

LETTER

RESPONSE

Letter I38

**From:** James Gordon [<mailto:jgordon@brg-expert.com>]  
**Sent:** Monday, July 28, 2014 12:46 PM  
**To:** Slovick, Mark; Blackson, Kristin  
**Cc:** James Gordon; [jegordon888@gmail.com](mailto:jegordon888@gmail.com)  
**Subject:** Gordon Comments To The Lilac Hills Revised Draft EIR

Mark and Kristin:

Thanks again for all your help. Attached are five PDF files containing my comments to the Lilac Hills Ranch Revised Environmental Impact Report. I have one more to send but did not want to exceed County file limitations. Will send in a minute.



I38-1

Can you confirm receipt of these five files.

Thanks so much again for your help.

Warm Regards, James

James E. Gordon |Director

Cross-Border Dispute Practice

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I38-1 This comment is an introduction to comments that follow. No further response is required.

Letter I38a

Via Email

July 26, 2014

Mark Slovick, Project Manager  
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San Diego, CA 92123  
[Mark.Slovick@sdcounty.ca.gov](mailto:Mark.Slovick@sdcounty.ca.gov)  
(858) 495-5172

**Subject:** Revised DEIR Public Comments Regarding **The Lilac Hills Ranch Firewise 2000 Inc. May 1, 2014 Evacuation Plan** 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 are my Public Comments pertaining to The Lilac Hills Ranch Firewise 2000 Inc. May 1, 2014 Evacuation Plan.

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

Please respond to each specific issue raised in this letter as part of the County's Response to Public Comments.

Sincerely,



James E. Gordon  
9733 Adams Ct.  
Escondido, CA 92026  
[Jegordon888@gmail.com](mailto:Jegordon888@gmail.com)

I38a-1

I38a-1 This comment is an introduction to comments that follow. No further response is required.

Mr. Mark Slovick  
 July 26, 2014  
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**THE FOLLOWING COMMENTS APPLY TO THE LILAC HILLS RANCH  
 FIREWISE 2000 INC. MAY 1, 2014 EVACUATION PLAN**

*The following comments provide information necessary to determine the significant impacts during an emergency evacuation including the thresholds levels and adequacy of Lilac Hills Ranch Evacuation Plan. These questions also relate to determining the factors upon which Firewise relied upon in its conclusion that the existing and planned roads provide "adequate" multi-directional primary and secondary emergency evacuation routes; as well as gauging potential impacts against the existing physical conditions.*

I38a-2

**Comments to Exhibit 1 – Evacuation Plan Map - on page 16 of 21 of the Firewise Lilac Hills Ranch Evacuation Plan**

The plan shows Mountain Ridge Road as a primary evacuation road. Figure 2.7-3 states that Mountain Ridge Road will be improved to private road standards from the project boundary to Circle R Drive.

I38a-3

Can you please describe in detail if the evacuation plan is basing its assumptions on Mountain Ridge Road being improved to a 30 mph design speed as a private road. The current road is designed to 15 mph design speed with small sections being designed to 5 mph standards. Please discuss in detail how the various design speeds of Mountain Ridge Road will impact emergency evacuation. As the County is aware, this is a significant issue. Please be specific as to what road design standards Mountain Ridge is assumed to have been built to for use as a primary evacuation road.

I38a-4

Please discuss in detail the impact to project residents using Mountain Ridge Road as main evacuation route if the road is not improved to County private road standards. The details should include specifics as to how the current and various proposed alternatives to the road impact traffic flow and capacity, especially in consideration of the existing vertical curves. Please discuss in detail how the current vertical curves would impact traffic flow towards Circle R Drive (going south) from the project in an emergency evacuation situation.

I38a-5

Please discuss in detail how all of the possible factors and scenarios discussed above impact emergency vehicles trying to access the project site during an emergency such as a wild land fire situation.

**First Comment to Page 8 of 21 of the Firewise May 2014 Lilac Hills Evacuation Plan**

I38a-6

On page 8, Firewise states in the first full paragraph: "The location of the Lilac Hills Ranch development and the existing and planned roads provide **adequate** multi-directional primary and secondary emergency evacuation routes." (Emphasis added).

Please describe in detail all studies, analysis, road modeling, and traffic modeling that was conducted or reviewed to determine that the roads referenced above were "adequate."

I38a-2 This comment is an introduction to comments that follow. No further response is required.

