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123
Mark.Slovick@sdcounty.ca.gov
[\(858\) 495-5172](tel:(858)495-5172)

Subject: DEIR Public Comment to the Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001(GPA), PDS2012-3810-12-001 (SP), EIR Project Objectives

Dear Mr. Slovick:

The project “objectives” as identified in the DEIR and applied to the specific project site, are inconsistent with the General Plan and the two local Community Plans. In some cases, the “objectives” are meritless and not useful in critically thinking about project “Alternatives”. Collectively, the group of selected “objectives” erroneously assumes there is a need for a brand new, independent Town/Village in the middle of a rural community without essential infrastructure. Functionally, the objectives are crafted and used in a biased fashion to select alternatives that are then ruled out by the objectives themselves.

Objective 1 – The full text of Objective One with comment areas highlighted is below:

“Develop a community within northern San Diego County in close proximity to a major transportation corridor consistent with the County’s Community Development Model for a walkable pedestrian-oriented mixed-use community.”

Develop a community within northern San Diego County in close proximity to a major transportation corridor – The County General Plan, approved just two years ago, before the LHR project application was moving forward, accommodates more growth than SANDAG population forecasts project. There is no need for the project’s proposed housing combinations in the proposed location. There is also no need or requirement to convert land that is designated by the Community Model for agriculture, large animal keeping and estate residential in order to accommodate an additional Village with urban densities in Northern San Diego County.

Importantly, the existing Valley Center Villages (designated by SANDAG as a “Smart Growth Opportunity Area”) are in close proximity to and efficiently connected to the I-15 major transportation corridor. Specifically, both the North and South Village nodes are traversed by Valley Center Road which was improved at a cost of \$50 Million to facilitate intensified commercial and residential development of Valley Center’s central valley. A traditional crossroads since the late 1800s when Valley Center was homesteaded, the

area has designated in the Community Plan for compact village development since the first community plan in the 1960s. Valley Center Road is a 4 lane road with raised medians, specifically a Circulation Element 4.1A Major Road from Woods Valley Rd south to the city of Escondido, and from Lilac Rd. to Miller Rd. The other segments of Valley Center Road through the North and South Villages are 4.2A Boulevard roads. This slightly lower classification reflects the traffic impacts of interconnection with North and South Village traffic flows.

In stark comparison, the proposed Lilac Hills Ranch Project contemplates overburdening 2.2 E and F two lane, narrow winding country roads to Level of Service E and F and requests **ten Exemptions to County Road Standards** on the circulation roads that the project will utilize. The Project proposes adding 22,000 plus Average Daily Trips required by this automobile based commuter community.

Functionally, the Project is not “in close proximity” to the I-15 freeway. Reality is that the granite hills require a twisting, slow 1 ½ mile trip to I-15 south and 3 miles north to I-15 North, from the closest northern point of their development.

From the south at Circle R Drive it is 3.0 miles of the lowest grade of public road in the County to reach I-15 at Gopher Canyon.

Importantly, the project applicant itself (and their self- serving “objectives”) does not have legal right-of-way to use Mountain Ridge and Covey Lane private roads for the Project. It also does not own legal right of way, nor can it require legal right-of-way without the use of Eminent Domain, to build the proposed Covey Lane/West Lilac Road intersection in compliance with minimum County Sight Distance Line standards.

From a full disclosure standpoint, it is misleading to tell the public that the project is in “close proximity” to a major transportation corridor without an analysis of the ability of this Project to mitigate impacts, to safely manage its traffic burden and to pay for the direct off-site impacts of the Project’s congestive Level E and F Level of Service.

In contrast, the “Smart Growth” vision and guiding principles that are essential foundations for the entire County General Plan, has led to planned growth being re-directed to enlarged Village areas where road and sewer infrastructure is in place. Conversely, the new General Plan directs growth away from the more rural countryside.

The General Plan growth in housing units across the entire County of San Diego is summarized in Table 1-1 below.

Table 1-1 San Diego County General Plan Housing Unit Forecast 2010-2050

CPA	Housing Units				Percent Change			
	2010	2020	2030	2050	2010-2020	2020-2030	2030-2050	2010-50
Alpine	6,535	6,690	7,875	9,157	2.4%	17.7%	16.3%	40.1%
Barona	202	170	170	170	-15.8%	0.0%	0.0%	-15.8%
Bonsall	3,875	4,320	5,149	6,151	11.5%	19.2%	19.5%	58.7%
Central Mountain	2,182	2,305	2,589	2,735	5.6%	12.3%	5.6%	25.3%
County Islands	614	607	607	635	-1.1%	0.0%	4.6%	3.4%
Crest-Dehesa	3,562	3,677	3,926	3,978	3.2%	6.8%	1.3%	11.7%
Desert	3,546	3,453	4,337	6,923	-2.6%	25.6%	59.6%	95.2%
Fallbrook	15,929	16,535	18,559	20,387	3.8%	12.2%	9.8%	28.0%
Jamul-Dulzura	3,234	3,372	4,398	5,263	4.3%	30.4%	19.7%	62.7%
Julian	1,711	1,748	1,884	2,015	2.2%	7.8%	7.0%	17.8%
Lakeside	27,575	28,517	30,339	30,915	3.4%	6.4%	1.9%	12.1%
Mountain Empire	3,023	3,056	3,903	5,108	1.1%	27.7%	30.9%	69.0%
North County Metro	16,114	19,548	24,090	25,946	21.3%	23.2%	7.7%	61.0%
North Mountain	1,527	1,759	2,002	2,388	15.2%	13.8%	19.3%	56.4%
Otay	7	490	2,035	2,156	6900.0%	315.3%	5.9%	30700.0%
Pala-Pauma	1,980	2,285	3,037	4,399	15.4%	32.9%	44.8%	122.2%
Pendleton-De Luz	7,531	8,533	8,684	8,797	13.3%	1.8%	1.3%	16.8%
Rainbow	708	750	881	963	5.9%	17.5%	9.3%	36.0%
Ramona	12,376	12,692	14,107	15,140	2.6%	11.1%	7.3%	22.3%
San Dieguito	10,993	11,053	11,924	13,601	0.5%	7.9%	14.1%	23.7%
Spring Valley	20,533	20,939	21,837	21,952	2.0%	4.3%	0.5%	6.9%
Sweetwater	4,670	4,657	4,732	4,732	-0.3%	1.6%	0.0%	1.3%
Valle De Oro	15,543	15,648	16,022	15,968	0.7%	2.4%	-0.3%	2.7%
Valley Center	6,638	7,627	9,795	13,411	14.9%	28.4%	36.9%	102.0%
Unincorporated Area	170,608	180,431	202,882	222,890	5.8%	12.4%	9.9%	30.6%
San Diego County	1,158,076	1,262,488	1,369,807	1,529,090	9.0%	8.5%	11.6%	32.0%

SOURCE: SANDAG Profile Warehouse: 2050 Forecast

Please note that the Lilac Hills Ranch project requires General Plan Amendment, and is not included in the estimate of projected Housing Units in Table 1-1, which is based on the August 2011 San Diego County General Plan.

For the entire County of San Diego Housing Units are increasing 32 % from 2010 to 2050.

Valley Center Housing Units as reflected in the August 2011 General Plan are growing 102% from 2010 to 2050, **more than 3 times** the rate of the County overall. This growth is largely in the North and South Villages, which are located where suitable infrastructure is (Roads, Sewers, Schools) located in Valley Center. There are no provisions in the General Plan to provide the requisite infrastructure in the remote proposed site of Lilac Hills Ranch to support urban village land use densities. The two central Villages in the San Diego County General Plan and the Valley Center

Community Plan located in the traditional town center is the logical place for Valley Center to provide more than its fair share of housing for the County.

Bonsall Housing Units as reflected in the August 2011 General Plan are growing 59% from 2010 to 2050, **nearly 2 times** the rate of the County overall. Growth is also planned at the traditional town center, close to the intersection of SR-76 and Mission Road, where necessary infrastructure for dense, urban development is in either on the ground or planned (and funded) to be added shortly.

The combined composite effects of adding Lilac Hills Ranch in addition to General Plan growth is provided in Table 1-2 below:

Table 1-2 Bonsall and Valley Center Composite Housing Unit Analysis

	<i>Housing Units</i>				% Growth from 2010		
	2010	2020	2030	2050	2010 to 2020	2020 to 2030	2010 to 2050
Bonsall	3,875	4,320	5,149	6,151	11.5%	19.2%	58.7%
Valley Center	6,638	7,627	9,795	13,411	14.9%	28.4%	102.0%
Subtotal General Plan	10,513	11,947	14,944	19,562	13.6%	25.1%	86.1%
Lilac Hills Ranch (LHR)		746	1,746	1,746			
Total with LHR included	10,513	12,693	16,690	21,308	20.7%	31.5%	102.7%
Reference: SD County growth	1,158,076	1,262,488	1,369,807	1,529,090	9.0%	8.5%	32.0%

The ONLY mass transit that exists is the North County Transit District (NCTD) Bus Routes 388 and 389 (Attachment A). The closest access is at SR 76 and Old Highway 395, a minimum 4 mile trip north from the project site. These routes run eight times a day and mainly link the Pala, Pauma, Rincon and Valley View Casinos to the Escondido Transit Center. If you are going to a regional shopping center or work center, you must take a 30 minute bus ride to the Escondido Transit Center and transfer to another route.

The mass transit system only works if you are a Casino patron.

consistent with the County's Community Development Model – This Project is not consistent with the San Diego County Community Development Model. **It is Inconsistent with the Community Development Model which is a subset of the San Diego General Plan.**

The General Plan states (San Diego County General Plan: Land Use Framework; Community Development Model, p.3-6): *“The Community Development Model directs the highest intensities and greatest mix of new uses to Village areas, while directing lower-intensity uses such as estate-style residential lots and agricultural and agricultural operations to Semi-Rural areas To facilitate a regional perspective the Regional Categories of Village, Semi-Rural and Rural Lands have been applied to all privately-owned lands ...”*

Clearly, the Community Development Model is not a moveable, abstract concept. If this were true then Village “puzzle pieces” could be dropped into Semi-Rural and Rural lands anywhere in the County and pronounced consistent with the Community Development Model.

Rather, the Community Development Model reflects a complex of planning principles and ideas that are expressed through the General Plan’s Regional Categories. It is the assignment of a particular Regional Land Use Category to a particular piece of land that this SP/GPA proposes to amend. The proposal therefore is inconsistent with the Community Development Model. Again, consistency would be achieved only by amending the General Plan to fit the project.

- In the General Plan (p 3-7) *“Village areas function as the center of community planning areas and contain the highest population and development densities. Village areas are typically served by both water and wastewater systems. Ideally, a Village would reflect a development pattern that is characterized as compact, higher density development that is located within walking distance of commercial services, employment centers, civic uses, and transit.”*
- The proposed site is designated not for Village development but for large semi-rural parcels (SR 10 and SR-4). This proposal to plop a Village into the middle of an area that the Community Development Model designates for Semi-Rural and Rural development requires AMENDING the Community Development Model.
- Further, the site abuts SR-4, SR-10 and Rural-40 acreage. The Community Development Model, which has been applied in Valley Center’s central valley and which this proposal defies, requires a “feathering” of residential densities from intense Village development to SR-0.5, SR-1, SR-2, SR-4, and so forth.
- This SP/GPA is located many miles from areas that the Community Development Model designates for Village development: miles from employment centers, shopping, entertainment, medical services, and civic organizations and activities.
- As for infrastructure, there are few existing roads in the area and they are built and planned to service Semi-Rural and Rural development, as is the current plan. Despite proposing intense Village development, the proponents also propose to retain or reduce capacities of these roads. Additionally, Accretive does not have legal rights to use Covey Lane and Mountain Ridge Private Roads for the purposes

indicated in the LHR Specific Plan and supporting plans and documents. Water infrastructure serves 50 homes and agricultural irrigation. There is no wastewater service.

- The intent of the Community Development Model for Villages is to intensify development in existing Villages -- not to create NEW Villages through the destruction of Semi-Rural and Rural lands. The Community Development Model was applied in Valley Center during the General Plan update process. Village boundaries were drawn. Village densities were planned to feather from the commercial and mixed use core to meet the Semi-Rural designations. The majority of the Valley Center community's future development is now planned for the "Village" areas in the center of the Valley Center Planning Area, at the community's traditional "crossroads" where road, water and wastewater infrastructure, as well as schools, churches, shops and businesses are already in place.

a walkable pedestrian-oriented mixed-use community. There are two issues with this part of Objective 1. The first issue is that the Specific Plan is so NON-SPECIFIC on what the Commercial, Schools, and Parks content of this Project is that **one cannot assess whether anyone walking would reach a desired service of any kind.**

The second issue is that "walkability" is usually defined a ½ mile one way trip. The large majority of the Commercial zoning is in the Northern town center, which is a 1 ½ mile one way trip from the Southern boundary of the Project. People in the South (1 ½ mile) and Middle (1 mile) of this project won't walk to the town center, and the two small commercial areas planted in the Middle and South to create a façade of "a walkable pedestrian community" are not credible walkable destinations. In fact, this creates Urban Sprawl internal to the Lilac Hills Ranch Subdivision.

2.

Objective 2 – The full text with comment areas highlighted is below:

"Provide a range of housing and lifestyle opportunities in a manner that encourages walking and riding bikes, and that provides public services and facilities that are accessible to residents of both the community and the surrounding area."

in a manner that encourages walking and riding bikes - With 10 Exceptions to Road Standards, the Covey Lane/West Lilac intersection with its Sight Distance line that does not meet County Road Standards, and the traffic load the Project will throw on internal and external roads, **who is gonna risk taking a walk or riding a bike?**

public services and facilities that are accessible to residents of both the community and the surrounding area – There are two issues with this statement.

The first issue: what **are** the public services and facilities in this Project? A vague statement about a K-8 school site without any commitment to financing or endorsement

by the School District, a vague description of the minimum acreage of Parks the County requires? Does the undefined Commercial content include a Supermarket or community market? A restaurant of any kind? A retail gasoline service station?

The second issue: “accessible to residents of both the community and the surrounding area” – Accretive’s Traffic Impact Study does not show an influx of non-residents to the area. **Is this because the Applicant is overly optimistically portraying the true Traffic Impact of this Project?**

3.

Objective 3 – The full text is below:

“Provide a variety of recreational opportunities including parks for active and passive activities, and trails available to the public that connect the residential neighborhoods to the town and neighborhood centers.”

There is no demonstrated need for these recreational amenities in the rural environment that exists on and around the project site. Further, the DEIR does not even attempt to address the issue of adding to or upgrading recreational facilities in other areas in Valley Center, including in and around the existing Villages..

4.

Objective 4 - The full text with comment areas highlighted is below:

“Integrate major physical features into the project design, including major drainages, and woodlands creating a hydrologically sensitive community in order to reduce urban runoff.”

There are three issues with this Objective. The first issue is that the Objective is **so vague and subjective that compliance is not measurable.**

The second issue is with the highlighted statement: “Integrate major physical features into the project design, including major drainages, and woodlands”

How is taking 608 acres of Rural Land primarily involved in Agriculture, disturbing 440 acres, and creating large areas of impermeable surfaces consistent with this Objective? The Project includes 83 acres of road surface and 68 acres of manufactured slopes. Is it desirable to increase storm water runoff surface water velocity in concrete channels that increase downstream siltation in the runoff? How does this benefit the woodlands?

The third issue is with the highlighted statement that follows: “creating a hydrologically sensitive community in order to reduce urban runoff.”

From our analysis of the Accretive Hydromodification Design, we find the analysis is marginal; requiring rainwater collection and storage from rooftops and a total of 23

acres of permeable paving to meet Hydrology requirements with the indicated preliminary design. The truth of the matter is that Accretive is proposing covering large areas of rural farm land with impermeable surfaces. If the Hydro design is compliant, it achieves compliance only in the most optimistic scenarios with scant margin. **Is this what a hydrologically sensitive community is?**

5.

Objective 5 – The full text is below:

“Preserve sensitive natural resources by setting aside land within a planned and integrated preserve area.”

The project as proposed will still destroy sensitive natural resources. The fact that it will preserve some resources on site is not a reason to fail to look at an alternative that will save all the resources on site. If the DEIR is fairly going to use this “Objective” to select and discount project alternatives, it needs to specifically analyze the differences in conservation outcomes amongst and between the project alternatives. Further, the DEIR must include a thoughtful analysis of alternative sites for all or part of the project.

6.

Objective 6 – The full text with comment areas highlighted is below:

“Accommodate future population growth in San Diego County by providing a range of diverse housing types, including mixed-use and senior housing.”

The mixed-use and senior housing are included in the Project to achieve the densest possible development yield. The Applicant has added a 200 bed congregate care facility on top of the 1746 Equivalent Dwelling Units, stating that because there is only one communal kitchen, the huge facility technically doesn't add EDU's.

The Applicant in truth has located its “Senior Housing” in Phase 4 and 5 to “spin” the myth that the proposed LHR Project has acceptable Traffic Impacts. Senior dwelling units have the lowest Trip Generation rates for Traffic Impact assessment.

Accretive has limited rights for Covey Lane and Mountain Ridge private roads, which are the required Fire Access exits for Phase 4 and 5. Accretive is “spinning” a second myth that the senior community land uses do not overburden their limited easement rights for private roads.

The reality is that a Senior Community placed in the proposed Lilac Hills Ranch remote location far from Medical Services and shopping will create a larger traffic burden than the SANDAG Trip Generation Tables indicate. This is because the trip generation for SANDAG Senior Residences is based on San Diego County statistical facts. And factually, the majority of Senior Residential Communities are sited in areas where necessary infrastructure and services are in close proximity. Lilac Hills Ranch lacks

necessary infrastructure and services and will require longer and more frequent trips for Senior residents to acquire necessary services.

The jumbled aggregation of “senior orientated” land uses aren’t properly thought out from an available Community Services standpoint – it is an attempt (that fails) to Design around deficient legal rights-of-way for roads.

In this Objective, **the County re-brands dense Urban Sprawl as a desired attribute.**

7.

Objective 7 – The full text is below:

“Provide the opportunity for residents to increase the recycling of waste.”

Having an on-site recycling facility is not the only opportunity to increase recycling of waste.

The General Plan density Community could and should partner with the County to provide local centralized brush chipping. The mulch generated has the benefit of reducing landfill usage or lowering Greenhouse gases by avoiding burning the brush, creates mulch that improves plant growth while lowering water consumption, and the brush clearance lowers fire risks. This is a single example of how any of the alternatives provide opportunities for residents to recycle waste.

Fairly considered, all of the Alternatives comply with this Objective equally.

8.

Objective 8 – The full text is below:

“Provide a broad range of educational, recreational, and social uses and economically viable commercial opportunities within a walkable distance from the residential uses.”

This objective, unless fairly treated as achievable at alternative locations in the Valley Center Community or in the surrounding North County communities, serves only as a preconceived basis to reject project alternatives that are anything less than the full project on the specific project site.

Further, the DEIR should look at how developing a Project at the proposed General Plan densities and preserving existing agriculture and residential based businesses (such as the existing Accretive Agricultural Office located on 32444 Birdsong Drive) on the same or nearby parcels could achieve Objective 8 perhaps better than the proposed project.

Summary

The proposed LHR Project meets very few of its own Objectives and the Objectives are used in the DEIR as tools to limit the range of Alternatives discussed and to reject Alternatives that are consistent with the General Plan. The “Objectives” for the project should be adjusted with the primary goal of building a project consistent with the County’s new General Plan.

Sincerely,

Mark Jackson
9550 Covey Lane
Escondido, CA 92026
760-731-7327
jacksonmark92026@gmail.com

Attachment A: North County Transit District Breeze Bus Routes 388 and 389

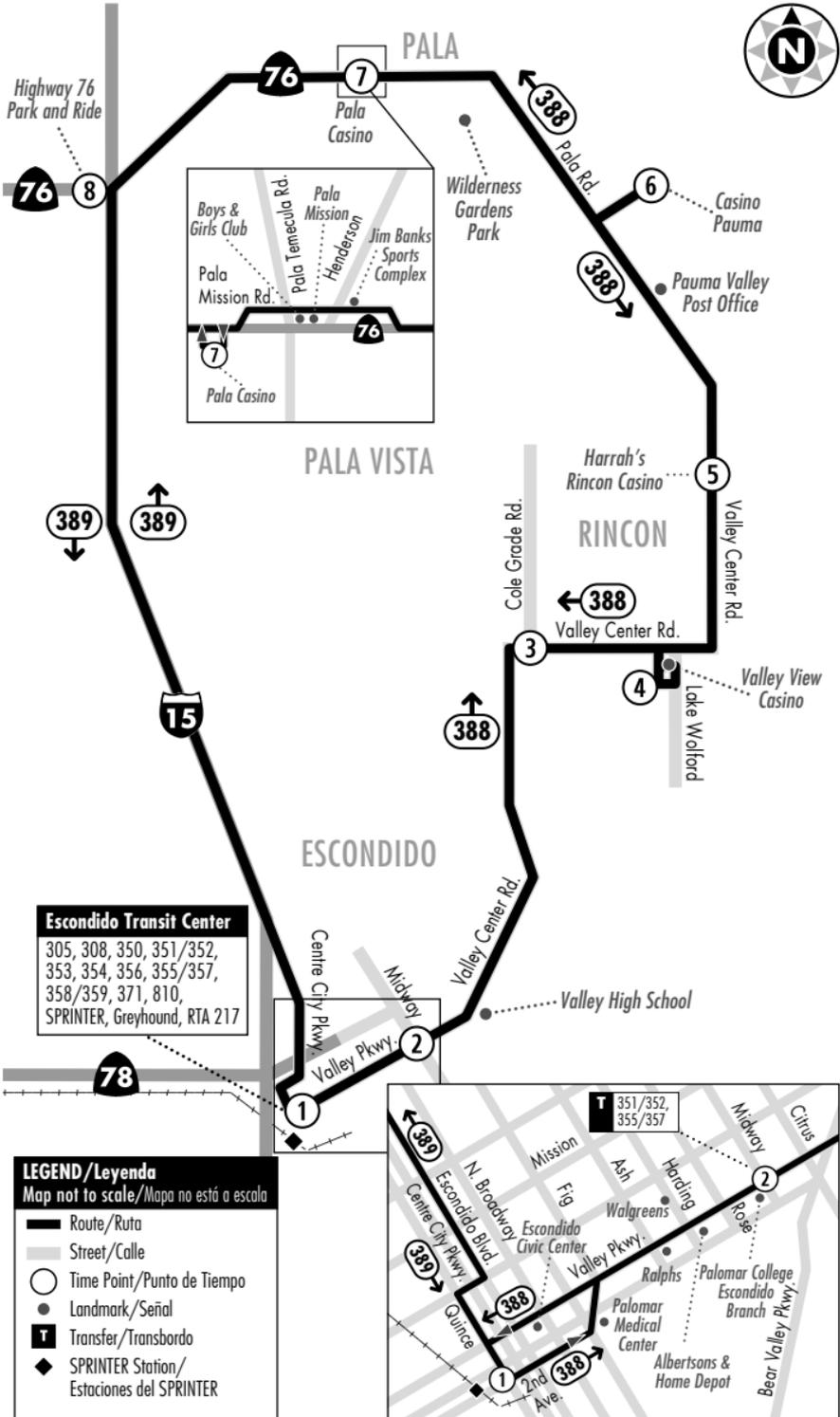
388/389

Escondido to Pala

M-F • SA • SU • H

Destinations/Destinos

- Palomar College Escondido Branch
- Regal Cinemas
- Palomar Medical Center
- Harrah's Rincon Casino
- Pala Casino
- Casino Pauma
- Valley View Casino
- East Valley Community Center
- Highway 76 Park and Ride



Bold denotes P.M. times/Horarios en negritas son en la tarde

388 Monday - Sunday						
Northbound to Pala via Valley Center						
Escondido Transit Center	Valley Pkwy. & Midway Dr.	Valley Center Rd. & Cole Grade Rd.	Valley View Casino	Harrah's Rincon Casino	Casino Pauma	Pala Casino
1	2	3	4	5	6	7
5:03	5:17	5:33	5:44	5:53	6:07	6:28 _a
7:03	7:18	7:38	7:50	8:01	8:16	8:46
9:03	9:18	9:35	9:48	10:02	10:22	10:52
11:03	11:20	11:39	11:52	12:03	12:23	12:48_p
1:03	1:21	1:40	1:53	2:04	2:23	2:50
3:03	3:21	3:39	3:53	4:05	4:22	4:49
5:03	5:23	5:42	5:54	6:05	6:22	6:49
7:03	7:23	7:42	7:54	8:05	8:20	8:44

388 Monday - Sunday						
Southbound to Escondido via Valley Center						
Pala Casino	Casino Pauma	Harrah's Rincon Casino	Valley View Casino	Valley Center Rd. & Cole Grade Rd.	Valley Pkwy. & Midway Dr.	Escondido Transit Center
7	6	5	4	3	2	1
7:05	7:25	7:46	8:03	8:12	8:32	8:44 _a
9:05	9:25	9:46	10:03	10:12	10:32	10:44
11:05	11:25	11:46	12:03	12:12	12:32	12:44_p
1:07	1:28	1:48	2:05	2:14	2:36	2:50
3:05	3:25	3:45	4:01	4:11	4:32	4:46
5:04	5:26	5:47	6:01	6:10	6:34	6:48
7:03	7:21	7:41	7:56	8:05	8:27	8:38
9:03	9:22	9:42	9:59	10:08	10:30	10:39

Routes 388 and 389 are funded in part by a federal 5311(c) grant received by the Reservation Transportation Authority.

Las Rutas 388 y 389 están respaldadas en parte por un subsidio federal 5311(c) recibido por la Autoridad de Transporte de las Reservas Indígenas.

388/389

Escondido to Pala

Bold denotes P.M. times/Horarios en negritas son en la tarde

389 Monday - Sunday Northbound to Pala via Interstate 15		
Escondido Transit Center	Highway 76 & Interstate 15	Pala Casino
1	8	7
6:03	6:31	6:53 _a
8:03	8:31	8:53
10:03	10:31	10:53
12:03	12:34	12:55_p
2:03	2:32	2:53
4:03	4:33	4:52
6:03	6:33	6:51
8:03	8:32	8:52

389 Monday - Sunday Southbound to Escondido via Interstate 15		
Pala Casino	Highway 76 & Interstate 15	Escondido Transit Center
7	8	1
7:05	7:18	7:45 _a
9:05	9:17	9:44
11:05	11:18	11:46
1:07	1:20	1:47_p
3:05	3:18	3:45
5:04	5:17	5:44
7:03	7:17	7:42
9:04	9:18	9:43

Routes 388 and 389 are funded in part by a federal 5311(c) grant received by the Reservation Transportation Authority.

Las Rutas 388 y 389 están respaldadas en parte por un subsidio federal 5311(c) recibido por la Autoridad de Transporte de las Reservas Indígenas.

July 8, 2014

To: Mark Slovick, Project Manager
County of San Diego Planning and Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123
Mark.Slovick@sdcounty.ca.gov
[\(858\) 495-5172](tel:(858)495-5172)

Subject: Revised DEIR Public Comments Regarding Traffic Impact Study, and DEIR Chapter 2.3 Traffic Impacts, Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001(GPA), PDS2012-3810-12-001 (SP).

Dear Mr. Slovick:

Attached in Attachment 1 are the August, 2013 Public Comments regarding Lilac Hills Ranch Traffic Impact Study Issues.

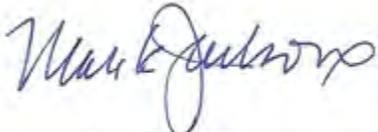
The REIR factually did not directly respond to each of the items and failed to adequately respond to the issues raised in this letter.

For example, specific questions were asked regarding Trip Generation, and were not directly and completely answered in the RDEIR Traffic Impact Study.

Specifically, the REIR did not provide an answer to the questions raised on every questioned element of the attached Traffic Impact Study Comment letter.

Published County policies and specific assurance from County Staff have clearly stated that all August 2013 DEIR comments if resubmitted, will be responded to. Therefore, respond to each specific issue raised in the attached letter as part of the County's Response to Public Comments for the revised DEIR.

Sincerely,



Mark Jackson
9550 Covey Lane
Escondido, CA 92026
760-731-7327
jacksonmark92026@gmail.com
Attachment

Darnell & Associates, Inc.

TRANSPORTATION PLANNING & TRAFFIC ENGINEERING

August 16, 2013

Mr. Mark Jackson
9550 Covey Lane
Escondido, CA 92026

D&A Ref. No: 130703

RE: Review of the Lilac Hills Ranch Development (LHR) in the unincorporated Valley Center area Traffic Impact Study (TIS) and Traffic/Transportation Sections of the DEIR for the project.

Dear Mr. Jackson:

In accordance with your authorization, I have reviewed the Traffic Impact Study prepared by Chen Ryan & Associates dated June 28, 2013 and subchapter 2.3 Transportation Traffic of the DRAFT Environmental Impact Report prepared by Recon Environmental, Inc. dated July 3, 2013.

OVERVIEW

The Accretive Group, the project proponent proposes an amendment to the County of San Diego General Plan to develop Lilac Hills Ranch, which encompasses 608 acres in the westernmost portion of the Valley Center Community Plan (VCCP) and the Bonsall Community Plan (BCP). The project proposes to amend the County's General Plan to permit the development of 90,000 square feet of Commercial, Office and Retail space, 50 Room Country Inn, 903 Single Family Detached Homes, 164 Single Family Attached Homes, 211 Residential Units within the mixed use areas, 468 Single Family Detached Age-Restricted Residential Units within a Senior Citizens neighborhood including a Senior Community Center, Group Residential and Group Care Facility, a Dementia Care Facility, Civic Facilities and Public and Private Parks.

Development of the proposed project will reportedly result in the trip generation of 19,428 Daily trips, 1,663 AM peak hour trips and 1,829 PM peak hour trips to be added to the surrounding roadways and intersections.

Chapter 4.4 of the Draft EIR for the project identifies that development consistent with the County's General Plan would allow 110 Single Family Dwelling Units and would preserve 257 acres of open space. Development in accordance with the existing General Plan would result in 1,320 ADT's to be added to the surrounding street system (See Section 4.4.2.3 Transportation Traffic of the DEIR).

Comparison of the existing General Plan development of 1,320 ADT's to the proposed 19,428 ADT's shows that the proposed project would generate 14.7 times more traffic than the approved General Plan.

The recently adopted Mobility Element of the County's General Plan does not include the section of New Road 3 from Highway 395 to West Lilac Road. The deletion of the section of New Road 3 changed the classification of Highway 395 to a four-lane Boulevard with a LOS "D" Capacity = 25,000 ADT and West Lilac Road from Highway 395 to New Road 3 to a Light Collector 2.2C, with intermittent turn-lanes with a LOS "D" Capacity of 13,500 ADT.

West Lilac Road is the primary access road serving the project. Secondary access to/from the project site is proposed to be provided by Covey Lane between West Lilac Ranch Road and Mountain Ridge Road extending north from Circle R. Drive to connect to West Lilac Ranch Road. Both Covey Lane and Mountain Ridge Road are private roads and do comply with the County Design Standards.

The following are my comments on the Traffic Study, General Plan consistency and applicant's requested Design Exceptions to the County's Road Standards.

LILAC HILLS RANCH (LHR)

Comments on the Chen Ryan & Associates Traffic Study dated June 28 2013.

1. Trip Generation:

In reference to Table 4.8 on Page 52 of the Traffic Impact Study (TIS):

In Summary, the LHR TIS calculates 19,428 Average Daily Trips using inappropriate trip generation rates as listed below. A fair and reasonable estimate of traffic volume using SANDAG's Guide for Vehicular Traffic Generation Rates is 21,744 ADT, an 11.9 % increase in ADT volume.

- As suggested in SANDAG's Guide for Vehicular Traffic Generation Rates, a daily rate of 40 vehicular trip ends per 1,000 sq. ft. is used for the "Specialty/Strip Commercial" category. There would be 61,500 sq. ft. of space devoted to this category, resulting in a total of 2,460 daily vehicular trip ends. The term "Specialty/Strip Commercial" is not used, however, on Page 40 of the TIS. Rather, the description given is "local serving, small scale, and boutique style specialty retail." Based on the amount of proposed space and the inclusion of "local serving" in the description, a trip generation rate of 120 daily vehicular trips per 1,000 sq. ft. should have been used in the TIS. The rate of 120 daily vehicular trips per 1,000 sq. ft., per SANDAG, would be applicable to "Neighborhood Shopping Center" and would include "usually, grocery & drugstore, cleaners, beauty and barber shop, & fast food services." This type of businesses would appear to be well-suited for a community at a location such as Lilac Hills Ranch. The lack of such essential services would necessitate travel of five or more miles to a grocery store.

If the more relevant rate of 120 per 1,000 sq. ft. had been used, the result would have been 7,380 daily vehicular trip ends, instead of 2,460 resulting in 21,704 daily trips, likely resulting in significant impacts beyond those identified in the TIS.

The attached Table A (see pg. 4) presents the increase in project traffic.

- A rate of 14 daily vehicular trip ends per 1,000 sq. ft. is used for the office category. Per SANDAG, this rate applies to "Single Tenant Office." The rate for "Standard Commercial Office, less than 100,000 sq. ft.," is 20 per 1,000 sq. ft. In a setting such as Lilac Hills Ranch, office space would likely be needed for such businesses as insurance agencies, real estate agents, financial brokerages, and similar tenants that would individually require much less space than the 28,500 sq. ft. that is proposed. Another possible use would be for doctors' or dentists' offices, with a SANDAG rate of 50 per 1,000 sq. ft. In view of these considerations, the use of 14 daily vehicular trip ends per 1,000 sq. ft. in the TIS is not appropriate. A rate of 20 per 1,000 sq. ft. should have been used in the TIS because it would have been more representative of the likely mix of office uses in Lilac Hills Ranch.

The more relevant rate of 20 per 1,000 sq. ft. had been used; the result would have been 580 daily vehicular trip ends, instead of 399, likely resulting in impacts beyond those identified in the TIS.

2. Internal Trips:

The LHR TIS Internal Trip Generation calculations are flawed and overstate the internal trip capture. The fundamental errors enumerated below substantiate that external traffic flows have been understated in the LHR TIS. The additional external vehicle traffic will compound the already marginal road conditions that exist on Covey Lane and Mountain Ridge Private Roads, as well as all other Project Access points to West Lilac and Circle R Public Roads, and the entire Road Network that services the area. The Traffic Study needs to be corrected to reflect these changes.

In reference to Table 4.9 on Pages 54 and 55 of the TIS:

The calculation of internal trips for the AM peak hour and for the PM peak hour is fundamentally flawed. By definition for a trip to be internal, both the origin and destination of the trip must be within the project. Therefore, the number of internal trip origins in the AM peak hour must equal the number of internal trip destinations in the AM peak hour. Likewise, the number of internal trip origins in the PM peak hour must equal the number of internal trip destinations in the PM peak hour. As an example, if there are 150 internal trip origins in the AM peak hour, but only 100 internal trip destinations are available, there can be only 100 internal trips. The remaining 50 origins cannot be internal, and would necessarily need to have external destinations.

**Table A
COMPARISON OF TRIP GENERATION IN TIS TO SANDAG MODEL**

Land use Category	Table 4.8 in TIS	Daily Vehicular Trips Appendix F	Difference
Residential Uses			
Single Family	9,030	6,240	-2,790
Multi Family	2,250	1,764	-486
Senior Community	1,872	2,025	153
Assisted Living	500	506	6
Residential Subtotal	13,652	10,535	-3,117
Non-Residential Uses			
Specialty/Strip Commercial	2,460	7,380	4,920
Office	399	580	181
B&B/Inn	450	502	52
Church	321	434	113
K-5 School	909	1,183	274
6-8 School (a)	185		-185
Recreation Center (a)	915		-915
Neighborhood/County Park (a)	119		-119
Water Reclamation (a)	14		-14
Recycling Center	4	18	14
LH YMCA (b)		601	601
LH Active Park (b)		482	482
Other Public Service (b)		29	29
Non-Residential Subtotal	5,776	11,209	5,433
TOTAL	19,428	21,744	2,316
(a) Not used in SANDAG Model			
(b) Not used in TIS Increase of 11.9%			

The methodology used in the TIS to estimate internal trips is fundamentally flawed because it results in an unequal number of origins and destinations in each peak hour. Table 4-9 indicates that in the AM peak hour there would be 261 "in" and 231 "out" trips, or origins and destinations, respectively. For the PM peak hour there would be 207 "in" and 189 "out" trips. Since the "in" (trip destination) and "out" (trip origin) numbers are not equal, adjustments are needed.

The revised estimates for internal trips are lower compared to the TIS, by 106 trips in the AM peak hour and 38 trips in the PM. Accordingly, external trips are underestimated in the TIS. Use of the correct peak hourly external trip numbers in the TIS, could have revealed additional impacts, beyond those identified in the TIS.

3. SANDAG Estimate of Internal Trips:

In reference to Page 53 of the TIS and Appendix F:

The 28.8% of internal trips attributed to the SANDAG model run (Page 53 of the TIS) is faulty because the model inputs are faulty. Table A attached presents a comparison of the vehicular trips estimated in Table 4.8 of the TIS (19,248 total daily vehicular trips), compared to the data presented in Appendix F (18,849 total daily vehicular trips). While the total numbers are reasonably close, there are large differences in the estimates for individual land use categories, as documented in Table A. Table A is showing a total of 21,7444 daily trips. In general, the trips for the residential categories are underestimated in the SANDAG model, while the commercial and office categories are overestimated. Since residential uses are typically considered trip productions in the model while commercial and office uses are considered to be trip attractions, the model estimate of internal trips is based, incorrectly, on a much higher number of potential internal attractions. The internal trip calculations need to be revised and the analysis corrected.

4. Roadway Capacity Assumptions under Existing Conditions:

In reference to Table 3.1 on Pages 28 through 30 and text on Pages 19 through 22:

The Level of Service calculations in the TIS are flawed and need to be corrected to reflect the correct project internal trip capture and capacity of each road.

The daily roadway capacity assumptions for existing conditions are based on the incorrect premise that the roadways are built to the full design standards of the applicable classification. In Table 3.1 the Level of Service (LOS) D threshold for 2-lane facilities without a two-way left turn lane is assumed to be either 8,700 or 10,900 with the exception of Valley Center Road and Miller Road (assumed to be 13,500 and 8,000, respectively). There is no indication in the TIS that, in fact, West Lilac Road Circle R Drive, Lilac Road, Old River Road, and other roadways, are not built with the appropriate design features, such as paved shoulder width, sight distance, design speed, curve radii, pavement thickness etc.

The compliance of the existing roadways with the appropriate design standards should have been ascertained if these LOS traffic volume thresholds were used in the TIS. If the facilities are not built with the applicable standards, the LOS traffic volume thresholds should have been reduced.

5. Interchange at I-15/SR-76:

In reference to Page 36:

The I-15/SR-76 Interchange is presently under construction and under the jurisdiction of Caltrans. Impacts and mitigation will require Caltrans concurrence.

Contrary to the statement at the bottom of the page, the ramp terminals at the interchange of I-15/SR-76 are signalized and should have been analyzed for all scenarios. Had they not been signalized, they should have been analyzed as stop-controlled intersections in the same way the interchanges at I-15/Old Highway 395 and I-15/Gopher Canyon Road were analyzed. The results should have been presented in Table 3.2 on Page 34, along with the other interchanges. The applicable analyses should have been performed for all future scenarios.

6. Project Access:

The TIS proposes an intersection with West Lilac Public Road (we shall refer to it as Access Point X) for which there is no road or intersection design disclosure or traffic analysis provided.

For purposes of this discussion the project access point on West Lilac Road approximately mid-way between Main Street (Intersection 26) and Street F (Intersection) will be referenced as Access Point X. Please see Figure 1-3 on Page 4 of the TIS for the location of Access Point X and the circulation system it would serve.

In the TIS, the analysis assumes the presence of Access Point X (described in the previous paragraph), yet the intersection of West Lilac Road and Access Point X is not analyzed in any of the scenarios. Judging from the trip distribution percentages presented in Section 5 of the TIS, Access Point X would accommodate 20 to 40 % of the project traffic. As an example, the information in Figure 4-10A indicates that about half of the traffic to/from Phase A would use Access Point X.

The intersection of West Lilac Road and Access Point X should have been analyzed and appropriate improvements, if any, should have been identified.

The TIS proposes an intersection with Lilac Hills Ranch Road at Covey Lane existing Private Road for which there is no road or intersection design disclosure or traffic analysis provided.

Lilac Hills Ranch Road (LHRR) is the major internal north/south roadway for the proposed LHR subdivision. LHRR is the route to access the LHR Project's Secondary Access Roads, the existing Covey Lane and Mountain Ridge Private Roads.

Accretive has provided NO DETAIL of the Road Design for Covey Lane and/or the Intersection of LHRR and Covey Lane. These are the secondary access roads for compliance with the county's consolidated fire code!

This intersection's design is not disclosed whatsoever and raises two fundamental Traffic and Road Design issues:

1. Site review of the intersection indicates there is inadequate sight distance line and other design considerations that indicate the intersection do not meet County Road Standards.
2. By not disclosing the design details of the LHRR/Covey Lane intersection:
 - a. Environmental Impacts are impossible to assess.
 - b. Conformance to the County of San Diego Road Standards is impossible to assess.

7. Roundabouts:

The presence of roundabouts at the intersections of West Lilac Road/Main Street, West Lilac Road/O Street, and Main Street/C Street is assumed starting with Phase A of project development (Please see Table 5.2, Pages 95 through 98, Intersections 26, 27, and 31). Yet, the roundabouts are not included in any of the "Impact and Mitigation Summary" Tables, starting with Table 5.6 on Page 103 of the TIS.

The roundabouts should be in place before the issuance of the first Certificate of Occupancy in Phase A, and the developer responsibility should be clearly stated. The design speed and the right-of-way requirements for the roundabouts should be identified. It is not clear in the TIS if the roundabouts are going to be located entirely on Lilac Hills Ranch property. These matters should be specifically addressed in the mitigation section of the DEIR and/or FEIR, and should not be deferred for subsequent determination.

8. Mitigation Measures:

The following are comments on the adequacy of the mitigation measures and need to establish thresholds for compliance.

- Table 5.6 on Page 103 identifies no improvements for Phase A of the project. As stated earlier, roundabouts at the intersections of West Lilac Road/Main Street, West Lilac Road/O Street, and Main Street/C Street should have been specified as improvements to be in place before the issuance of the first Certificate of Occupancy.
- Table 5.13 on Page 122 refers to "Phase 4" for the two recommended improvements for Phase B, but the TIS does not explain what Phase 4 represents; nor do the TIS explain how the number 363 EDU was determined.

- Table 5.21, Page 141, recommends that West Lilac Road between Old Highway 395 and Main Street be improved to 2.2C standards by 929 EDU or 9,298 project ADT's in Phase C. As stated earlier for Phase B, the TIS does not explain what Phase 4 represents; nor does the TIS explain how the number 929 EDU was determined. Also, a limit of 9,298 ADT would allow the development of all of the residential uses (except assisted living) through Phase D, without the development of any of the non-residential uses in Phase D or earlier, resulting in 8,952 ADT (Please refer to Table 4.7). Since the stated goal is for the project to achieve a mix of residential and non-residential uses, this threshold is not in the best interests of the County or the residents of Lilac Hills Ranch. The threshold should be defined in a different way, such that the developer is encouraged, or forced to, bring in non-residential uses in parallel with the residential uses. The same comments apply to the timing of the signalization of the intersection of Old Highway 395/ West Lilac Road, albeit with a different threshold.
- On Page 123 of the TIS and in Table 5.14 on Pages 128 through 130, direct impacts are identified for Phase C on Gopher Canyon Road (between East Vista Way and the I-15 Southbound ramps) and on East Vista Way (between Gopher Canyon Road and Osborne Street). Table 5.21, Page 141, however, does not recommend any improvements for these roadway segments. The rationale for not recommending improvements includes, among other things, "Rural community character," "Minimal project trips added" and "Distance from project site." This rationale is not very convincing because the "No Project" or "Much Lower Intensity Project" alternatives would be more compatible with the ambient rural community character and would result in no or much fewer trips. The TIS should have identified the necessary improvements and should have left it to policy-makers to decide whether the improvements to mitigate direct project impacts should be required of the developer or waived. Without any improvement recommendations, policy-makers have no frame of reference to make an informed decision.
- In Table 5.29 on Page 160, no improvements on Gopher Canyon Road (between East Vista Way and the I-15 Southbound ramps) and on East Vista Way (between Gopher Canyon Road and Osborne Street) are recommended for Phase D, even though, as in the case of Phase C, direct impacts have been identified. The same rationale as for Phase C, and equally as faulty, has been used not to recommend any improvements. As in the case of Phase C, the improvements should have been identified and the decision to accept or waive them should have been left to the policy-makers.

In Table 5.29, continued on Page 161, the threshold for the signalization at Old Highway 395/Circle R Drive refers to Phases 4 and 5, which are not explained in the TIS.

- In Table 5.30 on Pages 167 through 169, and on Page 177, direct impacts are identified in Phase 5 (Buildout of Project) on Gopher Canyon Road (between East Vista Way and the I-15 Southbound ramps), on East Vista Way (between SR-76 and Gopher Canyon Road) and on East Vista Way (between Gopher Canyon Road and Osborne Street). However, in Table 5.36 on Page 179, the same rationale as for Phases C and D, and equally as faulty, has been used not to recommend any improvements. As in the case of Phases C and D, the improvements should have been identified and the decision to accept or waive them should have been left to the policy-makers.
- In Table 6.9 on Page 226, it is recommended that Gopher Canyon Road (Between East Vista Way and the I-15 Southbound ramps) be improved to 4.1 A per the Mobility Element because of a cumulative impact. The existing traffic on this roadway segment is 15,310 vehicles per day (vpd). The cumulative projects would add 370 vpd and the proposed Lilac Hills Ranch project would add 580 vpd, for a total of 16,260 vpd, resulting in LOS F, properly identified as a cumulative impact.

When the Lilac Hills Ranch traffic (at project buildout) was added to existing traffic the total was 15,890, resulting in LOS E and a direct impact was correctly identified (Please see Table 5.30 on Pages 167 through 169). However, no improvements were recommended because of among other reasons "Rural Community Character." Yet, under cumulative conditions a widening to 4 lanes is recommended, even though the cumulative projects collectively would add less traffic (total of 370 vpd for all cumulative projects combined) than the proposed project (580 vpd). No reason is given as to why "Rural Community Character" would no longer be an issue.

9. Traffic Volumes on Mountain Ridge Road and Covey Lane:

My evaluation of the traffic volumes based on revised trip generation and internal hip capture lead to the conclusion that both roadways traffic volumes will exceed the County's 2,500 ADT. Threshold for private roads and will require additional improvements.

	LHR TIS ADT (1)	Assessed ADT
Covey Lane (Private Road):	1,110	Over 2,500
Mountain Ridge Road (Private Road):	2,220	Over 2,500

(1) Values are from the LHR TIS Table 7-1

10. Independent Analysis of Traffic Volume on Mountain Ridge and Covey Lane Secondary Access Roads:

As described on Page 240 of the TIS, the traffic volume forecasts for the horizon year were developed using a hybrid methodology. With the hybrid methodology, the SANDAG Series 12 model forecasts (for 2050) were used for freeways, and the County General Plan (based on SANDAG Series 10 for 2030) traffic volume forecasts were used as the starting point for traffic volume forecasts for Mobility Element Roadways (MER). These base (starting point) traffic volumes were used to develop traffic volume forecasts for other horizon year scenarios. The "Selected Zone" analyses for the proposed Lilac Hills Ranch project were based on the Series 12 model.

In the TIS, there are flaws in the application of the hybrid methodology, and the hybrid methodology itself introduces certain inconsistencies. Because of the flaws in the application and the inconsistencies inherent in the hybrid methodology, the horizon year traffic volume forecasts in the TIS are not reliable.

10a. Flaws in the application of the Hybrid Methodology:

Assuming for purposes of this discussion that the hybrid methodology does not have any inconsistencies, even though it does (see discussion below) there are flaws in the application of the methodology, discussed in the following bulleted paragraphs.

- Figure 9-2, on Page 245 of the TIS, presents "Roadway Average Daily Traffic Volumes-Horizon Year Base Conditions with Road 3". The traffic volume forecasts in Figure 9-2 do not match the traffic volumes shown in the SANDAG Model plot "County of San Diego GP Update EIR--2030 Planning Commission Recommended LOS and Volume Plot - Valley Center Area - 2030 Proposed Network, Model Run 09/03/10, Without Road 3A.

Examples of discrepancies (between Figure 9-2 and the GP Plot) in forecast daily traffic volume (not an all-inclusive list) are:

Location	<u>Figure 9-2</u>	<u>GP Plot</u>
W. Lilac Road, east of Old Highway 395	8,110	11,400
Circle R Drive, east of Old Highway 395	6,640	6,100
Old Castle Road, east of Old Highway 395	7,780	12,600
Old Highway 395, north of W. Lilac Road	13,790	16,500
Old Highway 395, south of W. Lilac Road	19,520	20,800
Old Highway 395, south of I-15 NB Ramps	13,960	14,300
W. Lilac Road, north of Circle R Drive	1,130	1,900

No explanation for these discrepancies is provided in the TIS. The GP plot forecasts are generally higher than those in Figure 9-2. Therefore, whatever "smoothing" or "averaging" process was used for the adjustments, the net effect would be understatement of project impacts in the horizon year. A very clear example is W. Lilac Road. The GP Plot presents forecasts at two locations between Old Highway 395 and Main Street: 11,400 and 11,000. There is no justification for using 8,100 vehicles per day (vpd) as the base forecast in Figure 9-2 or in Table 9-1 on Page 242 in the TIS.