I38a-3 All proposed on-site roads, as well as Mountain Ridge Road from the project's southern boundary to Circle R Drive, have been designed in accordance to the County Consolidated Fire Code and DSFPD standards and would exceed the driveway minimum horizontal radius, fall within the 20 percent maximum allowable grade and meet or exceed the minimum paved width requirements. Specifics of the proposed roadway designs compared to the Consolidated Fire Code are detailed in the Road Standard Comparison Matrix and Appendix P of the Fire Protection Plan (FPP).

Mountain Ridge Road from the project's southern boundary to Circle R Drive is about 0.5 mile in length. (See Traffic Impact Study, FEIR Appendix E, Figure 3-2A.) The project proposes to improve the short road segment of Mountain Ridge Road with a paved width of 24 feet and a minimum design speed of 15 mph. (FEIR Appendix E, p. 12; see FEIR FPP, Appendix P, and FEIR Table 1-2.) This will increase the minimum design speed for certain portions of this short road segment by 300 percent. (See FEIR Appendix E, p. 12.) (The Traffic Impact Study also states that a recent travel speed study determined that the average vehicle speeds on Mountain Ridge Road were about 30 mph, even with an existing design speed of 15 mph for the road. (FEIR Appendix E, p. 30.) With these proposed design standards for Mountain Ridge Road, and the design standards for other evacuation roads, the FEIR concluded that the project's Evacuation Plan will allow for the efficient and safe evacuation of residents from the project site. Accordingly, impacts associated with the adequacy of an evacuation process would be less than significant. (FEIR subchapters 2.7.2.4, and 2.7.3.3, and Figure 2.7.3.)

Mountain Ridge Road was also analyzed at a design speed of 30 mph under both the Analysis of Mountain Ridge Road Fire Station Alternative (subchapter 4.9) and under the Analysis of the Road Design Alternatives subchapter 4.8.1.7. With implementation of the possible improvements to Mountain Ridge Road discussed under both of these alternatives, there would be a less than significant impact related to emergency evacuation plans, similar to the project. (FEIR subchapters 4.8.1.7 and 4.9.2.7.) The Evacuation Plan examined the existing and the project's planned roads and

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	<p>I38a-3 (cont.)</p> <p>determined that it would provide adequate multi-directional primary and secondary emergency evacuation routes (FEIR Appendix K). The primary evacuation routes are accessed through a series of internal roadways within the project which in turn permits direct emergency evacuations to the north, south, east and west to accommodate pending wildfire conditions. The project's evacuation routes that lead to the north, west, south and east provide the best opportunities for moving residents and guests away from a wildfire threat, depending on the fire's location and direction of spread.</p> <p>In addition, a regional evacuation plan is being developed by the Deer Springs Fires Safe Council, CAL FIRE and the DSFPD. This community emergency evacuation plan would provide additional guidance and support for the project's Evacuation Plan. (FEIR Appendix K Section V.) The evacuation information and map are attached as Exhibit 2 to the Evacuation Plan.</p> <p>The project's Traffic Impact Study (Appendix E to the FEIR ("TIS")) and design work for roadway improvements prepared by Landmark Consulting for the project, was utilized in the preparation of the Evacuation Plan. Subchapter 2.3.2.3 and 2.3.6.2 of the FEIR analyzed the issue of transportation hazards with respect to the road network design for the project and surrounding areas, and determined that overall the road network design for the project and surrounding areas would provide adequate ingress and egress for residents as well as emergency access and therefore impacts associated with transportation hazards would be less than significant.</p> <p>I38a-4 The project proposes to improve the short road segment of Mountain Ridge Road with a paved width of 24' and a minimum design speed of 15 mph. (Appendix E, p. 12; see Appendix P to the FPP; see also FEIR Table 1-2.) With respect to questions about various vertical curves for Mountain Ridge Road, improvements to the road under the proposed project will lengthen one of the vertical curves and will increase the minimum design speed for certain portions of this short road segment by 300%. (See Appendix E, p. 12.) As discussed in the response to comment I38a-3 above, the proposed improvements to Mountain Ridge Road will provide adequate evacuation on the road during an emergency. Further, Road Design Alternative 7 and the Mountain Ridge Road Fire Station Alternative also would involve</p>
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	<p>I38a-4 (cont.) redesign of the road and the lengthening of existing vertical curves to safely accommodate a greater design speed of 30 mph for the road as well as adequate evacuation during an emergency. (See FEIR subchapters 4.8.1.7 and 4.9.1.4.)</p> <p>I38a-5 As discussed in Section III of the Evacuation Plan (FEIR Appendix K), during an emergency evacuation from the Project, the primary and secondary roadways may include inbound responding emergency vehicles which may reduce the available useable widths of the roadways for evacuating vehicles. As discussed in the Evacuation Plan, during an emergency evacuation from the project, the primary and secondary roadways will have to be shared with responding emergency vehicles and may reduce the available useable widths of the roadways required for smooth evacuation process. However, all proposed roads are designed in accordance with the County of San Diego's Consolidated Fire Code. For example, all roads will meet or exceed the 28-foot driveway minimum horizontal radius with a minimum proposed horizontal radius of 100 feet. All roadways will meet or exceed the 20 percent maximum allowable grade and meet or exceed the minimum paved width requirement of 24 feet (14-foot lane on roads with medians). The key to mitigating potential impediments is through a strong educational program sponsored by the developer, the homeowner's association and the DSFPD with regards to this evacuation plan. It is also incumbent on the residents to prepare their own "Ready, Set, Go!" evacuation plans and become familiar with the best available routes for them to use in the event of an emergency evacuation. Through implementation of all aspects of the Evacuation Plan, planned routes, "Ready, Set, Go" program, and residential awareness impacts associated with the adequacy of an evacuation process would be less than significant. See, FEIR subchapter 2.7.</p>
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Mr. Mark Slovick  
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Please describe in detail all criteria that was reviewed and or relied upon for assessing the adequacy of the existing and planned off-site roads to provide "adequate" multi-directional primary and secondary emergency evacuation. } I38a-6