- Since the forecasts in Figure 9-2 are used as the base for estimating traffic volumes for other scenarios, the effect is carried forward throughout the horizon year analyses.
- Figure 9-3, on Page 249 of the TIS, presents "Roadway Average Daily Traffic Volumes - Horizon Year Base Plus Project Conditions with Road 3". In Figure 9-3 and in Table 9-3 on Page 251, the traffic volume forecast for W. Lilac Road between Old Highway 95 and Main Street is given as 18,990 vpd, just below the LOS E volume threshold of 19,000. If the correct base of 11,400 vpd had been used instead of the incorrect base of 8,110 vpd, the total traffic volume forecast would have been 22,200 vpd, resulting in LOS F.
- Figure 9-4, on Page 267 of the TIS, presents "Roadway Average Daily Traffic Volumes - Horizon Year Base Conditions without Road 3". In Figure 9-4 and in Table 9-7 on Page 263, the traffic volume forecast for W. Lilac Road between Old Highway 95 and Main Street is given as 1,870 vpd. Compared to the incorrect base of 8,110 vpd for this roadway segment, the difference of 6,240 vpd is attributable to route diversions due to the removal of Road 3. If then the reduction of 6,240 vpd is applied to the correct base of 11,400 vpd, the correct base traffic volume forecast for this condition would be 5,160 vpd. Since no explanation is presented about how the diversions were calculated, the validity of the numbers in this figure cannot be ascertained.
- In Figure 9-4, on Page 267 of the TIS, the traffic volume forecast of 5,030 vpd on W. Lilac Road just east of the project does not make sense because the traffic volume on Covey Lane is 200 vpd and the traffic on W. Lilac Road south of Covey Lane is 2,730 vpd. These two combined represent less than 3,000 vpd. So where is the rest coming from that makes up the forecast of 5,030 vpd?
- Figure 9-5, just before Page 268 of the TIS, presents "Roadway Average Daily Traffic Volumes - Horizon Year Base Plus Project Conditions without

Road 3". In Figure 9-5 and in Table 9-9 on Page 269, the traffic volume forecast for W. Lilac Road between Old Highway 95 and Main Street is given as 13,370 vpd, resulting in LOS D. If the correct base of 5,160 vpd had been used instead of the incorrect base of 1,870 vpd, the total traffic volume forecast would have been 16,660 vpd, resulting in LOS E (instead of LOS D as Chen Ryan reports), indicating a traffic impact.

10b. Inconsistencies in the Hybrid Methodology:

The planning horizon year for Series 12 is 2050. The County's General Plan, which the proposed project is seeking to amend, has a horizon year of 2030 and the traffic forecasts are based on the SANDAG Series 10 Regional Model. This difference in planning horizon years and the use of two different model Series introduces inconsistencies into the process of developing the horizon year forecasts in the TIS.

- The traffic forecasts for the freeways are based on Series 12 whereas the forecasts for the arterials are for 2030. There is no indication in the TIS that traffic volumes on surface streets in the vicinity of freeway interchanges were reviewed to ensure consistency with traffic on the freeway ramps. If the freeway ramp volumes are different in Series 10 and 12, adjustments on the surface streets would have been necessary. Since the Series 12 freeway volumes have been "calibrated" by SANDAG, the adjustments would need to be on the surface streets.
- County staff has indicated that SANDAG has used County General Plan full development land uses for both the Series 10 and Series 12 Model runs. However, there is no indication in the TIS that population and employment numbers by TAZ were compared to ensure that they are consistent. Since the TIS is going to be used to amend the Mobility Element (deletion of Route 3, changes in classification of some roads) in addition to assessing the traffic impacts of the proposed Lilac Hills Ranch project, it is essential that the TIS is using the correct tool (s) for the analysis.
- There is no indication in the TIS whether the Series 12 socio-economic projections for the incorporated areas near the Bonsall and Valley Center Planning Areas were reviewed to ensure that they are not substantially different in Series 12 compared to Series 10. Since there is and will continue to be substantial traffic interaction between the unincorporated areas and the municipalities (Escondido, Vista, Oceanside) for such purposes as work, shopping, medical, college/university, recreation, and others, it would be necessary to make such reviews before confidence can be placed in the hybrid methodology.
- The traffic forecasts for the roadways in the vicinity of the proposed Lilac Hills Ranch project would be a function of the socio-economic data forecasts. The TIS should have investigated and documented appropriate information to ensure that the hybrid methodology would be appropriate for a General Plan

Amendment that involves the removal of a Mobility Element roadway without thorough review and evaluation, the validity of the tool used in the analyses cannot be ascertained.

- The selected link analyses used for allocating horizon year project trips to the roadway network were based on the Series 12 model. For the reasons outlined above, the reliability of the selected link runs cannot be ascertained.

In summary, the hybrid methodology used to prepare the horizon year traffic forecasts is not reliable because the process has inherent inconsistencies, because there were instances where the methodology was used incorrectly, and because thorough review, comparison, evaluation, and documentation of the two different model series is lacking. As a result, the traffic forecasts presented in the TIS are not reliable. A decision to make General Plan Amendments should be made using reliable forecasts developed with the appropriate tools.

10c. Comments on Direct Impact Mitigation:

- The Mitigation of the LHR Direct Impacts has been identified as installing traffic signals at:
 - a) Old Highway 395 / W. Lilac Road intersection -signalized;
 - b) Old Highway 395 / Circle R Drive intersection -signalized;
 - c) I-15 SB Ramps / Gopher Canyon Road intersection -signalized; and
 - d) I-15 NB Ramps / Gopher Canyon Road intersection -signalized.

Each of the above intersections needs to be assessed to identify the need to add turning lanes at each of the intersections.

ROAD STANDARD DESIGN EXEMPTION REQUESTS

11. The project proposes ten (10) Design Exceptions to County Road Standards. I have reviewed the Design Exceptions and have the following general comments and specific comments on each Design Exception. The approval of the Design Exceptions by the County needs to consider the safety and liability related to each request. The safety and liability related to the public roadways as well as the future residents within the Lilac Hills Ranch responsibility for the private roads. The following are my comments on each Design Exception request.

1. West Lilac Road Bridge over I-15:

The proposed modification of the Bridge crossing over I-15 will require the approval of the California Department of Transportation (Caltrans) for compliance with design requirements and design exception procedures. Based on my experience with working on similar projects, any approval must come from Caltrans Headquarters in Sacramento. Therefore the approval of the Design Exception requested should not be approved until Caltrans concurrence is received.

2. West Lilac Road from the I-15 to Highway 395:

The amount of grading and necessary rights of way to accommodate the required improvements needs to be verified. The Design Exception also needs to be required to show the required improvements to include the addition of left turn lane on West Lilac Road at its intersection with Highway 395.

3. West Lilac Road from the Project Boundary to the I-15 Bridge:

The proposed Design Exception proposes the reduction in the shoulder area from 8 feet to 6 feet and placement of a retaining wall on the northside of Lilac Hills Ranch Road to provide a 2 foot separation from the curb and gutter. Both of these conditions need to be assessed by the County regarding safety and liability to not provide sidewalk/parkway on the northside of the road in the reduced shoulder areas.

4. West Lilac Road from the westerly roundabout to the northerly boundary:

The justification for this Design Exception is that the ADT is very low. This is not true. The ADT with the project will be over 12,000.

5. West Lilac Road (Along the North Project Boundary Modified 2.2F Section):

The proposed cross section is unclear. As a minimum the required minimum of 28 feet of pavement should be constructed. It is recommended that the alignment of Lilac Hills Ranch Road be reviewed to keep the required travel lanes and shoulder by moving the roadway to the south.

6. West Lilac Road (East of the Easterly Roundabout) Modified 2.2F Section:

The construction of the Roundabout is proposed for traffic calming. The alignment of West Lilac Road and the Roundabout should be placed to not require any Design Exception.

7. Reduced Design Speed on Mountain Ridge Road:

The County of San Diego Private Road Standards requires a vertical design speed of 30 MPH. The request to reduce the vertical speed to 15 MPH should only be considered after the applicant has designed the required improvements and contacted the affected property owners to obtain the necessary rights of way. With full development of the project we estimate the traffic on Mountain Ridge Road to exceed 2,500 ADT and require construction pursuant to the County's Public Road Standards.

8. Mountain Ridge Road at Circle "R" Drive Taper:

The intersection Taper is a small problem. The existing alignment of Circle "R" Drive which is not within the existing road easement needs to be resolved first. If the existing road is to remain outside its dedicated rights of way, the applicant/County needs to determine the recommended ultimate location of Circle "R" Drive.

9. Street C Modified Section:

The request to reduce the vertical design speed to 20 MPH from 25 MPH needs to be clarified and identify for the limits of the design speed reduction as well as the impact on the remainder sections of Street C.

10. Street E – Modification Section:

The request to reduce the vertical design speed to 20 MPH from 25 MPH needs to be clarified and identify the limits of the design speed reduction as well as the impact on the remainder sections of Street E.

12. Cumulative Projects

Review of Table 6.1 Cumulative Projects Page 191 Map Key #123 Orchard Run Major Subdivision (296 Lots) is identified as withdrawn. The Orchard Run Project is a valid project and needs to be included. The addition of this project will add significant volume traffic to West Lilac Road.

In addition to the Orchard Run Project, recent Indian Casino Projects need to be included in the cumulative analysis.

13. Traffic Impact Fee

The Traffic Study and DEIR identify the payment of the County Traffic Impact Fee (TIF) to mitigate the projects cumulative impacts. Since the current TIF did not include the LHR in its analysis, the project needs to be conditioned to update the County TIF prior to issuance of building permits.

At the time the DEIR and/or revised Traffic Study is completed I reserve the right to review and provide additional comments based on the recirculated DEIR and/or Final EIR for the project.

Please feel free to contact our office should you have any questions.

Sincerely,

DARNELL & ASSOCIATES, INC.

Bill E. Darnell, P.E.
RCE: 22338

August 16, 2013

Date

July 22, 2014

To: Mark Slovick, Project Manager
County of San Diego Planning and Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123
Mark.Slovick@sdcountry.ca.gov
[\(858\) 495-5172](tel:(858)495-5172)

Subject: Revised DEIR Public Comments Regarding the DEIR Chapter 2.3 Traffic with regard to the Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001(GPA), PDS2012-3810-12-001 (SP).

Dear Mr. Slovick:

Subject: DEIR Public Comment to the Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001(GPA), PDS2012-3810-12-001 (SP), DEIR Chapter 2.3 Traffic; Traffic Impact Study of the proposed Lilac Hills Ranch (LHR) Project

The DEIR Chapter 2.3 text reads as if it is an advocacy document for the Applicant. There are many general statements that are unsupported by facts and indicate to the Public that the County has not performed adequate independent critical review of Traffic and Traffic related Safety Issues.

General Comments

Overview

Traffic - Chapter 2.3 of the DEIR and the Traffic Impact Study have failed to disclose significant impacts and have failed to mitigate previously identified impacts.

This project requires in excess of 30 acts of taking of Private Land to construct off-site road improvements. The County has not provided adequate disclosure of these Impacts.

Additionally, the County has identified significant cumulative impacts and has claimed that mitigation is infeasible. For nine impacts, CALTRANS does not agree with the County's Infeasibility assessment. We request the County to provide comprehensive and complete justification for the County's "Infeasibility" assessment as is enumerated below.

Project Baseline

The County has not presented a Project for review. The County has presented a listing of incomplete Alternatives that cannot be reasonably assessed for Environmental Impact and Mitigations.

The County of San Diego's Baseline condition for the Traffic Study should be in full compliance with the General Plan, all applicable Road Standards, and in consonance with current Agreements with other Governmental Agencies.

The Traffic Impact study should be baselined as follows:

- In compliance with the General Plan
- No Exceptions to Road Design Standards
- Without an additional on-site School, which is the current agreement with the Bonsall and Valley Center/Pauma School Districts.

The County has used the as the baseline the Applicant’s Specific Plan proposal (requiring 10 exceptions to Road Standards), with incremental partial compliance with laws and regulations analyzed as **Alternatives**. The Alternatives lack depth, linkage and integration with the Project’s Impacts. The Alternatives do not fully capture even most of the possible cumulative impacts of the likely permutations of Phase implementation.

Specific Comments

1). The need to take land for Off-Site Improvements The Project needs in excess of 30 acts of Eminent Domain to construct the Project’s proposed road improvements to the Reduced Standards that the Project requires. Further taking of private land is necessary to build the Project in compliance with County of San Diego Road Standards.

The County needs to disclose the following information so that impacts are identified and required Mitigation can be implemented.

Please provide evidence that there is adequate Project rights for construction of these improvements, including temporary encroachment permissions for construction that enable continued use of the road by Residents during construction.

A). Required Disclosure of Relevant Information regarding legal rights for construction of Off Site Improvements as well as how the Applicant intends to gain legal rights

In the DEIR, the County has not provided adequate disclosure regarding off-site impacts of the Project and its Alternatives to surrounding property owners.

This information is necessary to demonstrate Project Feasibility that the Project can ever be legally built.

For the Project and each of its Alternatives, provide the following information regarding off-site improvements for which Accretive Investments currently holds less than full legal right of way. For each impacted parcel, indicate what the Applicant has done to attempt to secure legal rights. Disclose how the Applicant or the County intends to secure the necessary legal rights for these parcels:

<u>Parcel Number</u>	<u>Property Owner</u>	<u>sq ft. Right of Way required</u>	<u>sq.ft.Slope Easement</u>	<u>Total sq. ft. Encroachment</u>
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i) West Lilac Road

Scenario 1 – Construction of West Lilac Road from Old Hwy 395 to proposed new Road 3b to 2.2 C Road Standards as is the General Plan Baseline. No information on offsite improvements has been provided by the County for the full route of this Alternative, which is the present

General Plan Mobility Element baseline.

Scenario 2 a – As per “Right of Way Analysis W. Lilac Rd Alt 1 2.2C/2.2F dated Oct 31, 2013 **with additional land necessary to incorporate Reid Middleton Roundabout design modification recommendations identified.** The Oct 31, 2013 study found that 22 parcels were impacted for a total of 4.3 acres. The Study did not quantify the additional parcels impacted by Roundabout redesigns recommended by Reid Middleton. Please include a current and accurate disclosure of the parcels as impacted by Roundabout redesign.

Scenario 2 b – As per “Right of Way Analysis W. Lilac Rd Alt 1 2.2 C dated Oct 31, 2013 **with additional land necessary to incorporate Reid Middleton Roundabout design modification recommendations identified.** The Oct 31, 2013 study found that 22 parcels were impacted for a total of 5.6 acres. The Study did not quantify the additional parcels impacted by Roundabout redesigns recommended by Reid Middleton. Please include a current and accurate disclosure of the parcels as impacted by Roundabout redesign.

Scenario 3 – Impact of improvement from non-compliant 2.2F to 2.2E configuration to improve horizontal curves and provide bicycle lanes in each direction and 8 foot shoulders for West Lilac Road from Easterly boundary of Subdivision (existing Lilac Walk private road/West Lilac Road intersection) to Covey Lane. This scenario is discussed further in section 2).Direct Impacts to West Lilac Road section of this letter.

ii). Covey Lane/West Lilac Intersection

Scenario 1 – Impact of construction to Applicant’s proposed design **including Sight Distance Clearance and turn tapers. Please carefully analyze the need for Additional Slope Easements beyond those granted in IOD’s. How is the Project going to construct the improvements without further encroachment beyond easement boundaries? How is the road going to remain in service during construction for existing residents?**

iii). Mountain Ridge Private Road including Mountain Ridge/Circle R Intersection

Scenario 1 – Impact of improvement to Applicant’s proposed design **including Sight Distance Clearance and turn tapers. . How is the Project going to construct the improvements without further encroachment beyond easement boundaries? How is the road going to remain in service during construction for existing residents?**

Scenario 2 – Impact of improvement of Mountain Ridge Private Road to 30 Mph Private Road Design Speed Standards **including Sight Distance Clearance and turn tapers. . How is the Project going to construct the improvements without further encroachment beyond easement boundaries? How is the road going to remain in service during construction for existing residents?**

Scenario 3 – Impact of construction of Mountain Ridge Private Road to Public Road Design Standards **including Sight Distance Clearance and turn tapers. . How is the Project going to construct the improvements without further encroachment beyond easement boundaries? How is the road going to remain in service during construction for existing residents?**

iv). **Rodriguez private road.** Please further enumerate the all improvements proposed for Rodriguez Road as represented in Master Preliminary Grading Plan TM 5571 RPL 4 Sheet 7 of 12. Provide the legal basis of rights to construct the improvements to Rodriguez Road. Provide a copy for Public Review of document 2013-0021800 Rec. 1-11-2013. . **How is the Project going to construct the improvements without further encroachment beyond easement boundaries? How is the road going to remain in service during construction for existing residents?**

2). Cumulative Significant Impact Mitigation summarily dismissed as “Infeasible” when in fact Mitigation is Feasible.

The County has identified the following Cumulative Significant Impacts and Mitigation:

TABLE 2.3-24
CUMULATIVE TRAFFIC IMPACTS AND MITIGATION SUMMARY

Impact	Mitigation
<u>Impact TR-10: W. Lilac Road, Old Highway 395 and Main Street</u>	<u>M-TR-4 and M-TR-6 (see above)</u>
<u>Impact TR-11: Camino Del Rey, Old River Road and West Lilac Road</u>	<u>M-TR-8: Prior to issuance of any building permit for new structures within the Lilac Hills Ranch Specific Plan, the applicant, or its designee, shall pay all applicable fees to the TIF Program, which the County should be updates to include the changes to the Land Use and Mobility Elements proposed by the project.</u>
<u>Impact TR-12: Gopher Canyon Road, E. Vista Way to Little Gopher Canyon Road</u>	<u>While improvement of this segment to a 4.1B classification would mitigate the project impact, such mitigation is infeasible.</u>
<u>Impact TR-13: Gopher Canyon Road, Little Gopher Canyon Road to I-15 SB Ramps</u>	<u>M-TR-8 (see above)</u>
<u>Impact TR-14: E. Vista Way between SR-76 and Gopher Canyon Road</u>	<u>M-TR-8 (see above)</u>
<u>Impact TR-15: E. Vista Way between Gopher Canyon Road and Osborne Street</u>	<u>M-TR-8 (see above)</u>
<u>Impact TR-16: Pankey Road between Pala Mesa Drive and SR-76</u>	<u>While improvement of this segment to a 4.2B classification would mitigate the project impact, such mitigation is infeasible.</u>
<u>Impact TR-17: Lilac Road between Old Castle Road and Anthony Road</u>	<u>M-TR-9: Prior to issuance of any building permit for new structures within the Lilac Hills Ranch Specific Plan, the applicant or its designee shall construct intermittent turn lanes at all major access locations along Lilac Road from Old Castle Road to Anthony Road, including the segment between Robles Lane and Cumbres Road, and the intersection of Sierra Rojo Road and Lilac Road.</u>

**TABLE 2.3-24
CUMULATIVE TRAFFIC IMPACTS AND MITIGATION SUMMARY
(continued)**

Impact	Mitigation
<u>Impact TR-18: Cole Grade Road, between Fruitvale Road and Valley Center Road</u>	M-TR-8 (see above)
<u>Impact TR-19: E. Vista Way/Gopher Canyon Road</u>	M-TR-8 (see above)
<u>Impact TR-20: SR-76/Old Highway 395 (Caltrans)</u>	While intersection improvements would reduce these project impacts to below a level of significance, such mitigation is infeasible because these intersections are under Caltrans jurisdiction.
<u>Impact TR-21: SR-76/Pankey Road (Caltrans)</u>	
<u>Impact TR-22: Old Highway 395/E. Dulin Road</u>	M-TR-10: Prior to issuance of any building permit for new structures within the Lilac Hills Ranch Specific Plan, the applicant or its designee shall construct a traffic signal at the Old Highway 395/East Dulin Road intersection.
<u>Impact TR-23: Old Highway 395/West Lilac Road</u>	M-TR-8 (see above)
<u>Impact TR-24: I-15 SB Ramps/Old Highway 395 (Caltrans)</u>	M-TR-8 (see above)
<u>Impact TR-25: I-15 SB Ramps/Old Highway 395 (Caltrans)</u>	M-TR-8 (see above)
<u>Impact TR-26: Old Highway 395/Circle R Drive</u>	M-TR-5 (see above)
<u>Impact TR-27: I-15 SB Ramps/Gopher Canyon Road (Caltrans)</u>	M-TR-8 (see above)
<u>Impact TR-28: I-15 NB Ramps/Gopher Canyon Road (Caltrans)</u>	M-TR-8 (see above)
<u>Impact TR-29: Miller Road/Valley Center Road</u>	M-TR-11: Prior to issuance of any building permit for new structures within the Lilac Hills Ranch Specific Plan, the applicant or its designee shall construct a traffic signal at the Miller Road/Valley Center Road intersection.
<u>Impact TR-30: I-15 between Riverside County Boundary and Old Highway 395</u>	While there are plans to widen I-15 between Riverside County and SR-78 that would mitigate cumulative I-15 impacts, there is no secured funding for the improvement and there is no mechanism in place to provide contributions to the improvement. Ultimately, mitigation is infeasible because the I-15 is under Caltrans jurisdiction.
<u>Impact TR-31: I-15 between Old Highway 395 and SR-76</u>	
<u>Impact TR-32: I-15 between SR-76 and Old Highway 395</u>	
<u>Impact TR-33: I-15 between Old Highway 395 and Gopher Canyon Road</u>	
<u>Impact TR-34: I-15 between Gopher Canyon Road and Deer Springs Road</u>	
<u>Impact TR-35: I-15 between Deer Springs Road and Centre City Parkway</u>	
<u>Impact TR-36: I-15 between Centre City Parkway and El Norte Parkway</u>	
<u>Impact TR-37: I-15 between El Norte Parkway and SR-78</u>	

The County has stated that two impacts to County Jurisdiction Roads, TR-12 and TR-16 are infeasible to mitigate. Please discuss at length the County’s rationale on why it is not possible for the Applicant to contribute to mitigation of these two impacts. Include complete citation reference to all applicable County, SANDAG, and State (if applicable) regulations and Public Laws that support the County’s “Infeasibility” statement. If a Fair Share Payment is proposed as mitigation, provide the calculation methodology and result and cite references to procedure and Public Law the Fair Share methodology is enumerated in.

The County has stated that impacts, TR-2, 3, 4, 20, 21, 24, 25, 27, and 28 are infeasible to mitigate, because the Intersection is under CALTRANS jurisdiction.

In Attachment 2 - June 24, 2014 letter, CALTRANS completely disagrees with the County's "Infeasibility" mitigation position taken for the above impacts.

The County is required to mitigate these impacts. Please propose **specific** mitigation measures. If a Fair Share Payment is proposed as mitigation, provide the calculation methodology and result and cite references to procedure and Public Law the Fair Share methodology is enumerated in.

For the I-15 Freeway Segment Impacts TR- 30 through 37, other forms of mitigation are feasible other than I-15 lane widening. Please provide effective mitigation for this Impact of the Project.

3). Impacts have not been identified in this DEIR. Required improvements to West Lilac Public road are based on unrealistically low estimated Project Traffic loads, without consideration of the Safety Hazards in the 'as built' configuration of the road.

The General Plan Mobility Element plans an upgrade to 2.2C with added turn lanes from the intersection of Proposed Road 3 westerly to Old Highway 395. We do agree with the County that there is likelihood that Road 3 may not be built.

We strongly believe that fairly evaluated traffic loads generated by this Project and existing substandard 'as built' configurations of the road require West Lilac Road to be improved from the Project's eastern boundary from Lilac Walk private road to Circle R Drive.

Existing limited visibility curves and no shoulders do not safely transport Vehicle, Bicycle and Pedestrian traffic from this Urban Project. There is the potential requirement for turn lanes to service intersecting private roads. This is a direct impact of this Project.

We concur with the Applicant that Road 3 segment from Lilac Road to West Lilac is unlikely to be built.

That said, the Applicant's proposed Project will place such an increased load on this section of road that it needs to be upgraded to accommodate the increased load safely.

Additionally, the Applicant has projected below normal vehicle traffic because their "Project design encourages alternate transportation such as bicycles and walking."

How can people safely ride bikes or walk on this section of road in its existing condition with limited visibility due to curves, zero bike lanes and next to zero shoulder??

How can the many residential driveways and private roads safely intersect with West Lilac without significant safety hazards and incidents??

This segment of West Lilac Road **requires** improvement from the Project's Western entry to Circle R Drive with reduced horizontal curves, Class II bike lanes, and 8 foot shoulders as a minimum. The County should also carefully evaluate private road and driveway intersections to determine whether turn lanes are necessary. Whether this is a conforming 2.2F or 2.2E road doesn't matter, it just needs to be of adequate capacity and of a safe design.

Required Action - List the Assessor Parcel Numbers and number of existing residential driveways and private roads that intersect directly with West Lilac Road from Old Highway 395

to Circle R Drive. Perform a Safety Review that assumes that there will be 100 bicycle trips/day and 50 pedestrian trips/day on the shoulders of this road. Discuss safety hazards associated with weekly trash collection pick up on West Lilac and daily School Bus pick up/drop off. Propose Road redesign to safely mitigate all hazards. Disclose all off site improvements required.

4). Impacts have not been identified in this DEIR. Required improvements to Circle R Drive Public road are based on unrealistically low estimated Project Traffic loads, without consideration of the Safety Hazards in the 'as built' configuration of the road.

We strongly believe that fairly evaluated traffic loads generated by this Project and existing substandard 'as built' configurations of the road require Circle R Drive to be improved from West Lilac Road to Old Highway 395.

Existing limited visibility curves and zero shoulders do not safely transport Bicycle and Pedestrian traffic from this Urban Project. There is the potential requirement for turn lanes to service intersecting private roads. This is a direct impact of this Project.

This segment of Circle R Drive requires improvement reduced horizontal and vertical curves, sight lines, Class II bike lanes, and 8 foot shoulders as a minimum. The County should also carefully evaluation private road and driveway intersections to determine whether turn lanes are necessary. Whether this is a conforming 2.2F or 2.2E road doesn't matter, it just needs to be of adequate capacity and of a safe design.

Required Action - List the Assessor Parcel Numbers and number of existing residential driveways and private roads that intersect directly with Circle R Drive from West Lilac Road to Old Highway 395. Perform a Safety Review that assumes that there will be 100 bicycle trips/day and 50 pedestrian trips/day on the shoulders of this road. Discuss safety hazards associated with weekly trash collection pick up on Circle R Drive and daily School Bus pick up/drop off. Propose Road redesign to safely mitigate all hazards.

5) Safety of Intersection Design – Covey Lane/Rodriguez Private Road and West Lilac Road

The intersection is not designed to County standards (not within 10 degrees of perpendicular), no right hand turn taper for eastbound Covey travel is provided, and the sight distance is inadequate. County Standard intersection spacing requirements are not met by the County's proposed intersection design.

Additionally, a Two Way Stop control is inadequate at this intersection for the Project's traffic volumes. At this intersection, Rodriguez Road shares in a nonstandard 5 way intersection and there is a proposed 15X increase in vehicle, bicycle and pedestrian traffic for the Project.

Staff has explained that Rodriguez Road is an existing roadway and is not proposed as access for the project and would only be used for emergencies. Even if Rodriguez Road is only used for Emergencies and an injury accident attributable to intersection design occurs, **does the County really NOT want to review this intersection for hazards??** Please have County Counsel refer to *West v County of San Diego 37-2008-00058195-CU-PO-NC*.

Required Action – Based upon fair and unbiased Traffic projections which include Project vehicle, bicycle and pedestrian traffic, perform a Safety evaluation of the design of this intersection. If there are any improvements required, provide a plan that indicates construction

details, including details of off-site improvements required. Process (yet another) Exception Request if necessary.

6) Safety of Intersection Design – Covey Lane (proposed to be Public) and existing Covey Lane Private Road

The proposed intersection of the two roadways is not designed to Standard. No exception request has been processed.

Required Action – Analyze the intersection and either propose construction to standard or prepare (yet another) Exception Request.

7) Safety of Intersection Design – existing Covey Lane Private Road and Lilac Hills Ranch Road (LHRR) (LHRR route across APN's 128-290-78 and 129-010-69)

We requested a review of the limited sight line of this intersection, and to include intersection design details in August, 2013 for compliance with standards.

This information, its related Impacts and Mitigation potential has not been assessed in the EIR.

Information has been provided about a different intersection of Lilac Hills Ranch Road and a new proposed and not yet built Covey Lane Private Road all within the boundaries of the proposed subdivision within the boundaries of current APN 129-010-69. We have no questions about this intersection.

Required actions – Provide off-site grading plan details of Lilac Hills Ranch Road across APN 128-290-78 to 129-010-69. Provide intersection details of the intersection of 'as built' existing Covey Lane private road and Lilac Hills Ranch Road. Analyze the intersection for conformance to design standards and process (yet another) Exception Request if necessary.

8) Safety of Intersection Design – Mountain Ridge Private Road and Circle R Public Road

The Applicant's March 8, 2011 instrumentation of Circle R Drive at Mountain Ridge recorded an 85th percentile speed of 49 Mph Eastbound and a 47 Mph Westbound. This intersection likely needs additional intersection control beyond a Stop Sign on Mountain Ridge at the levels of increased traffic the Project proposes.

Required Action – Perform intersection Traffic Safety analysis and recommend compliant intersection designs in conformance Public Road Design Standards. If this has been done, perform a Critical Review of the analysis and share it with the Public.

9) Estimate of Student Population and its impact on Traffic – The Project has arbitrarily used non-standard estimating factors to project the number of Students, and therefore has understated the Student population and directly related Trip Generation.

The table below recaps how the Applicant has excluded the 468 Senior Dwelling Units from a Student Population Factor.

APPLICANT'S CALCULATION		K-8 Students		High School Students		ADT/Student Factor		Total Student ADT Generation		Total ADT
Dwelling Units (DU)		DU	Students	DU	Students	K-8	9-12	K-8	9-12	
Non- Senior	1278	0.5	639	0.2	256	1.6	1.3	1022	332	
Senior	468	0	0	0	0	1.6	1.3	0	0	
Total	1746		639		256			1022	332	1355
SCHOOL DISTRICT CALCULATION		K-8 Students		High School Students		ADT/Student Factor		Total Student ADT Generation		Total ADT
Dwelling Units (DU)		DU	Students	DU	Students	K-8	9-12	K-8	9-12	
Non- Senior	1278	0.5	639	0.2	256	1.6	1.3	1022	332	
Senior	468	0.5	234	0.2	94	1.6	1.3	374	122	
Total	1746		873		349			1397	454	1851
										496
UNDERSTATEMENT OF ADT										

The San Diego County Office of Education has explained that the ratio of Students/Dwelling Unit is based on current San Diego County total Housing demographics, including Senior Housing. ALL Dwelling Units need to be multiplied by the Student/DU factor.

Required actions- The Project has understated its ADT generation by 496. Increase the Trip Generation by 496. Increase the Student Count and rerun the Traffic simulation.

10) Traffic Impact of On Site v. Off Site Schools – The Project TIS baseline was run with the assumption that there would be an on-site K-8 school. There is no agreement from either Bonsall or Valley Center Pauma School Districts to place a School on site.

The on-site school assumption yielded a total Project ADT of 19,408 total trips, 15,151 external.

The offsite Alternate School TIS analysis represents a revised total Project ADT of 18,334 total trips, 14,932 external.

This analysis does not appear to be correct.

While the on-site School would have been attracting a few trips from outside the Project, the on-site school was a major part of the Project’s argument for lower than standard external trip distribution, because the school traffic remained internal to the project.

The off-site school scenario with car trips to Bonsall and bus and car trips to Valley Center should produce HIGHER external trips.

Required action- Please provide a comprehensive explanation of the why external trips did not increase for the “No School” Alternative Chapter 12 in the TIS.

11) Project Trip Generation - Trip Generation was challenged in Aug 13 at 19,428 as being 12% low. Accretive’s response after comments is 19,406 ADT. Respond in detail to each question raised in the attached August, 2013 comments on the Traffic Impact Study by an independent certified Traffic Engineer.

The County has accepted on THE APPLICANT’S UNILATERAL assessment of the trip

generation of the commercial land uses, even though a licensed Professional Traffic Engineer found that the Trip Generation should be 21,744 ADT, nearly 12% higher.

The Applicant’s top level qualitative argument “because the project does not propose the type of high traffic generating, high turnover type land uses that in part characterize the commercial uses utilized by SANDAG in calculating the 40/1,000 SF SC/SR rate, the proposed project land uses are expected to generate less traffic than what the SANDAG defined commercial uses would generate (as described above) and therefore the SR/SC rate is the most appropriate for this analysis.”

This argument is nothing other than arm waving without substance.

Figure 1.4a in Chapter 1 identifies the same store as “Anchor Grocery.” The appropriate trip generation metrics for this use should be “Grocery Supermarket.” The Project argues that “their pedestrian-friendly” design will facilitate people walking to the “General Store. The Project’s Trip Generation argument is unsupported by facts.

Required Action – At the Applicant’s expense, have an independent licensed Traffic Engineer selected by a DPW selection team that is “firewalled” from contact with any representative of the Applicant or any County of San Diego employee involved with the Project. Allow the 3d party Traffic Engineer to analyze the disparity in Trip Generation and fairly and equitably adjudicate the difference.

12). Internal Capture – was challenged as being high at 22% in Aug 13 and without support. AM peak has climbed to 30% with even less substantiation.

Required Action – At the Applicant’s expense, have an independent licensed Traffic Engineer selected by a DPW selection team that is “firewalled” from contact with any representative of the Applicant or any County of San Diego employee involved with the Project. Allow the 3d party Traffic Engineer to analyze the disparity in Internal Capture and fairly and equitably adjudicate the difference.

13) Mountain Ridge, Covey Lane, and Rodriguez Road traffic (Where did 780 trips go?)- The table below analyzes the difference in TIS Project Traffic ADT at Covey Lane and Mountain Ridge. Rodriguez Road information is not provided, and the TIS insists that Rodriguez is only used for Emergency Access.

	PROJECT + EXISTING ADT ESTIMATES BUILDOUT (from Table 7.2 TIS)		
	Jun-13 TIS	Jun-14 TIS	Increase/ (Decrease)
Mountain Ridge Pvt Road	2260	1190	(1070)
Covey Lane Pvt Road	1100	1390	290
Total ADT			(780)

So, where did the 780 trips go? The only other way out other than Rodriguez Road is Lilac Hills Ranch Road to Main Street, and the Traffic did not increase correspondingly at those locations. And the Applicant insists Rodriguez is only used for Emergency Access.

Required Action – Answer this question: Where did the 780 trips go? Also please detail the **precise** conditions under which Rodriguez Road is proposed to be used for “Emergency Access” and by whom.

14) Mountain Ridge Project Grading and Environmental Impacts

Another interesting “oh, by the way” disclosure in Table 7.2 of the TIS is the fact that the Project proposes grading improvements on Parcels 129-300-31 and 129-300-36 to lengthen vertical curves.

Please provide evidence that there is adequate Project rights for construction of these improvements, including temporary encroachment permissions for construction that enable continued use of the road by Residents during construction.

Please also discuss where in the DEIR the Environmental Impacts of these proposed off site improvements are analyzed. We have yet to locate any of the Impacts related to specific Construction disruption, noise, and other encroachment impacts for the grading required as indicated in the Master Preliminary Grading Plan Sheet 6 of 12. Also, is there net import or export of fill soil?

15) Respond to the specific questions in Attachment 1 – Aug 16, 2013 Traffic Impact Comments

The County has avoided directly answering the Questions in the Aug 16, 2013 Darnell Associates independent review of the Traffic Impact Study. The revised TIS does not directly and comprehensively answer the questions raised.

Answer the questions in Attachment 1 – Aug 16 2013 Independent Review of the Lilac Hills Traffic Impact Study directly and support the answers with factual verifiable data.

16) Project’s Improvement of Mountain Ridge Road at Southern boundary of APN 129-300-09 – no details provided

The Project proposes on encroaching on a Section 404 wetland to construct Mountain Ridge Road. We find no details of the proposed encroachment in any map, grading plan or Study.

The County should have included this information in the RDEIR, as it was requested in August 2013.

Differing forms of Construction have differing Environmental Impacts. Is it a Bridge?? The Environmental Impacts cannot be determined because there is inadequate design disclosure by the County.

Required Action - Disclose the design for Mountain Ridge road across the Section 404 wetland.

17) The Project does not have adequate legal right of way for the to use Mountain Ridge Private Road for Secondary Access Road compliance with the County’s Consolidated Fire Code

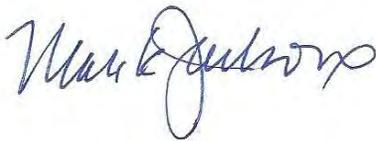
Please refer to 3 Attach Mountain Ridge ROW limitations.

The referenced Attachment obtained from the County indicates clearly that 32 offsite parcels must grant right of way for the Project to use Mountain Ridge Road for **any** of the Project's proposed uses. To date, none of the 32 parcels have granted rights for the Project to use Mountain Ridge Road for any purpose such as Emergency Access.

The County clearly knows this, because this information was provided by the County Staff.

Yet the County continues to state in its EIR that the Project complies with the Consolidated Fire Code for Secondary Road Access. How can this be?? Elaborate why the County believes that the Project complies with Consolidated Fire Code Secondary Access Road requirements.

Sincerely,

A handwritten signature in blue ink that reads "Mark Jackson". The signature is cursive and somewhat stylized, with the first name "Mark" and last name "Jackson" clearly legible.

Mark Jackson
9550 Covey Lane
Escondido, CA 92026
760-731-7327
jacksonmark92026@gmail.com

- 1 Attach August 16 2013 Comment Letter on Traffic Impact Study
- 2 Attach CALTRANS LHR RDEIR Comments June 24 2014
- 3 Attach Mountain Ridge ROW limitations

Darnell & Associates, Inc.

TRANSPORTATION PLANNING & TRAFFIC ENGINEERING

August 16, 2013

Mr. Mark Jackson
9550 Covey Lane
Escondido, CA 92026

D&A Ref. No: 130703

RE: Review of the Lilac Hills Ranch Development (LHR) in the unincorporated Valley Center area Traffic Impact Study (TIS) and Traffic/Transportation Sections of the DEIR for the project.

Dear Mr. Jackson:

In accordance with your authorization, I have reviewed the Traffic Impact Study prepared by Chen Ryan & Associates dated June 28, 2013 and subchapter 2.3 Transportation Traffic of the DRAFT Environmental Impact Report prepared by Recon Environmental, Inc. dated July 3, 2013.

OVERVIEW

The Accretive Group, the project proponent proposes an amendment to the County of San Diego General Plan to develop Lilac Hills Ranch, which encompasses 608 acres in the westernmost portion of the Valley Center Community Plan (VCCP) and the Bonsall Community Plan (BCP). The project proposes to amend the County's General Plan to permit the development of 90,000 square feet of Commercial, Office and Retail space, 50 Room Country Inn, 903 Single Family Detached Homes, 164 Single Family Attached Homes, 211 Residential Units within the mixed use areas, 468 Single Family Detached Age-Restricted Residential Units within a Senior Citizens neighborhood including a Senior Community Center, Group Residential and Group Care Facility, a Dementia Care Facility, Civic Facilities and Public and Private Parks.

Development of the proposed project will reportedly result in the trip generation of 19,428 Daily trips, 1,663 AM peak hour trips and 1,829 PM peak hour trips to be added to the surrounding roadways and intersections.

Chapter 4.4 of the Draft EIR for the project identifies that development consistent with the County's General Plan would allow 110 Single Family Dwelling Units and would preserve 257 acres of open space. Development in accordance with the existing General Plan would result in 1,320 ADT's to be added to the surrounding street system (See Section 4.4.2.3 Transportation Traffic of the DEIR).

Comparison of the existing General Plan development of 1,320 ADT's to the proposed 19,428 ADT's shows that the proposed project would generate 14.7 times more traffic than the approved General Plan.

The recently adopted Mobility Element of the County's General Plan does not include the section of New Road 3 from Highway 395 to West Lilac Road. The deletion of the section of New Road 3 changed the classification of Highway 395 to a four-lane Boulevard with a LOS "D" Capacity = 25,000 ADT and West Lilac Road from Highway 395 to New Road 3 to a Light Collector 2.2C, with intermittent turn-lanes with a LOS "D" Capacity of 13,500 ADT.

West Lilac Road is the primary access road serving the project. Secondary access to/from the project site is proposed to be provided by Covey Lane between West Lilac Ranch Road and Mountain Ridge Road extending north from Circle R. Drive to connect to West Lilac Ranch Road. Both Covey Lane and Mountain Ridge Road are private roads and do comply with the County Design Standards.

The following are my comments on the Traffic Study, General Plan consistency and applicant's requested Design Exceptions to the County's Road Standards.

LILAC HILLS RANCH (LHR)

Comments on the Chen Ryan & Associates Traffic Study dated June 28 2013.

1. Trip Generation:

:

In reference to Table 4.8 on Page 52 of the Traffic Impact Study (TIS):

In Summary, the LHR TIS calculates 19,428 Average Daily Trips using inappropriate trip generation rates as listed below. A fair and reasonable estimate of traffic volume using SANDAG's Guide for Vehicular Traffic Generation Rates is 21,744 ADT, an 11.9 % increase in ADT volume.

- As suggested in SANDAG's Guide for Vehicular Traffic Generation Rates, a daily rate of 40 vehicular trip ends per 1,000 sq. ft. is used for the "Specialty/Strip Commercial" category. There would be 61,500 sq. ft. of space devoted to this category, resulting in a total of 2,460 daily vehicular trip ends. The term "Specialty/Strip Commercial" is not used, however, on Page 40 of the TIS. Rather, the description given is "local serving, small scale, and boutique style specialty retail." Based on the amount of proposed space and the inclusion of "local serving" in the description, a trip generation rate of 120 daily vehicular trips per 1,000 sq. ft. should have been used in the TIS. The rate of 120 daily vehicular trips per 1,000 sq. ft., per SANDAG, would be applicable to "Neighborhood Shopping Center" and would include "usually, grocery & drugstore, cleaners, beauty and barber shop, & fast food services." This type of businesses would appear to be well-suited for a community at a location such as Lilac Hills Ranch. The lack of such essential services would necessitate travel of five or more miles to a grocery store.

If the more relevant rate of 120 per 1,000 sq. ft. had been used, the result would have been 7,380 daily vehicular trip ends, instead of 2,460 resulting in 21,704 daily trips, likely resulting in significant impacts beyond those identified in the TIS.

The attached Table A (see pg. 4) presents the increase in project traffic.

- A rate of 14 daily vehicular trip ends per 1,000 sq. ft. is used for the office category. Per SANDAG, this rate applies to "Single Tenant Office." The rate for "Standard Commercial Office, less than 100,000 sq. ft.," is 20 per 1,000 sq. ft. In a setting such as Lilac Hills Ranch, office space would likely be needed for such businesses as insurance agencies, real estate agents, financial brokerages, and similar tenants that would individually require much less space than the 28,500 sq. ft. that is proposed. Another possible use would be for doctors' or dentists' offices, with a SANDAG rate of 50 per 1,000 sq. ft. In view of these considerations, the use of 14 daily vehicular trip ends per 1,000 sq. ft. in the TIS is not appropriate. A rate of 20 per 1,000 sq. ft. should have been used in the TIS because it would have been more representative of the likely mix of office uses in Lilac Hills Ranch.

The more relevant rate of 20 per 1,000 sq. ft. had been used; the result would have been 580 daily vehicular trip ends, instead of 399, likely resulting in impacts beyond those identified in the TIS.

2. Internal Trips:

The LHR TIS Internal Trip Generation calculations are flawed and overstate the internal trip capture. The fundamental errors enumerated below substantiate that external traffic flows have been understated in the LHR TIS. The additional external vehicle traffic will compound the already marginal road conditions that exist on Covey Lane and Mountain Ridge Private Roads, as well as all other Project Access points to West Lilac and Circle R Public Roads, and the entire Road Network that services the area. The Traffic Study needs to be corrected to reflect these changes.

In reference to Table 4.9 on Pages 54 and 55 of the TIS:

The calculation of internal trips for the AM peak hour and for the PM peak hour is fundamentally flawed. By definition for a trip to be internal, both the origin and destination of the trip must be within the project. Therefore, the number of internal trip origins in the AM peak hour must equal the number of internal trip destinations in the AM peak hour. Likewise, the number of internal trip origins in the PM peak hour must equal the number of internal trip destinations in the PM peak hour. As an example, if there are 150 internal trip origins in the AM peak hour, but only 100 internal trip destinations are available, there can be only 100 internal trips. The remaining 50 origins cannot be internal, and would necessarily need to have external destinations.

**Table A
COMPARISON OF TRIP GENERATION IN TIS TO SANDAG MODEL**

Land use Category	Table 4.8 in TIS	Daily Vehicular Trips Appendix F	Difference
Residential Uses			
Single Family	9,030	6,240	-2,790
Multi Family	2,250	1,764	-486
Senior Community	1,872	2,025	153
Assisted Living	500	506	6
Residential Subtotal	13,652	10,535	-3,117
Non-Residential Uses			
Specialty/Strip Commercial	2,460	7,380	4,920
Office	399	580	181
B&B/Inn	450	502	52
Church	321	434	113
K-5 School	909	1,183	274
6-8 School (a)	185		-185
Recreation Center (a)	915		-915
Neighborhood/County Park (a)	119		-119
Water Reclamation (a)	14		-14
Recycling Center	4	18	14
LH YMCA (b)		601	601
LH Active Park (b)		482	482
Other Public Service (b)		29	29
Non-Residential Subtotal	5,776	11,209	5,433
TOTAL	19,428	21,744	2,316
(a) Not used in SANDAG Model			
(b) Not used in TIS Increase of 11.9%			

The methodology used in the TIS to estimate internal trips is fundamentally flawed because it results in an unequal number of origins and destinations in each peak hour. Table 4-9 indicates that in the AM peak hour there would be 261 "in" and 231 "out" trips, or origins and destinations, respectively. For the PM peak hour there would be 207 "in" and 189 "out" trips. Since the "in" (trip destination) and "out" (trip origin) numbers are not equal, adjustments are needed.

The revised estimates for internal trips are lower compared to the TIS, by 106 trips in the AM peak hour and 38 trips in the PM. Accordingly, external trips are underestimated in the TIS. Use of the correct peak hourly external trip numbers in the TIS, could have revealed additional impacts, beyond those identified in the TIS.

3. SANDAG Estimate of Internal Trips:

In reference to Page 53 of the TIS and Appendix F:

The 28.8% of internal trips attributed to the SANDAG model run (Page 53 of the TIS) is faulty because the model inputs are faulty. Table A attached presents a comparison of the vehicular trips estimated in Table 4.8 of the TIS (19,248 total daily vehicular trips), compared to the data presented in Appendix F (18,849 total daily vehicular trips). While the total numbers are reasonably close, there are large differences in the estimates for individual land use categories, as documented in Table A. Table A is showing a total of 21,7444 daily trips. In general, the trips for the residential categories are underestimated in the SANDAG model, while the commercial and office categories are overestimated. Since residential uses are typically considered trip productions in the model while commercial and office uses are considered to be trip attractions, the model estimate of internal trips is based, incorrectly, on a much higher number of potential internal attractions. The internal trip calculations need to be revised and the analysis corrected.

4. Roadway Capacity Assumptions under Existing Conditions:

In reference to Table 3.1 on Pages 28 through 30 and text on Pages 19 through 22:

The Level of Service calculations in the TIS are flawed and need to be corrected to reflect the correct project internal trip capture and capacity of each road.

The daily roadway capacity assumptions for existing conditions are based on the incorrect premise that the roadways are built to the full design standards of the applicable classification. In Table 3.1 the Level of Service (LOS) D threshold for 2-lane facilities without a two-way left turn lane is assumed to be either 8,700 or 10,900 with the exception of Valley Center Road and Miller Road (assumed to be 13,500 and 8,000, respectively). There is no indication in the TIS that, in fact, West Lilac Road Circle R Drive, Lilac Road, Old River Road, and other roadways, are not built with the appropriate design features, such as paved shoulder width, sight distance, design speed, curve radii, pavement thickness etc.

The compliance of the existing roadways with the appropriate design standards should have been ascertained if these LOS traffic volume thresholds were used in the TIS. If the facilities are not built with the applicable standards, the LOS traffic volume thresholds should have been reduced.

5. Interchange at I-15/SR-76:

In reference to Page 36:

The I-15/SR-76 Interchange is presently under construction and under the jurisdiction of Caltrans. Impacts and mitigation will require Caltrans concurrence.

Contrary to the statement at the bottom of the page, the ramp terminals at the interchange of I-15/SR-76 are signalized and should have been analyzed for all scenarios. Had they not been signalized, they should have been analyzed as stop-controlled intersections in the same way the interchanges at I-15/Old Highway 395 and I-15/Gopher Canyon Road were analyzed. The results should have been presented in Table 3.2 on Page 34, along with the other interchanges. The applicable analyses should have been performed for all future scenarios.

6. Project Access:

The TIS proposes an intersection with West Lilac Public Road (we shall refer to it as Access Point X) for which there is no road or intersection design disclosure or traffic analysis provided.

For purposes of this discussion the project access point on West Lilac Road approximately mid-way between Main Street (Intersection 26) and Street F (Intersection) will be referenced as Access Point X. Please see Figure 1-3 on Page 4 of the TIS for the location of Access Point X and the circulation system it would serve.