Please describe in detail for all roads disused in the Lilac Hills Ranch Evacuation Plan what assumptions were made to the ROADS FROM THEIR EXISTING CONDITION upon which Firewise concludes that there is adequate primary and secondary evacuation roads. } I38a-7

Please describe in detail the number of vehicles that will be using existing or planned road during an emergency evacuation. Please be specific as to the number of vehicles by road and the time frame assumed in determining that the existing and planned roads provide "adequate" multi-directional primary and secondary evacuation routes. Also, please discuss in detail all traffic modeling that Firewise conducted or relied upon as the basis for determining that "adequate" primary and secondary emergency evacuation exists. } I38a-8

What assumptions did Firewise use to determine in a regional evacuation scenario that the existing and planned roads provide "adequate" multi-directional primary and secondary emergency evacuation routes? Please discuss in detail the traffic loads from evacuating homes within the vicinity of the LHR project and how those traffic loads would impact the "adequacy" of the existing and planned roads during an evacuation. } I38a-9

**West Lilac Road is on the top of a ridge stretching almost from Circle R Drive to Old 395.** As discussed in the report, fire rapidly climbs up slopes towards the top of ridges. West Lilac has steep slopes from the road west towards the project and east towards Valley Center. This is a significant impact. Did Firewise analyze or review the topography of the West Lilac Road to determine if the road might be impacted and consumed by smoke and fire during a wild land fire situation. If yes, please discuss in detail. } I38a-10

Did Firewise conduct any studies or analysis pertaining to the "adequacy" of the existing or proposed off-site roads to determine the impact to residents of LHR during an evacuation if any portion of their evacuation route was closed --- such as a portion of West Lilac in the northern portion of the LHR project? If yes, please discuss in detail all studies or analysis conducted and specific each specific scenario analyzed, including its impact during an emergency evacuation. } I38a-11

**Second Comment to Page 8 of 21 of the Firewise 2014 Lilac Hills Evacuation Plan**

Firewise states that "during an emergency evacuation from the proposed Lilac Hills Ranch Development, the primary and secondary roadways will have to be shared with responding emergency vehicles and may reduce the available useable widths of the roadways required for smooth evacuating process." } I38a-12

Please discuss in detail by each off-site emergency evacuation road the potential impact from the statement above. What analysis was conducted to determine the impact? Was the impact from sharing primary and secondary roadways with responding emergency vehicles considered in the determination that the existing and planned roads provide "adequate" multi-directional primary and secondary } I38a-12