In the TIS, the analysis assumes the presence of Access Point X (described in the previous paragraph), yet the intersection of West Lilac Road and Access Point X is not analyzed in any of the scenarios. Judging from the trip distribution percentages presented in Section 5 of the TIS, Access Point X would accommodate 20 to 40 % of the project traffic. As an example, the information in Figure 4-10A indicates that about half of the traffic to/from Phase A would use Access Point X.

The intersection of West Lilac Road and Access Point X should have been analyzed and appropriate improvements, if any, should have been identified.

The TIS proposes an intersection with Lilac Hills Ranch Road at Covey Lane existing Private Road for which there is no road or intersection design disclosure or traffic analysis provided.

Lilac Hills Ranch Road (LHRR) is the major internal north/south roadway for the proposed LHR subdivision. LHRR is the route to access the LHR Project's Secondary Access Roads, the existing Covey Lane and Mountain Ridge Private Roads.

Accretive has provided NO DETAIL of the Road Design for Covey Lane and/or the Intersection of LHRR and Covey Lane. These are the secondary access roads for compliance with the county's consolidated fire code!

This intersection's design is not disclosed whatsoever and raises two fundamental Traffic and Road Design issues:

1. Site review of the intersection indicates there is inadequate sight distance line and other design considerations that indicate the intersection do not meet County Road Standards.
2. By not disclosing the design details of the LHRR/Covey Lane intersection:
 - a. Environmental Impacts are impossible to assess.
 - b. Conformance to the County of San Diego Road Standards is impossible to assess.

7. Roundabouts:

The presence of roundabouts at the intersections of West Lilac Road/Main Street, West Lilac Road/O Street, and Main Street/C Street is assumed starting with Phase A of project development (Please see Table 5.2, Pages 95 through 98, Intersections 26, 27, and 31). Yet, the roundabouts are not included in any of the "Impact and Mitigation Summary" Tables, starting with Table 5.6 on Page 103 of the TIS.

The roundabouts should be in place before the issuance of the first Certificate of Occupancy in Phase A, and the developer responsibility should be clearly stated. The design speed and the right-of-way requirements for the roundabouts should be identified. It is not clear in the TIS if the roundabouts are going to be located entirely on Lilac Hills Ranch property. These matters should be specifically addressed in the mitigation section of the DEIR and/or FEIR, and should not be deferred for subsequent determination.

8. Mitigation Measures:

The following are comments on the adequacy of the mitigation measures and need to establish thresholds for compliance.

- Table 5.6 on Page 103 identifies no improvements for Phase A of the project. As stated earlier, roundabouts at the intersections of West Lilac Road/Main Street, West Lilac Road/O Street, and Main Street/C Street should have been specified as improvements to be in place before the issuance of the first Certificate of Occupancy.
- Table 5.13 on Page 122 refers to "Phase 4" for the two recommended improvements for Phase B, but the TIS does not explain what Phase 4 represents; nor do the TIS explain how the number 363 EDU was determined.

- Table 5.21, Page 141, recommends that West Lilac Road between Old Highway 395 and Main Street be improved to 2.2C standards by 929 EDU or 9,298 project ADT's in Phase C. As stated earlier for Phase B, the TIS does not explain what Phase 4 represents; nor does the TIS explain how the number 929 EDU was determined. Also, a limit of 9,298 ADT would allow the development of all of the residential uses (except assisted living) through Phase D, without the development of any of the non-residential uses in Phase D or earlier, resulting in 8,952 ADT (Please refer to Table 4.7). Since the stated goal is for the project to achieve a mix of residential and non-residential uses, this threshold is not in the best interests of the County or the residents of Lilac Hills Ranch. The threshold should be defined in a different way, such that the developer is encouraged, or forced to, bring in non-residential uses in parallel with the residential uses. The same comments apply to the timing of the signalization of the intersection of Old Highway 395/ West Lilac Road, albeit with a different threshold.
- On Page 123 of the TIS and in Table 5.14 on Pages 128 through 130, direct impacts are identified for Phase C on Gopher Canyon Road (between East Vista Way and the I-15 Southbound ramps) and on East Vista Way (between Gopher Canyon Road and Osborne Street). Table 5.21, Page 141, however, does not recommend any improvements for these roadway segments. The rationale for not recommending improvements includes, among other things, "Rural community character," "Minimal project trips added" and "Distance from project site." This rationale is not very convincing because the "No Project" or "Much Lower Intensity Project" alternatives would be more compatible with the ambient rural community character and would result in no or much fewer trips. The TIS should have identified the necessary improvements and should have left it to policy-makers to decide whether the improvements to mitigate direct project impacts should be required of the developer or waived. Without any improvement recommendations, policy-makers have no frame of reference to make an informed decision.
- In Table 5.29 on Page 160, no improvements on Gopher Canyon Road (between East Vista Way and the I-15 Southbound ramps) and on East Vista Way (between Gopher Canyon Road and Osborne Street) are recommended for Phase D, even though, as in the case of Phase C, direct impacts have been identified. The same rationale as for Phase C, and equally as faulty, has been used not to recommend any improvements. As in the case of Phase C, the improvements should have been identified and the decision to accept or waive them should have been left to the policy-makers.

In Table 5.29, continued on Page 161, the threshold for the signalization at Old Highway 395/Circle R Drive refers to Phases 4 and 5, which are not explained in the TIS.

- In Table 5.30 on Pages 167 through 169, and on Page 177, direct impacts are identified in Phase 5 (Buildout of Project) on Gopher Canyon Road (between East Vista Way and the I-15 Southbound ramps), on East Vista Way (between SR-76 and Gopher Canyon Road) and on East Vista Way (between Gopher Canyon Road and Osborne Street). However, in Table 5.36 on Page 179, the same rationale as for Phases C and D, and equally as faulty, has been used not to recommend any improvements. As in the case of Phases C and D, the improvements should have been identified and the decision to accept or waive them should have been left to the policy-makers.
- In Table 6.9 on Page 226, it is recommended that Gopher Canyon Road (Between East Vista Way and the I-15 Southbound ramps) be improved to 4.1 A per the Mobility Element because of a cumulative impact. The existing traffic on this roadway segment is 15,310 vehicles per day (vpd). The cumulative projects would add 370 vpd and the proposed Lilac Hills Ranch project would add 580 vpd, for a total of 16,260 vpd, resulting in LOS F, properly identified as a cumulative impact.

When the Lilac Hills Ranch traffic (at project buildout) was added to existing traffic the total was 15,890, resulting in LOS E and a direct impact was correctly identified (Please see Table 5.30 on Pages 167 through 169). However, no improvements were recommended because of among other reasons "Rural Community Character." Yet, under cumulative conditions a widening to 4 lanes is recommended, even though the cumulative projects collectively would add less traffic (total of 370 vpd for all cumulative projects combined) than the proposed project (580 vpd). No reason is given as to why "Rural Community Character" would no longer be an issue.

9. Traffic Volumes on Mountain Ridge Road and Covey Lane:

My evaluation of the traffic volumes based on revised trip generation and internal hip capture lead to the conclusion that both roadways traffic volumes will exceed the County's 2,500 ADT. Threshold for private roads and will require additional improvements.

	LHR TIS ADT (1)	Assessed ADT
Covey Lane (Private Road):	1,110	Over 2,500
Mountain Ridge Road (Private Road):	2,220	Over 2,500

(1) Values are from the LHR TIS Table 7-1

10. Independent Analysis of Traffic Volume on Mountain Ridge and Covey Lane Secondary Access Roads:

As described on Page 240 of the TIS, the traffic volume forecasts for the horizon year were developed using a hybrid methodology. With the hybrid methodology, the SANDAG Series 12 model forecasts (for 2050) were used for freeways, and the County General Plan (based on SANDAG Series 10 for 2030) traffic volume forecasts were used as the starting point for traffic volume forecasts for Mobility Element Roadways (MER). These base (starting point) traffic volumes were used to develop traffic volume forecasts for other horizon year scenarios. The "Selected Zone" analyses for the proposed Lilac Hills Ranch project were based on the Series 12 model.

In the TIS, there are flaws in the application of the hybrid methodology, and the hybrid methodology itself introduces certain inconsistencies. Because of the flaws in the application and the inconsistencies inherent in the hybrid methodology, the horizon year traffic volume forecasts in the TIS are not reliable.

10a. Flaws in the application of the Hybrid Methodology:

Assuming for purposes of this discussion that the hybrid methodology does not have any inconsistencies, even though it does (see discussion below) there are flaws in the application of the methodology, discussed in the following bulleted paragraphs.

- Figure 9-2, on Page 245 of the TIS, presents "Roadway Average Daily Traffic Volumes-Horizon Year Base Conditions with Road 3". The traffic volume forecasts in Figure 9-2 do not match the traffic volumes shown in the SANDAG Model plot "County of San Diego GP Update EIR--2030 Planning Commission Recommended LOS and Volume Plot - Valley Center Area - 2030 Proposed Network, Model Run 09/03/10, Without Road 3A.

Examples of discrepancies (between Figure 9-2 and the GP Plot) in forecast daily traffic volume (not an all-inclusive list) are:

Location	<u>Figure 9-2</u>	<u>GP Plot</u>
W. Lilac Road, east of Old Highway 395	8,110	11,400
Circle R Drive, east of Old Highway 395	6,640	6,100
Old Castle Road, east of Old Highway 395	7,780	12,600
Old Highway 395, north of W. Lilac Road	13,790	16,500
Old Highway 395, south of W. Lilac Road	19,520	20,800
Old Highway 395, south of I-15 NB Ramps	13,960	14,300
W. Lilac Road, north of Circle R Drive	1,130	1,900

No explanation for these discrepancies is provided in the TIS. The GP plot forecasts are generally higher than those in Figure 9-2. Therefore, whatever "smoothing" or "averaging" process was used for the adjustments, the net effect would be understatement of project impacts in the horizon year. A very clear example is W. Lilac Road. The GP Plot presents forecasts at two locations between Old Highway 395 and Main Street: 11,400 and 11,000. There is no justification for using 8,100 vehicles per day (vpd) as the base forecast in Figure 9-2 or in Table 9-1 on Page 242 in the TIS.

- Since the forecasts in Figure 9-2 are used as the base for estimating traffic volumes for other scenarios, the effect is carried forward throughout the horizon year analyses.
- Figure 9-3, on Page 249 of the TIS, presents "Roadway Average Daily Traffic Volumes - Horizon Year Base Plus Project Conditions with Road 3". In Figure 9-3 and in Table 9-3 on Page 251, the traffic volume forecast for W. Lilac Road between Old Highway 95 and Main Street is given as 18,990 vpd, just below the LOS E volume threshold of 19,000. If the correct base of 11,400 vpd had been used instead of the incorrect base of 8,110 vpd, the total traffic volume forecast would have been 22,200 vpd, resulting in LOS F.
- Figure 9-4, on Page 267 of the TIS, presents "Roadway Average Daily Traffic Volumes - Horizon Year Base Conditions without Road 3". In Figure 9-4 and in Table 9-7 on Page 263, the traffic volume forecast for W. Lilac Road between Old Highway 95 and Main Street is given as 1,870 vpd. Compared to the incorrect base of 8,110 vpd for this roadway segment, the difference of 6,240 vpd is attributable to route diversions due to the removal of Road 3. If then the reduction of 6,240 vpd is applied to the correct base of 11,400 vpd, the correct base traffic volume forecast for this condition would be 5,160 vpd. Since no explanation is presented about how the diversions were calculated, the validity of the numbers in this figure cannot be ascertained.
- In Figure 9-4, on Page 267 of the TIS, the traffic volume forecast of 5,030 vpd on W. Lilac Road just east of the project does not make sense because the traffic volume on Covey Lane is 200 vpd and the traffic on W. Lilac Road south of Covey Lane is 2,730 vpd. These two combined represent less than 3,000 vpd. So where is the rest coming from that makes up the forecast of 5,030 vpd?
- Figure 9-5, just before Page 268 of the TIS, presents "Roadway Average Daily Traffic Volumes - Horizon Year Base Plus Project Conditions without

Road 3". In Figure 9-5 and in Table 9-9 on Page 269, the traffic volume forecast for W. Lilac Road between Old Highway 95 and Main Street is given as 13,370 vpd, resulting in LOS D. If the correct base of 5,160 vpd had been used instead of the incorrect base of 1,870 vpd, the total traffic volume forecast would have been 16,660 vpd, resulting in LOS E (instead of LOS D as Chen Ryan reports), indicating a traffic impact.

10b. Inconsistencies in the Hybrid Methodology:

The planning horizon year for Series 12 is 2050. The County's General Plan, which the proposed project is seeking to amend, has a horizon year of 2030 and the traffic forecasts are based on the SANDAG Series 10 Regional Model. This difference in planning horizon years and the use of two different model Series introduces inconsistencies into the process of developing the horizon year forecasts in the TIS.

- The traffic forecasts for the freeways are based on Series 12 whereas the forecasts for the arterials are for 2030. There is no indication in the TIS that traffic volumes on surface streets in the vicinity of freeway interchanges were reviewed to ensure consistency with traffic on the freeway ramps. If the freeway ramp volumes are different in Series 10 and 12, adjustments on the surface streets would have been necessary. Since the Series 12 freeway volumes have been "calibrated" by SANDAG, the adjustments would need to be on the surface streets.
- County staff has indicated that SANDAG has used County General Plan full development land uses for both the Series 10 and Series 12 Model runs. However, there is no indication in the TIS that population and employment numbers by TAZ were compared to ensure that they are consistent. Since the TIS is going to be used to amend the Mobility Element (deletion of Route 3, changes in classification of some roads) in addition to assessing the traffic impacts of the proposed Lilac Hills Ranch project, it is essential that the TIS is using the correct tool (s) for the analysis.
- There is no indication in the TIS whether the Series 12 socio-economic projections for the incorporated areas near the Bonsall and Valley Center Planning Areas were reviewed to ensure that they are not substantially different in Series 12 compared to Series 10. Since there is and will continue to be substantial traffic interaction between the unincorporated areas and the municipalities (Escondido, Vista, Oceanside) for such purposes as work, shopping, medical, college/university, recreation, and others, it would be necessary to make such reviews before confidence can be placed in the hybrid methodology.
- The traffic forecasts for the roadways in the vicinity of the proposed Lilac Hills Ranch project would be a function of the socio-economic data forecasts. The TIS should have investigated and documented appropriate information to ensure that the hybrid methodology would be appropriate for a General Plan

Amendment that involves the removal of a Mobility Element roadway without thorough review and evaluation, the validity of the tool used in the analyses cannot be ascertained.

- The selected link analyses used for allocating horizon year project trips to the roadway network were based on the Series 12 model. For the reasons outlined above, the reliability of the selected link runs cannot be ascertained.

In summary, the hybrid methodology used to prepare the horizon year traffic forecasts is not reliable because the process has inherent inconsistencies, because there were instances where the methodology was used incorrectly, and because thorough review, comparison, evaluation, and documentation of the two different model series is lacking. As a result, the traffic forecasts presented in the TIS are not reliable. A decision to make General Plan Amendments should be made using reliable forecasts developed with the appropriate tools.

10c. Comments on Direct Impact Mitigation:

- The Mitigation of the LHR Direct Impacts has been identified as installing traffic signals at:
 - a) Old Highway 395 / W. Lilac Road intersection -signalized;
 - b) Old Highway 395 / Circle R Drive intersection -signalized;
 - c) I-15 SB Ramps / Gopher Canyon Road intersection -signalized; and
 - d) I-15 NB Ramps / Gopher Canyon Road intersection -signalized.

Each of the above intersections needs to be assessed to identify the need to add turning lanes at each of the intersections.

ROAD STANDARD DESIGN EXEMPTION REQUESTS

11. The project proposes ten (10) Design Exceptions to County Road Standards. I have reviewed the Design Exceptions and have the following general comments and specific comments on each Design Exception. The approval of the Design Exceptions by the County needs to consider the safety and liability related to each request. The safety and liability related to the public roadways as well as the future residents within the Lilac Hills Ranch responsibility for the private roads. The following are my comments on each Design Exception request.

1. West Lilac Road Bridge over I-15:

The proposed modification of the Bridge crossing over I-15 will require the approval of the California Department of Transportation (Caltrans) for compliance with design requirements and design exception procedures. Based on my experience with working on similar projects, any approval must come from Caltrans Headquarters in Sacramento. Therefore the approval of the Design Exception requested should not be approved until Caltrans concurrence is received.

2. West Lilac Road from the I-15 to Highway 395:

The amount of grading and necessary rights of way to accommodate the required improvements needs to be verified. The Design Exception also needs to be required to show the required improvements to include the addition of left turn lane on West Lilac Road at its intersection with Highway 395.

3. West Lilac Road from the Project Boundary to the I-15 Bridge:

The proposed Design Exception proposes the reduction in the shoulder area from 8 feet to 6 feet and placement of a retaining wall on the northside of Lilac Hills Ranch Road to provide a 2 foot separation from the curb and gutter. Both of these conditions need to be assessed by the County regarding safety and liability to not provide sidewalk/parkway on the northside of the road in the reduced shoulder areas.

4. West Lilac Road from the westerly roundabout to the northerly boundary:

The justification for this Design Exception is that the ADT is very low. This is not true. The ADT with the project will be over 12,000.

5. West Lilac Road (Along the North Project Boundary Modified 2.2F Section):

The proposed cross section is unclear. As a minimum the required minimum of 28 feet of pavement should be constructed. It is recommended that the alignment of Lilac Hills Ranch Road be reviewed to keep the required travel lanes and shoulder by moving the roadway to the south.

6. West Lilac Road (East of the Easterly Roundabout) Modified 2.2F Section:

The construction of the Roundabout is proposed for traffic calming. The alignment of West Lilac Road and the Roundabout should be placed to not require any Design Exception.

7. Reduced Design Speed on Mountain Ridge Road:

The County of San Diego Private Road Standards requires a vertical design speed of 30 MPH. The request to reduce the vertical speed to 15 MPH should only be considered after the applicant has designed the required improvements and contacted the affected property owners to obtain the necessary rights of way. With full development of the project we estimate the traffic on Mountain Ridge Road to exceed 2,500 ADT and require construction pursuant to the County's Public Road Standards.

8. Mountain Ridge Road at Circle "R" Drive Taper:

The intersection Taper is a small problem. The existing alignment of Circle "R" Drive which is not within the existing road easement needs to be resolved first. If the existing road is to remain outside its dedicated rights of way, the applicant/County needs to determine the recommended ultimate location of Circle "R" Drive.

9. Street C Modified Section:

The request to reduce the vertical design speed to 20 MPH from 25 MPH needs to be clarified and identify for the limits of the design speed reduction as well as the impact on the remainder sections of Street C.

10. Street E – Modification Section:

The request to reduce the vertical design speed to 20 MPH from 25 MPH needs to be clarified and identify the limits of the design speed reduction as well as the impact on the remainder sections of Street E.

12. Cumulative Projects

Review of Table 6.1 Cumulative Projects Page 191 Map Key #123 Orchard Run Major Subdivision (296 Lots) is identified as withdrawn. The Orchard Run Project is a valid project and needs to be included. The addition of this project will add significant volume traffic to West Lilac Road.

In addition to the Orchard Run Project, recent Indian Casino Projects need to be included in the cumulative analysis.

13. Traffic Impact Fee

The Traffic Study and DEIR identify the payment of the County Traffic Impact Fee (TIF) to mitigate the projects cumulative impacts. Since the current TIF did not include the LHR in its analysis, the project needs to be conditioned to update the County TIF prior to issuance of building permits.

At the time the DEIR and/or revised Traffic Study is completed I reserve the right to review and provide additional comments based on the recirculated DEIR and/or Final EIR for the project.

Please feel free to contact our office should you have any questions.

Sincerely,

DARNELL & ASSOCIATES, INC.

Bill E. Darnell, P.E.
RCE: 22338

August 16, 2013

Date

DEPARTMENT OF TRANSPORTATION

DISTRICT 11, DIVISION OF PLANNING

4050 TAYLOR ST, M.S. 240

SAN DIEGO, CA 92110

PHONE (619) 688-6960

FAX (619) 688-4299

TTY 711

www.dot.ca.gov



*Serious drought.
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June 24, 2014

Mr. Mark Slovick
County of San Diego
5201 Ruffin Road, Suite B
San Diego, CA 92026

11-SD-15
PM 43.28
Lilac Hills Ranch Revised EIR

Dear Mr. Slovick:

The California Department of Transportation (Caltrans) has reviewed the Lilac Hills Ranch Draft Revised Environmental Impact Report (DREIR), located near Interstate 15 (I-15). Caltrans does not agree with the following statements identified for the mitigation measures within Caltrans jurisdiction:

M-TR-2, 3: Language was added in the revised EIR that the applicant or designee would be required to install traffic signals at the I-15/Gopher Canyon Road intersection, or Caltrans would agree to install signals provided funding by the applicant equivalent to the cost of installation. It should be noted that Caltrans would most likely not be involved in installing direct impact mitigation for a land development regardless of it being funded by others.

Caltrans does not agree with mitigation language throughout the EIR, whereby mitigation is determined to be infeasible and would remain significant and unavoidable because the impacts are within the jurisdiction of Caltrans, or there is no project, fund or program to contribute fair-share for cumulative impacts. It is the Lead Agency's responsibility to determine and disclose under CEQA the feasibility of implementing a mitigation measure. Stating that Caltrans does not have an identified project at a location identified to have an impact as justification for not mitigating does not meet the intent of CEQA. Furthermore, Caltrans does have a mechanism or program to collect fair-share contributions for cumulative impacts on Caltrans facilities.

June 24, 2014
Mark Slovik
Lilac Hills Ranch Revised EIR

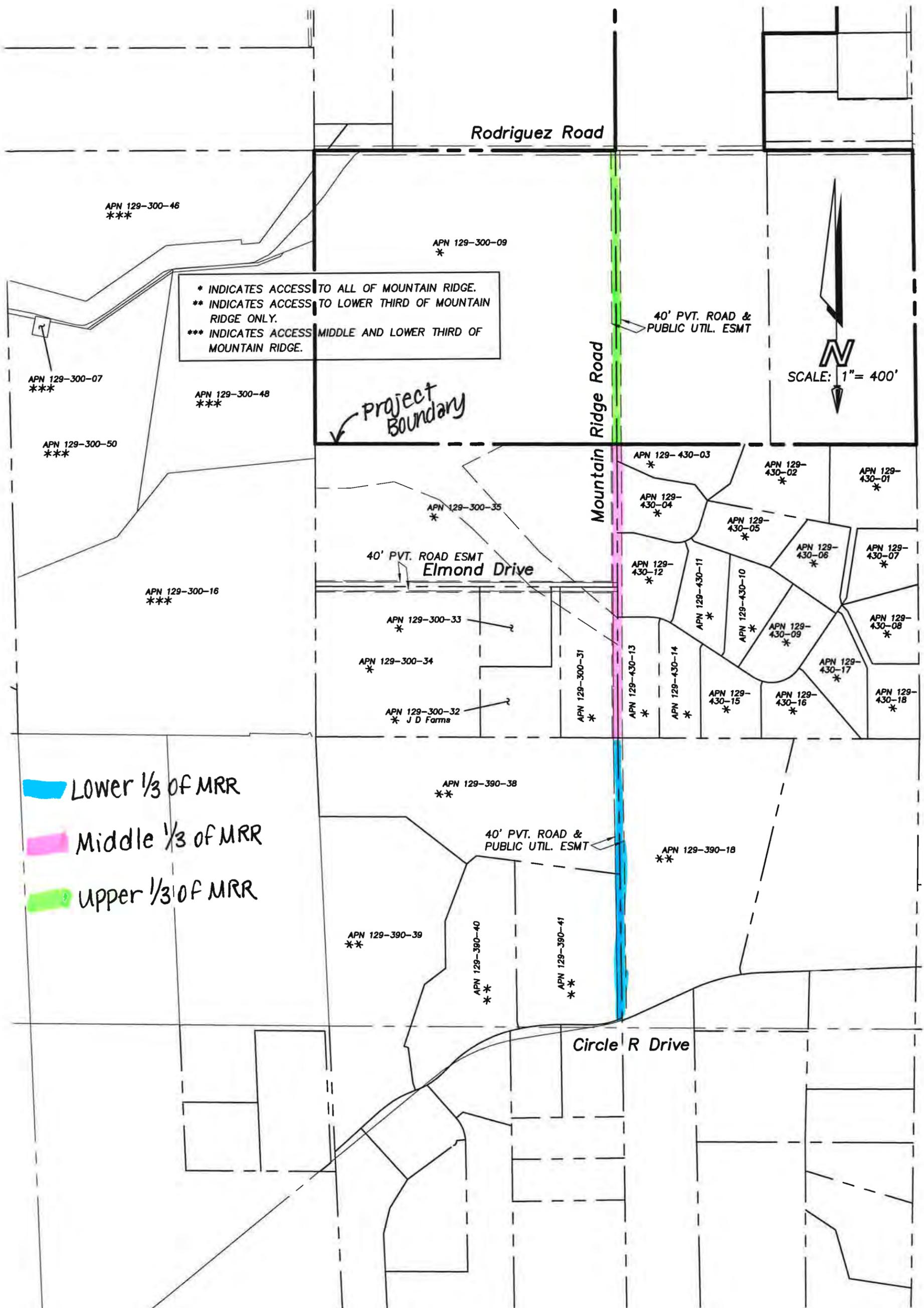
If you have any questions, please contact Marisa Hampton at (619) 688-6954.

Sincerely,



JACOB ARMSTRONG, Chief
Development Review Branch

Access Dependency of Mountain Ridge



* INDICATES ACCESS TO ALL OF MOUNTAIN RIDGE.
 ** INDICATES ACCESS TO LOWER THIRD OF MOUNTAIN RIDGE ONLY.
 *** INDICATES ACCESS MIDDLE AND LOWER THIRD OF MOUNTAIN RIDGE.

Lower 1/3 of MRR
 Middle 1/3 of MRR
 Upper 1/3 of MRR

Project Boundary

Mountain Ridge Road

Rodriguez Road

APN 129-300-09 *

APN 129-300-46 ***

APN 129-300-07 ***

APN 129-300-48 ***

APN 129-300-50 ***

APN 129-300-16 ***

APN 129-300-35 *

40' PVT. ROAD ESMT
Elmond Drive

APN 129-300-33 *

APN 129-300-34 *

APN 129-300-32 *
J D Farms

APN 129-300-31 *

APN 129-430-13 *

APN 129-430-14 *

APN 129-430-15 *

APN 129-430-16 *

APN 129-430-18 *

APN 129-390-38 **

40' PVT. ROAD & PUBLIC UTIL. ESMT

APN 129-390-18 **

APN 129-390-39 **

APN 129-390-40 **

APN 129-390-41 **

Circle R Drive

APN 129-430-03 *

APN 129-430-02 *

APN 129-430-01 *

APN 129-430-04 *

APN 129-430-05 *

APN 129-430-06 *

APN 129-430-07 *

APN 129-430-12 *

APN 129-430-11 *

APN 129-430-10 *

APN 129-430-09 *

APN 129-430-08 *

APN 129-430-17 *

APN 129-430-15 *

APN 129-430-16 *

SCALE: 1" = 400'



40' PVT. ROAD & PUBLIC UTIL. ESMT

July 22, 2014

To: Mark Slovick, Project Manager
County of San Diego Planning and Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123
Mark.Slovick@sdcountry.ca.gov
[\(858\) 495-5172](tel:(858)495-5172)

Subject: Revised DEIR Public Comments Regarding the DEIR Chapter 2.1 Visual Resources with regard to the Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001(GPA),PDS2012-3810-12-001 (SP).

Dear Mr. Slovick:
Comments on Section 2.1 Visual Resources

DEIR Subchapter 2.1 Visual Resources the County of San Diego factually understates Significant Impacts to Visual Resources by the Project.

Comment 2.1.2.1- Issue 1: THE COUNTY HAS NOT FOLLOWED ITS OWN GUIDELINES FOR DETERMINING SIGNIFICANCE OF SCENIC VISTAS IN AN UNBIASED MANNER

The County's guidelines are below:

"According to the County's Guidelines for Determining Significance – Visual Resources (County of San Diego 2007a), a significant impact would occur if the project would **substantially obstruct, interrupt, or detract** from a valued focal and/or panoramic vista **from a public road**, a trail within an adopted County or State trail system, a scenic vista or highway, or a recreational area."

The County asserts that the I-15 view scape will not change. This is true and irrelevant.

West Lilac and Circle R Drive are Public Roads.

The current view scape of the West Lilac/Circle R Drive loop to Highway 395 is very similar to the noted Scenic State Highways.

The Project will forever obstruct, interrupt and detract from the panoramic vista viewed from West Lilac Public.

There will be significant impact to the West Lilac view scape for which there is no Mitigation feasible.

There is Significant Impact for Issue 1 – Scenic Vista that is Unavoidable.

Comment 2.1.2.3 – Issue 3 Visual Character or Quality - THE COUNTY HAS NOT FOLLOWED ITS OWN GUIDELINES FOR DETERMINING SIGNIFICANCE OF VISUAL CHARACTER IN AN UNBIASED MANNER

The County's guidelines for Visual Character or Quality are below:

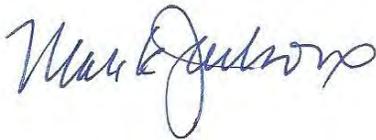
“According to the County’s Guidelines for Determining Significance – Visual Resources (County of San Diego 2007a), a significant impact would also occur if the project would introduce features that would detract from or contrast with the existing visual character and/or quality of a neighborhood, community, or localized area by conflicting with **important visual elements or the quality** of the area (such as theme, style, setbacks, **density**, size, massing, coverage, scale, color, architecture, building materials, etc.).”

The County asserts that the I-15 view scape will not change. This is true and irrelevant.

The dense urban features of the Project in stark contrast to the rural lands that surround the Project is a Significant Impact to West Lilac and Circle R Drive Public Road views.

There is Significant Impact for Issue 3 – Visual Character or Quality that is Unavoidable.

Sincerely,

A handwritten signature in black ink that reads "Mark Jackson". The signature is written in a cursive, flowing style.

Mark Jackson
9550 Covey Lane
Escondido, CA 92026
760-731-7327
jacksonmark92026@gmail.com

July 8, 2014

To: Mark Slovick, Project Manager
County of San Diego Planning and Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123
Mark.Slovick@sdcounty.ca.gov
[\(858\) 495-5172](tel:(858)495-5172)

Subject: Revised DEIR Public Comments Regarding Water, Waste Water, and Storm Water Impacts, and DEIR Chapter 2 and 3 Water, Waste Water, and Stormwater Impacts, Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001(GPA), PDS2012-3810-12-001 (SP).

Dear Mr. Slovick:

Attached are the August, 2013 Public Water, Waste Water and Storm Water Comments regarding the County's Lilac Hills Ranch DEIR.

The REIR factually did not directly respond to each of the items and failed to adequately respond to the issues raised in this letter.

Twenty eight (28) specific questions were asked and none were directly and completely answered in the RDEIR.

Specifically, the REIR did not provide an answer to the questions raised on every questioned element of the attached Cumulative Impact Comment letter.

Published County policies and specific assurance from County Staff have clearly stated that all August 2013 DEIR comments if resubmitted, will be responded to. Therefore, respond to each specific issue raised in the attached letter as part of the County's Response to Public Comments for the revised DEIR.

Sincerely,



Mark Jackson
9550 Covey Lane
Escondido, CA 92026
760-731-7327
jacksonmark92026@gmail.com

Attachments

July 31, 2013

To: Mark Slovick, Project Manager
County of San Diego Planning and Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123
Mark.Slovick@sdcounty.ca.gov
[\(858\) 495-5172](tel:(858)495-5172)

Subject: DEIR Public Comments Regarding Water Quality Standards and Related Requirements for the Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001(GPA), PDS2012-3810-12-001 (SP).

Dear Mr. Slovik:

I have reviewed the Specific Plan, DEIR and supporting technical studies for the proposed Accretive Lilac Hills Ranch 1746 Dwelling unit + 90,000 sq. ft. Commercial + School + Senior Congregate Care Facility, and have the following comments and questions regarding Water Quality impacts and mitigation measures.

Water Quality Standards and Requirements

The DEIR concludes under **Issue 1: Water Quality Standards and Requirements** in Chapter 3.0 "Environmental Effects Found Not to be Significant" as follows:

"Through these design features, including the use of permeable pavers, the project would not result in the violation of any water quality standards or waste discharge requirements. Impacts associated with this issue would be **less than significant.**"

We strongly disagree with this finding and conclude that there is **high likelihood of potentially significant and unmitigable impacts.**

Offsite Pipeline Routes/Pipeline Right of Way

I have performed an analysis of the preferred route (Alternate 3) for the offsite sewer and recycled water pipelines. Accretive Investments **does not have legal** right-of-way easement rights to transport recycled water or sewer pipelines across the route depicted in Figure 3-4 "*Offsite Sewer Collection System.*"

Please see attachment "A" hereto, a July 8, 2013 Valley Center Municipal Water District (VCMWD) to M. Jackson letter **confirming that VCMWD has inadequate legal easements** along the route analyzed (Alternate 3).

In light of this fundamental problem, further due diligence is necessary to determine first of all whether the project can actually be built and secondly whether it will be able to utilize even the most basic mitigation measures that would ordinarily be required.

The DEIR should answer the following questions:

1. What verifiable legal rights of way, if any, do VCMWD and Accretive have for any of the proposed sewer and recycled water transport routes indicated?
Information Required – Please Geo locate on a map **all** of the easement documents across a map of Assessor Parcel Numbers tracing **all offsite** routes for sewer and recycled water pipelines identified in Figures 3-2 and 3-4.
2. If it is confirmed that VCMWD and/or Accretive do not have full legal right-of-way for the proposed pipelines, how does Accretive intend to acquire rights? Please note the VCMWD response in Attachment A with respect to the use of Eminent Domain. Also, there are no property owners that we are aware of who are willing to grant the needed easement rights.
3. Background – nearly all of the VCMWD easements cited by Landmark Engineering for the project are 20 foot easements. Question – How does Accretive propose to co-locate Sewer, Water, and Recycled Water pipelines within the 20 foot easement and comply with all codes and regulations?

Use of the existing Lower Moosa Water Reclamation Facility (LMWRF)

The study assesses potential use of the LMRWF for a series of alternatives that range from interim processing of all sewage during initial phases of the project, to installing a scalping plant on-site within the Lilac Hills Ranch Subdivision and transporting sludge to LMRWF for solids treatment.

The LMRWF entered operation service in 1974 and provides disinfected secondary treatment of reclaimed water only. Water treated to this standard can be applied to no other beneficial use other than percolation back into groundwater aquifers.

In 1996 the County of San Diego approved a Major Use Permit and the Regional Water Quality Control Board (RWQCB) approved a permit to double LMWRF capacity to 1.0 Million Gallons/Day (MGD) of influent. This capacity has not been added, nor to the best of our understanding have final permits from other Governmental Agencies been approved to implement this expansion.

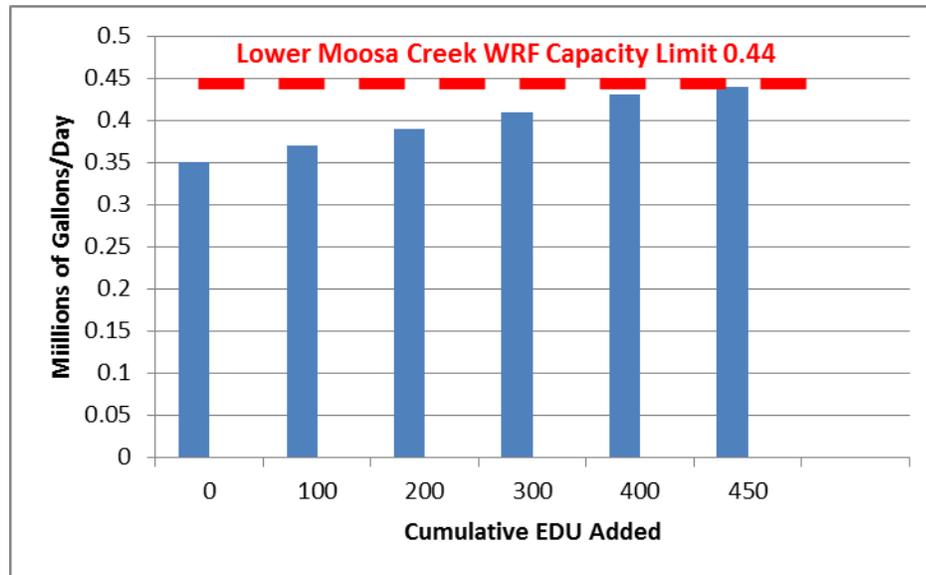
Question 4). Please list all permits required by agency and agency contact information for all permits not currently granted to VCMWD that enable expansion of the LMWRF from 0.5 MGD to 1.0 MGD capacity. It appears in fact that expansion will not occur for a variety of reasons. Please explain.

If LMWRF were to be expanded, it is likely that State and Regional Agencies will require upgrading the entire LMWRF to Title 22 tertiary water treatment standards so that the recycled water could be beneficially used for specific limited uses. These uses would need to be compliant with Title 22 level water and could not further degrade the water quality of the San Luis Rey Basin 903 watershed, either for biological or Total Dissolved Solids (TDS) point or non-point sources.

The current capacity of LMRWF is 0.5 MGD of sewage influent treatment and is presently at 0.35 MGD average reclaimed secondary treated water.

The present ground water percolation pond capacity is 0.44 MGD.

The present capacity of LMWRF allows addition of a maximum of 450 Equivalent Dwelling Units (EDU's) until secondary percolation ponds are at full permit capacity. See Graph below:



Question 5): It is our understanding that the Regional Water Quality Control Board (RWQCB) may not allow an expansion to the current 0.44 MGD limit on the percolation ponds. Is this correct? In your response, please provide details of current Basin and Sub Basin capacity, present Surface and Groundwater Quality (detail of TDS by element, heavy metals, and biological organisms) for relevant Basins and Sub Basins. Please provide RWQCB's detailed analysis of concerns on any proposed expansion of the LMWRF percolation pond capacity for additional disposal of secondary disinfected recycled water beyond the current 0.44 MGD cap.

Question 6) Assuming the 0.44 MGD percolation pond limit, only 450 maximum EDU of influent can be added to LMWRF. Question: What is the current number of EDU's of outstanding applications for land development permits + EDU's from permits granted but not yet built from the existing LMWRF service area? For example Castle Creek Condos, Welk Resorts, and Champagne RV Park are current processing discretionary permits for the addition of 260 EDU within the current LMWRF service area. Please tabulate all other outstanding EDU's from pending discretionary permits and list the total. This analysis is also appropriate under the cumulative impacts section of the DEIR.

Question 7).What is the estimated schedule duration (in months) to obtain permits, design, construct, and operationally check out the upgraded capacity and water quality of LMWRF at 1.0 MGD with Title 22 tertiary treatment quality level for the entire LMWRF facility? To be realistic, please include a range of durations with a 75% confidence level using a "Risk +" (a standard Critical Path Method software package) Monte Carlo simulation.

Question 8) Does VCMWD own enough real estate at the current LMWRF site to host 1.0 MGD and Title 22 tertiary treatment quality level capability? If not, can VCMWD obtain adequate land without use of Eminent Domain?

The Maturity of Project Waste Water Treatment Design is at Concept Level at a time when it

should be at Critical Design Review (review of point design with an assessment of related Environmental Impacts)

Question 9+). Please refer to Attachment B – VCMWD and Accretive Investments Inc. Pre Development Agreement. Question: As of July 8, 2013 the VCMWD Board has approved this agreement. This agreement lists a set of phased steps that result in a point design solution for the Accretive Lilac Hills Ranch Water and Waste Water solutions. Has Accretive approved this agreement and what are the consequences under the agreement if Accretive does not have sufficient easement rights? What is the current status of the point design solution?

Required Beneficial Uses of Recycled Water within the Subdivision’s Boundaries

It is a policy of the VCMWD for a Major Subdivision to beneficially use the treated recycled water from sewage legally and beneficially within the Subdivision boundaries to offset the use of imported potable water.

Question 10). To what specific Title 22 Standards will this Project’s waste water be treated? “We will tell you at a later phase” is not an acceptable answer. Please answer the question directly and unambiguously, to allow Environmental Impact to be measured and feasible mitigation measures to be identified.

Question 11). What is the basis of the three set points in Table 5-1? Please identify these areas and geo-locate them on a map.

The proposed Project urban density of housing and commercial uses yields at most 104 acres that are identified as total non–developed land within the total 608 Project acreage. Of these 104 acres, some are in Clean Water Act Section 404 wetlands and seasonal stream beds. Table 5-1 below from the Waste Water Management Alternatives Study arbitrarily distributes 300 acre feet over three hypothetical cases: 99.9 acres, 85.7 acres, and 74.9 acres at rates of 3, 3.5, and 4 AFY/acre. There is no substantiation for these set points. Table 5-1 from Accretive’s Waste Water Management of Alternatives Study is below:

Irrigation Application Rates	Lilac Hills Ranch Acreage (based on 300 AFY)	Additional Acreage (based on 57 AFY)
at 3 feet per acre	99.9 acres	19.1 acres
at 3.5 feet per acre	85.7 acres	16.4 acres
at 4 feet per acre	74.9 acres	14.3 acres

For reference purposes, 3.25 AFY/acre is the average rainfall that Seattle, Washington receives on an annual basis. Normal rainfall for this area of San Diego is 1.25 AFY/acre. Added together, 4.5 AFY/acre is proposed as being reclaimed on fewer than 100 acres.

Is the project proposing growing rice on all land not covered in concrete (or permeable pavers)?

Is the Project disposing of recycled water with point and non-point source additives into the Section 404 waters?

Question 12). Please Geo locate on a map specific uses for recycled water by use type and annual recycled water usage volume the total of 300 AFY used on the entire 608 acre project. If agricultural uses are indicated, specify the crop and the monthly irrigation cycles.

Question 13). Please Geo locate on a map specific uses for recycled water by use type and annual recycled water usage volume the total of 57 AFY used **offsite** from the project. If agricultural, park land, or other recreational uses are indicated, specify the use, the monthly irrigation cycles, and if applicable, the crop. Since this recycled water is property of VCMWD and not Accretive, please indicate whether this proposed offsite use is acceptable to VCMWD.

Question 14). Effective Rainwater Harvesting on Residential Units relies on fastidious and universal maintenance of rain gutter debris. Please re-run a total of two sensitivity calculations as part of the Hydro Modification Analyses with a 50% hard failure of rainwater harvesting and storage on residential units due to lack of scheduled maintenance (352-176 = 176 EDU participating in rainwater harvesting and storage) and a second case of 100% hard failure of rainwater harvesting and storage on residential units due to lack of scheduled maintenance (0 EDU participating in rainwater harvesting and storage).

Question 15). The Hydro Modification Study results assume 100% non-hardscape use of potential landscape areas of residential lots besides the house slab, diminutive patio and driveway. Please run two excursions of 15% and 30% conversion of "landscaped permeable residential landscape areas" to impermeable hardscape. There are a variety of likely real life scenarios that will generate this condition that include storage sheds, additional decking and walkways, etc.

Question 16). Please cumulatively analyze the results of Questions 15 and 16 together.

Reliance on Permeable Pavers in Streets Design and Construction

The Hydro Modification Plan states that the baseline state for analysis is to have 23 acres (1.002 Million square feet) of Private Roads paved with permeable pavers to permit this dense urban development 608 acre to percolate into the soils. This equates to nearly 4% of the total area of the Project covered with permeable paver surface on internal circulation roads.

The San Diego Consolidated Fire Code together with its reference to Acceptable Road Surfaces is contained in Attachment C. There is no specific mention of concrete pavers (either permeable or impermeable) being an acceptable road surface in the Consolidate Fire Code. However, there is a requirement that all road surfaces bear the weight of a 75,000 Fire Engine without road failure.

Question 17) What specific permeable paver product was Accretive planning to use for this Project? On what other San Diego County projects has this material been used in similar (1 million sq. ft. or larger) roads designed to Public Road standards? Is the material acceptable to the Department of Public Works for Public Road Standard usage as well as being compliant with the Consolidated Fire Code?

Question 18+). The notional usage of permeable pavers on streets designed to Public Standards depicts a 25 foot wide paved surface with 6 inches of aggregate in two courses with 24 inches

of No. 2 Stone underlayment for a total of 30 inches of aggregate and rock base. The 23 acres of permeable paving equates to approximately 40,075 linear feet of 25 foot wide paved road surface. The requirement for 30 inches of Road Base equates to approximately 92,766 cubic yards of aggregate and stone. Is this calculation correct? The 92,766 cubic yards is over 2% of the total project grading estimate of 4,000,000 cubic yards. The total project commits to no import or export of fill material. How is this possible? Will there be an on-site rock crushing plant with all of its Environmental Impact crushing on-site mined rock? What will be the air quality impacts associated with the delivery and application of these quantities of materials?

Question 19). The Schematics in the Hydro modification Study did not display in the PDF file that the County posted on the web site. Please provide legible, readable copies of these important figures and extend the Public Review period for another 45 days after release of this information to compensate for this deficiency.

Question 20). The County's Consultant uses the term Low Impact Development (LID) frequently in the Hydro Modification Study. How is this DENSE URBAN development in sensitive surface and ground water basins LOW IMPACT?

Overall, the ratio of impervious soil to undisturbed soils and natural drainage is grossly low. Using the unusually expensive technique of very large scale usage of permeable pavers, Accretive has put forward an unpersuasive and quite marginal "paper" argument that only appears to achieve ANALYTICAL COMPLIANCE.

Accretive's Hydro Modification Design relies on fastidious and grossly overly optimistic maintenance of rainwater harvesting and storage practices by residents as well as naive projections on residents' post construction expansion of hardscape footprints on residential lots.

As the requested sensitivity analyses will show, this project will have major significant Environmental impacts to surface and ground water quality and quantities.

Storm Water Management Plans (SWMP)

Accretive's SWMP for the Tentative Master Map and Implementing Tentative Map contain conflicting information and are inconsistent with key values in the Hydro Modification Management Plan.

Storm Water Management Plan for Master Tentative Map (entire 608 acre Project)

Questions 21 – 23) Please refer to Attachment D – Please answer each of the Questions on Storm Water Management Plan for Master Tentative Map (total Project).

Question 24). In addition to Questions 21-23, it should be noted that the level of detail contained in the Storm Water Management Plan for Master Tentative Map is grossly inadequate to measure Environmental Impact. Please provide a current, accurate and complete study that comprehensively provides an accurate and realistic Storm Water Management design for the entire 608 acre project and quantitatively analyzes compliance with all Storm water Management laws and regulations. This follow-up work is necessary because of the demonstrated incompleteness, inaccuracy and naïve assertions put forward to date by the applicant. Deferral of further due diligence would be tantamount to failing to identify very significant environment impacts.

Storm Water Management Plan for Implementing Tentative Map (First Phase 114.9 Acres and 352 EDU)

Questions 25 – 27) Please refer to Attachment E – Please answer each of the Questions on Storm Water Management Plan for Master Tentative Map (total Project). Also, please explain if the Applicant and/or the County consider this project a “Priority Project” under MS-4 Policy and what the reasons are.

Question 28). Please provide a current, accurate, and complete estimate of impervious surfaces that will be created by the full build out of the entire proposed 608 acre project by element: Roof tops, housing and commercial pads, impervious streets, parking lots, residential hardscape, commercial hardscape, etc. Please geo locate these areas on a Project Map.

Accretive cites General Plan Goal 5.2 – Conservation of Open Space – Minimize Impervious Surfaces as a rationale for impact reduction of their proposed project. The full text of Goal COS 5.2 is below:

COS-5.2 Minimizing Impervious Surfaces. Require development to minimize the use of impervious surfaces.

It is tortured logic to argue that taking greenfield agricultural and semi rural estate land and introducing a dense urban environment that develops 504 of the 608 acres, adding 83 acres of road and 68 acres of manufactured slopes is consistent with this policy.

On the contrary, it is inconsistent with this Goal. Please discuss this inconsistency

Summary

There are multiple and major questions that need to be addressed as a result of the deficiencies of the DEIR. It is respectfully submitted that the DEIR be revised and then re-noticed for public comment. Thereafter there can be an orderly and focused comment period leading up to the issuance of a final EIR.

There are simply too many changes and additions to be made to the existing document to try and “fix” the problems through responses to comments.

Sincerely,

Mark Jackson
9550 Covey Lane
Escondido, CA 92026
760-731-7327
jacksonmark92026@gmail.com

Attachment A – July 8, 2013 VCMWD to Jackson letter
Attachment B - VCMWD and Accretive Investments Inc. Pre-Development Agreement

Attachment C- San Diego County Consolidated Fire Code Acceptable Road Surfaces

Attachment D – Questions on Storm Water Management Plan for Master Tentative Map (total Project)

Attachment E – Questions on Storm Water Management Plan for Implementing Tentative Map (first phase – 114.9 acres/352 EDU)



VALLEY CENTER MUNICIPAL WATER DISTRICT

A Public Agency Organized July 12, 1954

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Director
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Director
Randy D. Haskell
Director

July 8, 2013
(Revised from original letter dated July 2, 2013)

Mark Jackson
9550 Covey Lane
Escondido, CA 92026

Dear Mr. Jackson;

We enjoyed meeting with you on Friday, June 28, 2013 concerning the Lilac Hills Ranch Project. During our meeting, you asked a number of questions to which we have provided the answers as follows:

Question: *"The Developer has indicated his intent to run sewer force mains on three offsite routes for which I believe the District does not have easement rights to place sewer lines in. The information and my assessment are below.*

Route	APN's	Easement Doc.	Dimensions	VCMWD right
Covey Lane Parcels	128-290-76 and 128-290-77	1968-155521	20' Easement	Water Only

Route	APN's	Easement Doc.	Dimensions	VCMWD right
West Side of Mountain Ridge – SBDN boundary to Circle R	Various North approx. 1320'	1965-214916	20' Easement	Water Only
	Various South approx. 1260'	1965-206816	20' Easement	Water Only

Route	APN's	Easement Doc.	Dimensions	VCMWD right
East Side of Mountain Ridge – SBDN boundary to Circle R	Various North approx. 1320'	1992-0253368	20' Easement	Water and Sewer
	Various South approx. 1260'	1965-214912	20' Easement	Water Only

Am I correct?"