I38a-6 The Lilac Hills Ranch development is enveloped by and proximate to a surrounding network of 4 main evacuation routes that are identified in the regional evacuation plan that was prepared by the Deer Springs Fire Safe Council, which plan was approved by CAL FIRE and the DSFPD. (FEIR Appendix K, Evacuation Plan, Section V.) The project Evacuation Plan relied on this regional evacuation plan. (FEIR Appendix K, Evacuation Plan, Section V.) Further, the Evacuation Plan relied on the fact that all onsite roads, and any offsite connecting roads to main evacuation routes, are designed in accordance with the County's Consolidated Fire Code. (FEIR Appendix K, Evacuation Plan, Section III; FEIR FFP, Appendix P, the Road Standard Comparison Matrix.) In addition, the Evacuation Plan relied on the Traffic Impact Study for the proposed project as discussed in response to comment I38a-3 above. Moreover, the Evacuation Plan is consistent with the County's Operational Area Emergency Plan and Multi-Jurisdictional Hazard Mitigation Plan. (FEIR subchapter 2.7.2.3.)

I38a-7 The Evacuation Plan determined that the location of the project, which is proximate to the approved regional evacuation plan's major evacuation routes, and the existing and planned roads in the area provide adequate multi-directional primary and secondary emergency evacuation routes. (FEIR Appendix K, Evacuation Plan, Section III.) The primary evacuation routes are shown on FEIR Figure 2.7-3 (also Exhibit 1 to the Evacuation Plan), consisting of Main Street, Street "F," Lilac Hills Ranch Road, Covey Land and Mountain Ridge Road. The project site also has a number of secondary emergency evacuation routes also shown on FEIR Figure 2.7-3. (FEIR, subchapter 2.7.2.3) All of these roads will be improved and developed to at least the standards consistent with the County Consolidated Fire Code. (Evacuation Plan, Section III; see the Road Standard Comparison Matrix., Appendix P of the FPP, and pp. 33-38 of the FPP; see also FEIR, subchapter 2.7.2.4.)

I38a-8 The comment raises a hypothetical and speculative scenario. CEQA does not require the County or the project applicant to address speculative issues as part of this FEIR. (See CEQA Guidelines section 15145 regarding speculative matters.) The primary purpose of the Evacuation Plan is to identify evacuation routes and to prepare residents for an emergency event.