Answer: VCMWD does not presently have sewer or recycled water easement rights across the Covey Lane parcels or the West side of Mountain Ridge private road from the Lilac Hills Subdivision Boundary to the Circle R Public Road.

On the East side of Mountain Ridge private road, VCMWD lacks sewer easement rights for the southern approx. 1260 feet to connect to Circle R public road.

In order for Accretive to use these routes for sewer and/or recycled water routes, additional rights will need to be secured from existing property owners for the selected route.

Question: (Added for revised letter of 7/8/13) *“Since the Developer does not have easement rights for sewer on the Mountain Ridge route indicated in their Waste Water Management Alternative studies, does VCMWD have powers to acquire the rights via Eminent Domain?”*

Answer: (Added for revised letter of 7/8/13) VCMWD does have the Power of Eminent Domain and has used it on limited occasions for its own projects. California law does provide that at the governing board’s discretion a public agency can acquire easements or property by eminent domain for facilities that the agency has required on behalf of private developers at the full expense of the developer. Using eminent domain to acquire property or easements has an intrinsically controversial nature which would certainly be amplified by the prospect of using the easement being acquired on behalf of a private interest. It is likely that the Board would require the developer to clearly document and demonstrate that it has made a significant effort to acquire the required easement through private means and/or that the developer has explored all reasonable alternatives or alternative routes before it would even entertain using its eminent domain powers to acquire these rights of way. ***Ultimately it is not mandatory for the Board to use its powers of eminent domain to acquire easements for private development interests.***

Question: *“What are the Pipeline horizontal separation requirements for placement of Potable Water, Recycled Water, and Sewer lines?”*

Answer: Typically, sewer must be separated by 10 feet from a potable water line. Sewer and Recycled Water must be separated from each other by 5 horizontal feet to allow access for pipeline maintenance and repair. Separation requirements for water/sewer lines may be decreased to 4-feet using special construction materials and placing the sewer line below the waterline. In extremely rare cases, the Department of Health may allow new sewer lines 1-foot from potable waterlines. However, due to operational and maintenance access needs, VCMWD would only allow less than 5-feet of separation between potable/non-potable lines if no other feasible alternative were available.

By using special construction materials and with special approval from the Department of Health Services, VCMWD understands that sewer and recycled water may be placed within the same trench using special construction materials and placement of the lines at different depths. VCMWD would review the separation of the non-potable lines in terms of access for pipeline maintenance and repair. Please refer to the attached

Figures 1 and 2 of the Department of Health Services Guidance Memo dated April 14, 2003 for more information.

Question: *“What is the wet weather recycled water retention on-site storage requirement?”*

Answer: Typically, 84 days of estimated average 24 hour recycled water generation storage is required. This can vary depending upon the ratio of irrigation area to recycled water produced. The final determination is made by the San Diego Regional Water Quality Control Board.

Question: *“I understand that VCMWD and Accretive have entered into a phased agreement that defines the steps to incrementally evaluate Water and Wastewater services. Could a copy be provided?”*

Answer: The agreement, which was approved by our Board, but yet unsigned by Accretive, is attached for your review.

Subsequent to our meeting on Friday, June 28, 2013, you posed additional questions via an e-mail sent later that day. Those questions and our responses are as follows:

Question: *“Did I understand you correctly that all recycled water (tertiary treated to Title 22 standards) generated by the Development must be used on-site for appropriate purposes (park and common area irrigation, agricultural irrigation, etc.)? Key concept being ‘on-site’. Could Accretive sell the recycled water to Welk Resorts and Castle Creek Country Club for golf course irrigation? Or must they use the water within their 608 acre project?”*

Answer: The project will be required to provide secure, long-term suitable beneficial use areas for the recycled water to off-set potable use within the project limits. Typically these areas are properties that may utilize recycled water on a long-term basis in place of potable water such as parks, agricultural land, and landscaped areas. The beneficial use areas may be within or outside the limits of the project. Accretive may not sell recycled water; VCMWD will own all recycled water generated from the project and will own and operate the recycled water transmission and distribution systems. Prospective recycled water users include on-site parks, landscaping, and agricultural areas and off-site agricultural and landscaped areas fronting the recycled lines.

Question: *“Could you please provide contact information for the appropriate individual at the San Diego Regional Water Quality Board to discuss Lilac Hills Ranch water quality issues?”*

Answer: The RWQCB contact is as follows:

**Fisayo Osibodu
WRC Engineer
Southern California Regional Water Quality Control Board
San Diego Region
(858) 637-5594**

If you have additional questions or require additional information, please feel free to contact us at your earliest convenience.

Sincerely;

A handwritten signature in black ink, appearing to read "Dennis Williams", written in a cursive style.

Dennis Williams,
Project Manager/Deputy Eng. Dept. Director

Attachments

(Please see attachments sent with original letter dated July 2, 2013)

**PRE-DEVELOPEMENT AGREEMENT BETWEEN THE
VALLEY CENTER MUNICIPAL WATER DISTRICT
AND ACCRETIVE INVESTMENTS, INC.**

This agreement is made and entered into as of _____, 2013 by and between the VALLEY CENTER MUNICIPAL WATER DISTRICT (hereinafter referred to as the "VCMWD"), a public agency operating under the Municipal Water District Law of 1911, Water Code § 71000 et seq., and ACCRETIVE INVESTMENTS, INC. (hereinafter referred to as "Accretive"). VCMWD and Accretive are referred to collectively as "Parties". This agreement replaces the previous Pre-Development Agreement by and between the parties dated October 15, 2012.

AGREEMENT

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

- A. Accretive manages entities that either own or have options to purchase 608 acres of land within the jurisdictional boundaries of VCMWD described in Exhibit "A," which is attached hereto and by reference made a part hereof.
- B. Accretive proposes to develop the land described in Exhibit "A" as a mixed use pedestrian oriented community entitled Lilac Hills Ranch Community ("Proposed Development"), as further described in Exhibit "B." Accretive intends to obtain VCMWD approval of the required planning, design and construction documents required to provide a water, wastewater and recycled water system to serve the Proposed Development. In addition to requiring various land use approvals from the County of San Diego, the Proposed Development requires a Water Supply Assessment and Verification Report and Waste Discharge Modifications related to the water, wastewater and recycled water system to be provided by VCMWD, which necessitate VCMWD staff review and approval by VCMWD's Board of Directors ("Board of Directors").
- C. Accretive understands and agrees that the processing of the Proposed Development shall be subject to rules, regulations, ordinances, standards and specifications, as established by the Board of Directors of the Valley Center Municipal Water District with respect to those matters within its jurisdiction.
- D. The Parties understand that this "Pre-Development Agreement" is meant to set forth a general understanding between the Parties as provided herein and further described in the attached Exhibit "C" – Conditions of Preliminary Conceptual Approval – Lilac Hills Ranch. These conditions will be subject to further refinement and clarification as more details are developed for each development phase.
- E. The conditions for the review and approval of the water, wastewater and recycled water system that is directly needed to serve the Proposed Development (said system is referred to herein as the "Proposal") are generally as follows:

1. Accretive shall pay all costs and fees directly associated with the Proposal, including but not limited to reimbursing VCMWD for actual expenses incurred by VCMWD in processing the Proposal application, filing fees, staff time, and any changes in such processing / filing fee schedules approved by the Board of Directors in accordance with the law, that may occur during the processing of the Proposal by VCMWD. The Parties acknowledge that consultants and other professionals may be need in the processing and review of the Proposal and that the Parties will negotiate the costs and other related matters associated with consultants when and if required.
2. The Parties acknowledge that the Proposed Development is within the service area boundary of VCMWD. Further, VCMWD acknowledges that it has the authority to supply water, wastewater and recycled water service to the Proposed Development in accordance with its policies, and regulations adopted by the Board of Directors in accordance with and as allowed by state law. Accretive agrees to comply with such policies, and regulations.
3. VCMWD shall facilitate all aspects of the planning, environmental evaluation, design, and construction of any new or expanded facilities that may be needed to solely service the Proposal, in the manner proscribed in the various related polices, and regulations adopted by the Board of Directors in accordance with and as allowed by state law.
4. The Parties acknowledge that a facility plan for the Proposed Development along with other related documents and agreements may be required for the Proposal. The Parties agree to diligently cooperate in the preparation of such documents as needed for the Proposed Development.
5. Accretive agrees to coordinate with and assist VCMWD on all documents, studies, and plans for the Proposal, and other requirements related to said documents that may be imposed by or required by the State Department of Water Resources, Regional Water Quality Control Board, County of San Diego, San Diego County Water Authority, Metropolitan Water District or other agency having jurisdiction concerning the Proposal.
7. Accretive shall, at its own expense and with counsel selected by VCMWD and Accretive, fully defend, indemnify and hold harmless VCMWD, its officials, officers, employees and agents (collectively "Indemnified Parties") from and against any and all claims, suits, causes of action, fines, penalties, proceedings, damages, injuries or losses of any kind, including attorneys' fees (collectively "Liabilities") arising out of or in any way related to this Agreement, the Water Supply Assessment and Verification Report, California Environmental Quality Act certifications or any other actions or matters related to the Proposed Development or the Proposal. Accretive' s indemnification obligation shall include, without limitation, actions to attack, review, set aside, void or annul any approval by VCMWD of this Agreement, the Water Supply Assessment, CEQA documents, or any other discretionary approvals, actions or matters related to the Proposed Development or the Proposal or in furtherance thereof. VCMWD shall promptly notify Accretive of any such claim, action or proceeding and shall cooperate fully in the defense of such claim, action or proceeding. In the event Accretive

determines it may not be in its best interest to proceed with the litigation or to preserve such approvals, VCMWD agrees to reasonably consider Accretive's concerns in determining whether to proceed with such legal action. Accretive hereby waives any potential claim it might otherwise assert against VCMWD for any suspension actions relating to the Water Supply Assessment and Verification Report, CEQA documents, or any actions or matters related thereto or in furtherance thereof made in good faith, resulting from the carrying out of this Indemnification Agreement. Accretive's obligations under this Section shall not be limited or otherwise restricted or confined by the presence or absence of any policy of insurance or self-insurance held by VCMWD or Accretive.

- F. Laws, Venue, and Attorneys' Fees. This agreement shall be interpreted in accordance with the laws of the State of California. If any action is brought to interpret or enforce any term of this agreement, the action shall be brought in a state or federal court situated in the County of San Diego, State of California. In the event of any such litigation between the parties, the prevailing party shall be entitled to recover all reasonable costs incurred, including reasonable attorney's fees, as determined by the court.

NOW IN WITNESS WHEREOF, the parties have executed this agreement as of the date first written above.

VALLEY CENTER MUNICIPAL WATER DISTRICT

Gary Arant, General Manager

ACCRETIVE INVESTMENTS, INC.

R. Randy Goodson, CEO

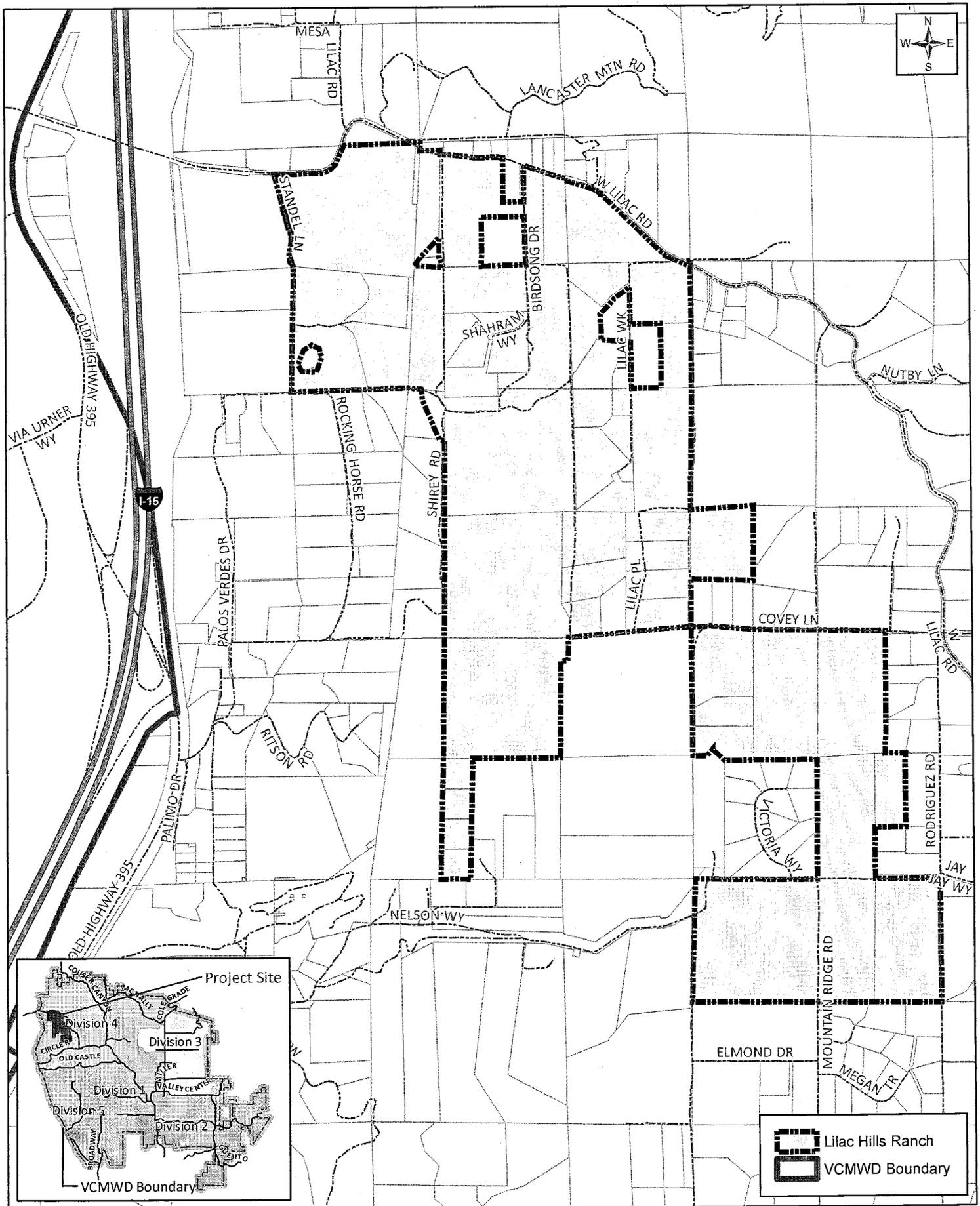


EXHIBIT A Lilac Hills Ranch

Exhibit A

Lilac Hills Ranch Assessor Parcel Numbers

<u>No.</u>	<u>APN</u>	<u>No.</u>	<u>APN</u>
1	127-072-20	31	128-290-72
2	127-072-14	32	128-290-07
3	127-072-38	33	128-290-51
4	127-072-46	34	128-290-09
5	127-072-47	35	128-290-10
6	127-072-41	36	128-290-11
7	127-072-40	37	128-290-58
8	128-440-01	38	128-290-54
9	128-280-42	39	128-290-59
10	128-280-46	40	128-290-60
11	128-440-21	41	128-290-61
12	128-440-20	42	128-290-55
13	128-440-17	43	128-290-56
14	128-440-18	44	128-290-57
15	128-440-19	45	128-290-75
16	128-440-03	46	129-010-62
17	128-440-22	47	129-010-76
18	128-440-14	48	129-010-75
19	128-440-15	49	129-010-73
20	128-440-06	50	129-010-74
21	128-440-05	51	129-010-69
22	128-440-23	52	129-010-70
23	128-440-02	53	129-010-71
24	128-280-27	54	129-010-72
25	128-280-10	55	129-010-68
26	128-280-37	56	129-011-15
27	128-290-74	57	129-011-16
28	128-290-69	58	129-300-09
29	128-290-70	59	129-300-10
30	128-290-71		

EXHIBIT “B”

Project Description

The Lilac Hills Ranch community (also referred herein as “Community”) proposes the development of a 608-acre mixed use pedestrian oriented sustainable community within the unincorporated area of San Diego County designed to meet the environmental standards of the LEED 2009-ND or an equivalent program. A portion of the land is within the Bonsall Community Planning Area and a portion is within the Valley Center Community Planning Area as shown in Figure 1 - Regional Location Map. The proposed Specific Plan includes a residential component consisting of 1,746 dwelling units which equates to an overall density of 2.9 dwelling units per acre (du/ac) over the entire 608-acres. The planning areas with higher densities are located in the Village Center and in the Phase 3 Neighborhood Center. The Village Center and two smaller Neighborhood Centers also permit 75,000 square feet of retail commercial-mixed uses, and Phases 4 and 5 include a 172-acre Senior Citizen Neighborhood component which includes: market rate, age restricted residential housing (a total of 468 dwelling units included in the 1,746 dwelling units above), and Group Residential and Congregate Care living facilities (both non-residential dwelling units). The Community will retain and promote agriculture uses in the project’s open space system. Existing agricultural uses in the biological open space will be allowed to continue, and some existing and new agricultural uses, both on an interim and permanent basis will also be permitted in certain other development areas. The Community also includes an active park system with a minimum of 12 public and private parks, public trails, and a school site. Also, proposed within the Community are a Recycling Facility; a wastewater treatment and reclamation facility; and other supporting infrastructure.

Discretionary approvals submitted concurrently with the Specific Plan include a General Plan Amendment, Rezone, two Tentative Maps (which include the Vacation of two Open Space easements), a Site Plan for the Implementing Tentative Map, and a Major Use Permit for the wastewater treatment and reclamation facility.

Residential Component: This Specific Plan proposes a residential community with a maximum of 1,746 homes as shown in Figure 9 - Proposed Community Plan Land Use Designations. All of the areas designated for single family detached residential development on the Valley Center Community Plan Map are included on 568.8-acres, and the Commercial-Mixed Use/Multi-Family uses are grouped on three separate parcels totaling 39.2-acres. The single family area is designated VR 2.5 and is zoned RU reflecting the density obtained by dividing the 1,400 single family lots by 568.8-acres. There are single family residential areas in each of the five project phases.

The Village Center and two smaller Neighborhood Centers (31.9-acres) allow commercial,

mixed use and multi-family uses (including a total of 346 dwelling units), and are designated Village Core-Mixed Use and zoned with the C34 (Commercial-Residential) Use Regulation as shown on Figure 11 - Proposed Zoning. The overall gross density of these three areas based on the proposed development plan is 8.8-units per acre (346 dwelling units divided by 39.2-acres).

Commercial and Mixed Use: The Community contains 3 diverse Neighborhood Assets which are comprised of a 30.8-acre mixed-use commercial Village Center, in the northern portion of the Community and, two Neighborhood Centers, which are activity nodes located in the central and southerly portions of the Community. They have been specifically located to meet the standard for “walkable communities” by locating essential neighborhood commercial services within one-half-mile of all of the residential uses.

School Site: An 11.2-acre school site is proposed within the Specific Plan project area that will serve the Community.

Recycling Facility (RF): A Recycling Facility will be provided on-site per Section 6970-b of the Zoning Ordinance. The purpose of this facility is to provide waste recycling for project residents. Per the county Zoning Ordinance (2341), a Site Plan is required for this use.

On-site Wastewater Treatment Plant and Reclamation Facility (WTPRF): A Major Use Permit has been processed concurrently with the Specific Plan to provide treatment of effluent generated within the Community area. Implementation of the Major Use Permit or alternative treatment options will be determined by the Valley Center Municipal Water District.

Other Facilities and Uses: Additional elements of the proposed Community include public community, neighborhood and pocket parks; multi-use trails; pathways, bike paths and bike lanes; active orchards and other agricultural uses; associated community facilities such as a private recreation facility, community center, information center, Country Inn, and supporting infrastructure; as well as permanent preservation of biological open space. A complete age restricted neighborhood for seniors and an Assisted Living Facility which includes both a Group Residential Care facility, and a Senior Center are included with single family residential uses.

The Community is located in an area of agricultural uses together with existing residential and commercial uses. The Community will be designed in accordance with the guidelines, set forth in this Specific Plan. Community design features include landscaping throughout the Community, screening of the WTPRF and RF and lighting restrictions.

The proposed Community includes utilization of existing water wells at the discretion of the VCMWD. The Community will construct on-site drainage facilities, including water quality treatment and hydromodification basins, to protect against sedimentation resulting from storm water runoff. The system includes Site Design, Source Control and Treatment, Best Management Practices, as well as Low Impact Development measures such as rain water harvesting for each

single family home. The Community will be developed to meet all applicable County Code requirements in regard to the provision of solar facilities.

Grading is expected to take place in a number of phases over a period of years. The Specific Plan text includes a phasing plan for the development of the Community's component parts which would be coordinated with the level of available services, including roads, water, wastewater, and park services.

Primary access to the Community will be provided via West Lilac Road, which connects to Old Highway 395 to the west of the Community. The proposed circulation plan for the Community includes both on-and off-site road improvements. Additional access will be provided via Covey Lane, Rodriguez Road and Mountain Ridge Road as described in Section III.

The Community is within the Valley Center Municipal Water District ("VCMWD"). Groundwater may be used as a secondary source of irrigation for orchards and common area landscaping during drier and hotter periods of the year when authorized by the VCMWD.

EXHIBIT “C”

CONDITIONS FOR PRELIMINARY CONCEPT APPROVAL – LILAC HILLS RANCH

The Lilac Hills Ranch Community a multi-phased - mixed use development consisting of 1,746 new units and 16 existing home sites which will remain as part of the community, as indicated in the attached Table 1 – Lilac Hills Ranch Community (the “Project”). A Master Tentative Map (TM No. 5571 RPL-1) covering the entire project has been prepared and submitted to the County for approval. Subsequent Implementing Tentative Maps and Final Maps will be prepared for each project phase for approval by the County. The project is presently processing the Master Tentative Map and the Implementing Tentative Map for the first (northernmost) phase of the project.

In addition to the new development, the Developer will provide facilities for water and wastewater service to six (6) “perimeter” parcels which are not a part of the Project but are within or adjacent to the Project Boundary. Assessor’s parcel numbers for these “perimeter” parcels are provided in Table 2. The “perimeter” parcels currently receive water service from the District, but would be provided wastewater capacity by the Developer.

The combined area of the Project and the “perimeter” parcels is referred to as the LHR (Lilac Hills Ranch) Service Area and is summarized in Table 3.

The intent of this preliminary concept approval is to examine the major issues related to providing service to the Project and to provide direction for completion of the facility planning documents for each development phase, as designated in each subsequent Implementing Tentative Map. A more detailed evaluation and review of specific facilities proposed for the development will be provided once the facility planning documents, tentative maps and environmental review documents have been completed.

Two documents, one entitled “*Wastewater Management Alternatives for the Lilac Hills Ranch Community*” dated May 28, 2013 and the other “*Water Service for the Lilac Hills Ranch Community in the Valley Center Municipal Water District*” dated May 28, 2013, were prepared and submitted by Dexter Wilson Engineering, Inc. for District review. These documents describe the Project and the proposed water, wastewater and recycled water service requirements, design criteria and proposed offsite facilities needed to service the development.

Preliminary Terms and Conditions for Concept Approval – The following is a summary of the preliminary terms and conditions for concept approval for the development. These terms and conditions will provide the basis for amending the current preliminary development agreement with Accretive.

- **General Conditions**

- All water, wastewater and recycled water facilities to be dedicated to the District for ownership and maintenance shall be designed and constructed in accordance with the District’s operational requirements, standard specifications, policies and directives at no cost to the District.

- Preliminary design reports shall be submitted for the initial development phase and each following phase for further Board conceptual approval and preparation of District Facilities Agreements for the proposed improvements. Each preliminary design report shall include the remaining overall facility requirements and any modifications to the prior phasing plans.
- Developer shall maintain or relocate access to all existing District facilities with the Project, including but not limited to West Reservoir Site and existing pipelines.

- **Water Supply**

- The Developer has prepared and obtained Board approval of a Water Supply Assessment and Verification Report for entire project (Table 1 - Lilac Hills Ranch Community).
- The Project is served primarily from the District's Country Club Zone which lacks sufficient reservoir redundancy to serve the project. The Developer shall construct sufficient redundant reservoir capacity within the zone to serve the Project as part of the initial development phase, at no cost to the District.
- To provide the redundancy, several facility improvement alternatives located within the existing Country Club Reservoir and Old Country Club Reservoir sites are being evaluated, for selection and approval by District. Should an acceptable alternative for redundant capacity not be available within the existing reservoir sites, the Developer shall fund additional studies and environmental documents as necessary to evaluate additional offsite alternatives.
- District will consider crediting an appropriate portion of the cost of providing the redundant reservoir system for the Project toward the Project's meter capacity charges.
- A minor portion of the Project is served from the West Zone. A redundant supply from the Country Club zone via one or more pressure regulating stations shall be provided.

- **Water Distribution**

- The Developers will be responsible for the design, construction and dedication to the District of all water distribution facilities required for domestic water service and fire protection for the project.
- Any existing water transmission mains traversing the Project shall be protected in place, to the District's satisfaction, without adverse grading or improvements in the easement that would restrict access. If this cannot be accomplished, the main shall be relocated, at the Developer's expense, to roadways planned within the development.

- All water services for this development would have automatic remote real-time meter reading capabilities. The Developer shall provide additional data collection and communication facilities as may be required to automatically read the meters.
- Individual water service meters shall be provided for each single family and multi-family residential unit, including the individual units within a townhouse, condominium or apartment complex.

- **Wastewater Collection**

- The wastewater collection system is proposed as a gravity system with multiple lift stations as determined by topography.
- Collection system would be sized for full build out of the Lilac Hills Ranch Project in multiple phases.
- The list of parcels for which the Developer shall provide capacity (i.e., wastewater service area) are provided in the attached tables. No areas outside the LHR Service Area would be served.
- Wastewater service capacity to these parcels would be based on the properties current land use designations. One of the parcels is the existing Miller fire station on the south side of West Lilac Road.
- The Developer shall be responsible for the cost of facilities required to provide these parcels with wastewater capacity, including, but not limited to treatment capacity, capacity in the gravity collection system, and a connection to the gravity collection system.
- The Developer shall provide supporting documentation (e.g., agreement) to the District which memorializes the arrangement between the Developer and the parcel owner as to the party responsible for the improvements needed within the individual parcel to abandon the existing septic system, pursuit of County permits for the onsite work, and payment of connection and application fees for service from the District.
- Additionally, the Developer shall provide supporting documentation that the parcel has agreed to accept wastewater service and the resulting monthly wastewater water service charges from the District. The property owners shall process the normal applications for wastewater service with the District to become District customers.
-

- **Wastewater Treatment Capacity**

- The LHR Service Area is not currently within the service area of the District's Lower Moosa Canyon Water Reclamation Facility (Moosa) Service Area. The District does not currently have wastewater capacity to serve the LHR Service Area. Capacity for the LHR Service Area shall be designed and constructed by the Developer, at no cost to the District.

- Wastewater capacity for the LHR Service Area would be constructed in multiple phases, acceptable to the District, as required to meet the build-out needs of the service area.
 - Wastewater Expansion Phases for the LHR Service Area shall be constructed, in conjunction with service requirements for the Moosa Service Area, within the existing Moosa site up to its maximum site capacity, not to exceed 1.0 mgd as set forth in the 1996 MUP Modification.
 - Once maximum site capacity at Moosa is reached, additional capacity as required for the balance of the Moosa Service Area and the LHR Service Area would be provided by construction of one or more expansion phases at a satellite water reclamation facility site located within the Project, with the solids (waste activated sludge) pumped to Moosa for processing.
 - Available permanent capacity at Moosa for the LHR Service Area shall be limited to the excess Moosa site capacity above that needed for the current Moosa Service Area.
 - With the initial phase of development, property within the Project of sufficient acreage to construct a water reclamation facility for the full capacity requirements of the LHR Service Area shall be dedicated to the District.
 - The Developer shall fund preparation of a Waste Discharge Report, and other studies as required, to modify the District's Waste Discharge Permit for the Lower Moosa Canyon WRF and future satellite WRF to include the capacity required for the LHR Service Area.
 - The Developer shall fund preparation of feasibility studies and funding applications as needed to obtain State and/or Federal funding for water reclamation facilities to serve the expanded Moosa Service, including the LHR Service Area, which would directly or indirectly benefit the Project.
- **Recycled Water Facilities**
 - The Developer shall prepare a recycled water study identifying the facilities needed to distribute and utilize the recycled water generated by the Project
 - The study shall include transmission main, seasonal and operational storage, beneficial use, and retrofit requirements needed for the full build out of Project.
 - With the initial phase of development, seasonal and operational storage site(s), acceptable to the District, of sufficient size and configuration to accommodate the proposed development shall be dedicated to the District.
- **Beneficial Reuse Areas**
 - The Developer shall identify and provide permanent irrigation areas sufficient for the beneficial use of the treated effluent generated by the proposed project.

- The Developer shall utilize recycled water within the proposed project, to the greatest extent possible, for all appropriate irrigation purposes in lieu of imported potable water.
- Recycled water shall not be used within the single family lots.
- One entity shall be established for the purpose of receiving and applying the recycled water in accordance with all recycled water regulations
- If the irrigation areas within the project are not sufficient to utilize all the recycled water generated by the project, the Developer shall provide a plan, acceptable to the District that demonstrates how the balance of the recycled water will be put to beneficial use on a permanent basis and how the facilities and sites, if required, needed to implement the plan would be funded.

- **Funding Provisions**

- All facilities and sites required for the Project shall be provided by the developers at no cost to the District.
- At the Developer(s) expense, the District will assist, as appropriate, in acquiring any State and Federal funding that may be available to finance or fund the required improvements.
- The reclamation studies prepared for funding applications shall include the available and planned treated effluent from the Moosa Service area for submittal to the Bureau of Reclamation for Title XVI funding and the State Water Resources Control Board for SRF funding.

TABLE 1

LILAC HILLS RANCH COMMUNITY

Land Use	Planning Areas	Net	Dwelling Units/Square Feet (SF)	Zoning
Single-Family Detached	SFD 1-8	165.4	903	RU
Single-Family Detached - Senior Citizen Community (Age-Restricted Units)	SFS 1-6	75.9	468	RU
Single-Family Attached	SFA 1-3	7.9	164	C34
Group Residential/Care	GR	6.5	N/A	RU
Commercial and Mixed-Use	C1-5	14.1	161/ 130,000 sf	C34
Country Inn	C1	1.2	50	C34
Senior Center	P11	3.3	N/A	RU
K-8 School Site	S	12.0	N/A	RU
Institutional Use	I	10.7	N/A	RU
Public Park	P10	12.0	N/A	RU
Private Parks	P 1-9 and within the Senior Citizen Neighborhood P-12 – 15	11.8	N/A	RU
Private Recreation	PR	2.0	N/A	C34
Biological Open Space	OS	102.7	N/A	RU
Common Areas and	--	18.8	N/A	RU
Manufactured Slopes	--	75.2	N/A	RU
Roads	--	83.3	N/A	RU
Water Reclamation Facility	WR	2.4	N/A	RU
Recycling Facility/Trail	RF	0.6	N/A	C34
Detention Basins	DB	5.5	N/A	RU
SUBTOTAL		608	1,746	
Existing Dwelling Units to Remain				
APN	Address	Acreage	EDU	Zoning
128-280-27	9151 W. Lilac Rd.	-	1	SR-4
128-290-07	9153 W. Lilac Rd.	-	1	SR-4
128-440-02	32444 Birdsong Dr	-	1	SR-4
128-290-74	32236 Shirey Rd.	-	1	SR-10
128-280-42	9007 West Lilac Road	-	1	SR-4
128-290-69	9419 West Lilac Road	-	1	SR-4
128-440-14	9553 Lilac Walk	-	1	SR-4
128-440-06	9383 West Lilac Road	-	1	SR-4
128-280-37	9307 West Lilac Road	-	1	SR-4
128-440-05	9381 West Lilac Road	-	1	SR-4
128-440-22	9435 West Lilac Road	-	1	SR-4
128-280-10	9167 West Lilac Road	-	1	SR-4
127-072-38	8709 West Lilac Road	-	1	SR-10
128-290-09	9431 West Lilac Road	-	1	SR-4
129-010-68	9883 West Lilac Road	-	1	SR-4
129-300-09	00000 Rodriguez Road	-	1	SR-4
SUBTOTAL EXISTING HOMESITES	-	-	16	
TOTAL	-	608	1,762	

SR-4 is 1 unit per 4 acres, SR-10 is 1 units per 10 acres

TABLE 2				
EXISTING PARCELS WITHIN PROJECT PERIMETER				
APN	Owner	Acreage	EDU	Zoning
128-440-07	Sheffer	3.27	1	SR-4
128-440-11	Mariscal	5.00	1	SR-4
128-280-56	Salm	5.57	1	SR-4
128-280-28	State of California – CALFIRE	1.90	4	Public
128-280-43	Hernandez	0.56	1	SR-4
128-280-44	Gomez	0.76	1	SR-4
TOTAL	-	17.06	9	-

SR-4 is 1 unit per 4 acres

TABLE 3		
LILAC HILLS RANCH SERVICE AREA		
Grouping	Acreage	EDUs
Lilac Hills Ranch Community		
New Development	-	1,746
Existing Homesites to Remain	-	16
Subtotal	608	1,762
Perimeter Parcels	17.06	9
TOTAL	625.06	1,771

Sec. 503.2.3.1 Surfacing materials. The minimum surfacing materials required for fire apparatus access roads shall vary with the slope of the roadway as follows:

0-10% Slope	4" Decomposed Granite
11-15% Slope	2" Asphaltic Concrete
16-20% Slope	3" Asphaltic Concrete

The paving and sub-base shall be installed to the standards specified in Section I-M of the County of San Diego Off-street Parking Design Manual. A residential driveway constructed of 3½" Portland cement concrete may be installed on any slope up to 20% provided that slopes over 15% have a deep broom finish perpendicular to the direction of travel to enhance traction.

Sec. 503.2.3 Surface. Fire apparatus access road shall be designed and maintained to support the imposed loads of fire apparatus (not less than 75,000 lbs. unless authorized by the FAHJ) and shall be provided with an approved paved surface so as to provide all-weather driving capabilities. The paving and sub-base shall be installed to the standards specified in Section I-M of the County of San Diego Off-street Parking Design Manual. A residential driveway constructed of 3½" Portland cement concrete may be installed on any slope up to 20% provided that slopes over 15% have a deep broom finish perpendicular to the direction of travel or other approved surface to enhance traction.

12 M. PAVING THICKNESS SCHEDULE AND DETAILS.

Except for zones subject to the Agricultural Use Regulations, and the S-87 Use Regulations, all parking spaces, loading spaces and driveways serving them shall be hard surfaced with a minimum of 1.5" of hot or cold mixed bituminous surfacing or 3.5" of portland cement concrete; provided, however, that parking spaces and driveways accessory to one-family and two-family dwellings need not be surfaced with a more durable type of surfacing than that which exists on the street which provides access to the lot or building site upon which such dwelling is located. Required surfacing shall be placed on a suitably prepared base. Within the desert areas of the North Mountain, Mountain Empire and Desert Subregional Plan areas, 4 inches of decomposed granite or suitable alternate material may be approved by the Director of Planning in lieu of more durable paving on residential driveways.

REQUIRED THICKNESS OF A/C AND SUBBASE*			
Existing Soil Classifications	Residential General Parking for Autos Serving Not More Than 4 Spaces	Multi-Family Commercial Store Frontage Parking	Commercial Heavy Duty Truck Loading and Parking
GOOD TO EXCELLENT BASE Decomposed granite, well graded sands and gravels which retain load supporting capacity when wet.	2" A/C on existing soil	3" A/C on existing soil	3" A/C on 5" aggregate base or 4" A/C on aggregate base or 5" A/C on existing soil
MEDIUM BASE Silty sands and sand gravels containing moderate amounts of clay and fine silt. Retains moderate amount of firmness under adverse moisture conditions.	2" A/C on 6" of decomposed granite base or 3" A/C on 3" aggregate base or 4" on existing soil	3" A/C on 5" aggregate base or 4" A/C on 3" aggregate base or 5" on existing soil	3" A/C on 7" aggregate base or 4" A/C on 5.5" aggregate base or 6" A/C on existing soil
POOR BASE Soils having appreciable amounts of clay and fine silt. Soils become quite soft and plastic when wet.	3" A/C on 5.5" aggregate base or 5" A/C on existing soil	3" A/C on 8" aggregate base or 4" A/C on 5.5" aggregate base or 6" A/C on existing soil	3" A/C on 12" aggregate base or 4" A/C on 10.5" aggregate base or 8" A/C on existing soil

*This paving thickness design for A/C paving shall be used unless a pavement design by a registered civil engineer

Attachment D – Storm Water Management Plan for Master Tentative Map (total 608 Acre Project) – Page 1 of 3

Question 21 –Justify each of your answers for each of the indicated areas (red circles), in light of contradictory information in Attachment E - Storm Water Management Plan for Implementing Tentative Map and Table 6 on Page 3 of 3 in this Attachment, and the Hydro Modification Management Plan.

STEP 1

PRIORITY DEVELOPMENT PROJECT DETERMINATION

TABLE 1: IS THE PROJECT IN ANY OF THESE CATEGORIES?

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	A	Housing subdivisions of 10 or more dwelling units. Examples: single-family homes, multi-family homes, condominiums, and apartments.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>		Commercial—greater than one acre. Any development other than heavy industry or residential. Examples: hospitals; laboratories and other medical facilities; educational institutions; recreational facilities; municipal facilities; commercial nurseries; multi-apartment buildings; car wash facilities; mini-malls and other business complexes; shopping malls; hotels; office buildings; public warehouses; automotive dealerships; airfields; and other light industrial facilities.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	C	Heavy industry—greater than one acre. Examples: manufacturing plants, food processing plants, metal working facilities, printing plants, and fleet storage areas (bus, truck, etc.).
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	D	Automotive repair shops. A facility categorized in any one of Standard Industrial Classification (SIC) codes 5013, 5014, 5541, 7532-7534, or 7536-7539.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	E	Restaurants. Any facility that sells prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (SIC code 5812), where the land area for development is greater than 5,000 square feet. Restaurants where land development is less than 5,000 square feet shall meet all SUSMP requirements except for structural treatment BMP and numeric sizing criteria requirements and hydromodification requirements.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	F	Hillside development greater than 5,000 square feet. Any development that creates 5,000 square feet of impervious surface and is located in an area with known erosive soil conditions, where the development will grade on any natural slope that is twenty-five percent or greater.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	G	Environmentally Sensitive Areas (ESAs). All development located within or directly adjacent to or discharging directly to an ESA (where discharges from the development or redevelopment will enter receiving waters within the ESA), which either creates 2,500 square feet of impervious surface on a proposed project site or increases the area of imperviousness of a proposed project site to 10% or more of its naturally occurring condition. "Directly adjacent" means situated within 200 feet of the ESA. "Discharging directly to" means outflow from a drainage conveyance system that is composed entirely of flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	H	Parking lots 5,000 square feet or more or with 15 or more parking spaces and potentially exposed to urban runoff.
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	I	Street, roads, highways, and freeways. Any paved surface that is 5,000 square feet or greater used for the transportation of automobiles, trucks, motorcycles, and other vehicles.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	J	Retail Gasoline Outlets (RGOs) that are: (a) 5,000 square feet or more or (b) a projected Average Daily Traffic (ADT) of 100 or more vehicles per day.

Attachment D – Storm Water Management Plan for Master Tentative Map (total 608 Acre Project) – Page 2 of 3

Question 22 –Justify each of your answers for each of the indicated areas (red circles), in light of contradictory information in Attachment E - Storm Water Management Plan for Implementing Tentative Map and Table 6 on Page 3 of 3 in this Attachment, and the Hydro Modification Management Plan

STEP 2

PROJECT STORMWATER QUALITY DETERMINATION

Total Project Site Area 608.0 Acres

Estimated amount of disturbed acreage: 440 Acres

(If >1 acre, you must also provide a WDID number from the SWRCB)

WDID: Deferred to during final engineering

Complete A through C and the calculations below to determine the amount of impervious surface on your project before and after construction.

- A. Total size of project site: 608.0 Acres
- B. Total impervious area (including roof tops) before construction: 71 Acres
- C. Total impervious area (including roof tops) after construction: 72 Acres

Calculate percent impervious before construction: $B/A = 11.7\%$

Calculate percent impervious after construction: $C/A = 11.8\%$

Attachment D – Storm Water Management Plan for Master Tentative Map (total 608 Acre Project) – Page 3 of 3

Question 23 – a) Is this a current, accurate and complete listing of intended land uses for the entire 608 acre Project? b). Please Geo locate these land uses on a map and indicate their relative footprint in acreage for residential and square footage for commercial. c) Expand and comprehensively explain each of the “potential” footnotes with data.

TABLE 6: ANTICIPATED AND POTENTIAL POLLUTANTS GENERATED BY LAND USE TYPE

<i>PDP Categories</i>	<i>General Pollutant Categories</i>								
	Sediments	Nutrients	Heavy Metals	Organic Compounds	Trash & Debris	Oxygen Demanding Substances	Oil & Grease	Bacteria & Viruses	Pesticides
Detached Residential Development	X	X			X	X	X	X	X
Attached Residential Development	X	X			X	P ⁽¹⁾	P ⁽²⁾	P	X
Commercial Development 1 acre or greater	P ⁽¹⁾	P ⁽¹⁾		P ⁽²⁾	X	P ⁽³⁾	X	P ⁽³⁾	P ⁽³⁾
Heavy industry /industrial development	X		X	X	X	X	X		
Automotive Repair Shops			X	X ⁽⁴⁾⁽⁵⁾	X		X		
Restaurants					X	X	X	X	
Hillside Development >5,000 ft²	N	N			N	N	N		N
Parking Lots	P ⁽¹⁾	P ⁽¹⁾	X		X	P ⁽¹⁾	X		P ⁽¹⁾
Retail Gasoline Outlets			X	X	X	X	X		
Streets, Highways & Freeways	N	P⁽¹⁾	N	N⁽⁴⁾	N	P⁽³⁾	N		

X = anticipated
P = potential
(1) A potential pollutant if landscaping exists on-site.
(2) A potential pollutant if the project includes uncovered parking areas.
(3) A potential pollutant if land use involves food or animal waste products.
(4) Including petroleum hydrocarbons.
(5) Including solvents.

Attachment E – Storm Water Management Plan for Implementing Tentative Map (114.9 Acre/352 EDU First Phase) – Page 1 of 3

Question 25 – Justify each of your answers for each of the indicated areas (red circles), in light of contradictory information in Attachment D - Storm Water Management Plan for Master Tentative Map and Table 6 on Page 3 of 3 in this Attachment, and the Hydro Modification Management Plan

STEP 1

PRIORITY DEVELOPMENT PROJECT DETERMINATION

TABLE 1: IS THE PROJECT IN ANY OF THESE CATEGORIES?

Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	A	Housing subdivisions of 10 or more dwelling units. Examples: single-family homes, multi-family homes, condominiums, and apartments.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	B	Commercial—greater than one acre. Any development other than heavy industry or residential. Examples: hospitals; laboratories and other medical facilities; educational institutions; recreational facilities; municipal facilities; commercial nurseries; multi-apartment buildings; car wash facilities; mini-malls and other business complexes; shopping malls; hotels; office buildings; public warehouses; automotive dealerships; airfields; and other light industrial facilities.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	C	Heavy industry—greater than one acre. Examples: manufacturing plants, food processing plants, metal working facilities, printing plants, and fleet storage areas (bus, truck, etc.).
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	D	Automotive repair shops. A facility categorized in any one of Standard Industrial Classification (SIC) codes 5013, 5014, 5541, 7532-7534, or 7536-7539.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	E	Restaurants. Any facility that sells prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (SIC code 5812), where the land area for development is greater than 5,000 square feet. Restaurants where land development is less than 5,000 square feet shall meet all SUSMP requirements except for structural treatment BMP and numeric sizing criteria requirements and hydromodification requirements.
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	F	Hillside development greater than 5,000 square feet. Any development that creates 5,000 square feet of impervious surface and is located in an area with known erosive soil conditions, where the development will grade on any natural slope that is twenty-five percent or greater.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	G	Environmentally Sensitive Areas (ESAs). All development located within or directly adjacent to or discharging directly to an ESA (where discharges from the development or redevelopment will enter receiving waters within the ESA), which either creates 2,500 square feet of impervious surface on a proposed project site or increases the area of imperviousness of a proposed project site to 10% or more of its naturally occurring condition. "Directly adjacent" means situated within 200 feet of the ESA. "Discharging directly to" means outflow from a drainage conveyance system that is composed entirely of flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands.
Yes <input type="checkbox"/>	No <input type="checkbox"/>		Parking lots 5,000 square feet or more or with 15 or more parking spaces and potentially exposed to urban runoff.
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	I	Street, roads, highways, and freeways. Any paved surface that is 5,000 square feet or greater used for the transportation of automobiles, trucks, motorcycles, and other vehicles.
Yes <input type="checkbox"/>	No <input type="checkbox"/>		Retail Gasoline Outlets (RGOs) that are: (a) 5,000 square feet or more or (b) a projected Average Daily Traffic (ADT) of 100 or more vehicles per day.

Attachment E – Storm Water Management Plan for Implementing Tentative Map (114.9 Acre/352 EDU First Phase) – Page 2 of 3

Question 26 – Justify each of your answers for each of the indicated areas (red circles), in light of contradictory information in Attachment D - Storm Water Management Plan for Master Tentative Map and Table 6 on Page 3 of 3 in this Attachment, and the Hydro Modification Management Plan

**STEP 2
PROJECT STORMWATER QUALITY DETERMINATION**

Total Project Site Area 114.9 Acres

Estimated amount of disturbed acreage: 112.3 Acres

(If >1 acre, you must also provide a WDID number from the SWRCB)

WDID: Deferred to during final engineering

Complete A through C and the calculations below to determine the amount of impervious surface on your project before and after construction.

A. Total size of project site: 114.9 Acres

B. Total impervious area (including roof tops) before construction: 11.6 Acres

C. Total impervious area (including roof tops) after construction: 28.3 Acres

Calculate percent impervious before construction: $B/A = 10.1\%$

Calculate percent impervious after construction: $C/A = 24.6\%$

From Hydro Modification Impervious Area after Construction:

EDU	Basin/Sub Basin	Acreage
282	903/100	11.65
38	903/200	1.57
<u>32</u>	903/300	<u>1.32</u>
Sub total Added impervious		14.54
Existing impervious		<u>11.60</u>
Total		26.14

Attachment E – Storm Water Management Plan for Implementing Tentative Map (114.9 Acre/352 EDU First Phase) – Page 3 of 3

Question 27 – a) Is this a current, accurate and complete listing of intended land uses for the first phase – 114.9 acre/352 EDU ? b). Please Geo locate these land uses on a map and indicate their relative footprint in acreage for residential and square footage for commercial. c) Expand and comprehensively explain each of the “potential” footnotes with data.

TABLE 6: ANTICIPATED AND POTENTIAL POLLUTANTS GENERATED BY LAND USE TYPE

<i>PDP Categories</i>	<i>General Pollutant Categories</i>								
	Sediments	Nutrients	Heavy Metals	Organic Compounds	Trash & Debris	Oxygen Demanding Substances	Oil & Grease	Bacteria & Viruses	Pesticides
Detached Residential Development	N	N			N	N	N	N	N
Attached Residential Development	N	N			N	P⁽¹⁾	P⁽²⁾	P	N
Commercial Development 1 acre or greater	P ⁽¹⁾	P ⁽¹⁾		P ⁽²⁾	X	P ⁽³⁾	X	P ⁽³⁾	P ⁽³⁾
Heavy industry /industrial development	X		X	X	X	X	X		
Automotive Repair Shops			X	X ⁽⁴⁾⁽⁵⁾	X		X		
Restaurants					X	X	X	X	
Hillside Development >5,000 ft²	N	N			N	N	N		N
Parking Lots	P ⁽¹⁾	P ⁽¹⁾	X		X	P ⁽¹⁾	X		P ⁽¹⁾
Retail Gasoline Outlets			X	X	X	X	X		
Streets, Highways & Freeways	N	P⁽¹⁾	N	N⁽⁴⁾	N	P⁽³⁾	N		

X = anticipated
P = potential
(1) A potential pollutant if landscaping exists on-site.
(2) A potential pollutant if the project includes uncovered parking areas.
(3) A potential pollutant if land use involves food or animal waste products.
(4) Including petroleum hydrocarbons.
(5) Including solvents.

Slovick, Mark

From: Edith Jordan <edathan2@gmail.com>
Sent: Friday, June 20, 2014 10:20 AM
To: Slovick, Mark
Subject: Housing development

Sent from my iPad We are strongly opposed to this development. First because of our severe water shortage. Also fire danger and limited two lane exits, and traffic on these same roads and the freeways. Thank you for this opportunity to voice our objections.

H. James Jordan
Edith Jordan
32602 Womsi Road
Pauma Valley, CA 92061