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	<p>I38a-8 (cont.)  The Evacuation Plan is not required to speculate as to what evacuation routes will actually be used given the uncertain nature of such events, such as the time of day, the location of the wildfire, the direction the wildfire is moving, and the size of the wildfire. With respect to questions about the traffic modeling that was conducted or relied upon as the basis for determining that primary and secondary emergency evacuation routes would be adequate, the Project's Traffic Impact Study (Appendix E to the FEIR) and design work for roadway improvements prepared by Landmark Consulting for the Project, was utilized in the preparation of the Evacuation Plan. Subchapters 2.3.2.3, 2.3.6.2 (as to possible cumulative transportation hazards), 2.7.2.4, and 2.7.3.3 (as to possible cumulative evacuation plan hazards) of the FEIR analyzed the issue of transportation hazards and evacuation hazards with respect to the road network design for the Project and surrounding areas, and determined that overall the road network design for the Project and surrounding areas would provide adequate ingress and egress for residents as well as emergency access and evacuation, and therefore impacts associated with transportation and evacuation hazards would be less than significant.</p> <p>I38a-9 See response to comment I38a-6 above as to the determination about the adequacy of the Evacuation Plan. As to the issue of traffic loads raised in this comment, see response to comment I38a-8 above</p> <p>I38a-10 The Wildland Fire Behavior Assessment (or fire modeling process) did include consideration of the slope. Slope is one of the key variable for calculating wildland fire behavior. The FPP provided four worst-case scenarios for wildland fires. As a result of the findings of the fire modeling, project design features were incorporated into the Project, including fuel modification zones, use of ignition resistant building materials, fire and building code requirements, provision of secondary emergency access roads and adequate water supply for fire hydrants. The FEIR found that with the adoption of Mitigation Measure M-HZ-1, impacts to wildland fires would be reduced to less than significant. (FEIR, subchapter 2.7.2.4, and FPP pp 17-21.) Subchapter 2.7.3.4 of the FEIR also identified the project's contribution to a potential cumulative impact would be less than cumulatively considerable with respect to wildland fire hazards based on the FPP, associated landscaping plans and implementation of mitigation measures related to FMZs. CEQA only requires analysis of reasonably foreseeable</p>
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	<p>I38a-10 (cont.)  impacts. (CEQA Guidelines Section 15064(d).) This means that CEQA does not require analysis of impacts that are too remote or speculative. (In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings (2008) 43 Cal.4th 1143, 1173.) Therefore, CEQA would not require an EIR to engage in speculation such as provided by the example of the commenter. Nevertheless, the Evacuation Plan explains that evacuations are fluid events and the incident command, law enforcement and County OES would jointly enact evacuations based on fire behavior, as they have recently successfully completed during 2003, 2007 and 2014 San Diego County fires. For purposes of the Evacuation Plan, the first and most logical choice for all of the residents and guest within the boundaries of the Project is to adhere to the principles and practices of the READY!SET!GO! Program and therefore education is a key element to the Plan (Evacuation Plan Sections IV and V). It is important for residents to make the decision to evacuate as soon as possible as it may take more than two hours to complete the evacuation process, a fact that is not unique to the Lilac Hills Project, but is applicable to most communities and is pre-planned into County evacuation trigger points. The Evacuation Plan recognized that potential backups on the public roads and intersections may occur. In addition, there may be circumstances where it would be better for residents to take temporary refuge in schools, churches and commercial buildings. Finally, for residents in the DSFPD, the Deer Springs Fire Safe Council offers a separate telephone notification system for registered numbers that provides residents with early warnings. (Evacuation Plan Sections III, IV and V).</p> <p>I38a-11 See responses to comments I38a-6, I38a-7, I38a-8, and I38a-10 above.</p> <p>I38a-12 As discussed in Section III of the Evacuation Plan (FEIR Appendix K), during an emergency evacuation from the Project, the primary and secondary roadways may include inbound responding emergency vehicles which may reduce the available useable widths of the roadways for evacuating vehicles. The Incident Command will immediately provide an on-site evacuation plan, incorporating the Evacuation Plan for the community, supported by the local and regional evacuation plans. This coordination and the use of different techniques employed by the Incident Command to resolve these impacts. See also responses to comments I38a-6, I38a-7, I38a-8, and I38a-10 above.</p>
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<p>Mr. Mark Slovick July 26, 2014 Page 4 of 4</p> <p>emergency evacuation routes? If yes, please describe in detail what impacts were evaluated to determine "adequacy."</p> <p><b>Third Comment to Page 8 of 21 of the Firewise 2014 Lilac Hills Evacuation Plan</b></p> <p>Firewise states on page 8 of 21 that: "It is important to note that there is a potential of backups at the various intersecting external roadways during emergency evacuations."</p> <p>What factors of the potential for backups at the various intersecting external roadways were analyzed to determine that the existing and planned roads provide "adequate" multi-directional primary and secondary emergency evacuation routes? Please discuss in detail pertaining to any studies or modeling conducted by Firewise or relied upon by Firewise in its conclusion that the Evacuation Plan provides adequate primary and secondary emergency evacuation capabilities.</p> <p>Please discuss each external roadway and intersection analyzed, the types of information relied upon and any analysis or modeling conducted to determine the "adequacy" and impacts. Also, please discuss in detail what impacts would occur to residents of the LHR Project during an emergency evacuation if there were backups on external roadways and intersections.</p> <p><b>Fourth Comment to Page 8 of 21 of the Firewise 2014 Lilac Hills Evacuation Plan</b></p> <p>Does the evacuation plan assume that any part of the Lilac Hills Ranch will provide shelter or be used as a shelter in place safety zone during a wildfire situation? If yes, please discuss in detail which parts of the LHR project will be used.</p> <p>Is Firewise recommending that any part of the LHR project be used as a shelter in place instead of evacuation. If yes, please discuss in detail.</p>	<p>I38a-13 The Evacuation Plan relied on the fact that all on-site roads, and any off-site connecting roads to main evacuation routes, are designed in accordance with the County's Consolidated Fire Code. In addition, the Evacuation Plan relied on the Traffic Impact Study (TIS) for the proposed project. This TIS determined that overall the road network design for the project and surrounding areas would provide adequate ingress and egress for residents as well as emergency access and therefore impacts associated with transportation hazards would be less than significant. See also responses to comments I38a-6, I38a-7, I38a-8 and I38a-10 above.</p> <p>I38a-14 See responses to comments I38a-6 and I38a-10 above. Further, the Project's Traffic Impact Study (Appendix E to the FEIR) and design work for roadway improvements prepared by Landmark Consulting for the Project, was utilized in the preparation of the Evacuation Plan. Subchapters 2.3.2.3, 2.3.6.2 (as to possible cumulative transportation hazards), 2.7.2.4, and 2.7.3.3 (as to possible cumulative evacuation plan hazards) of the FEIR analyzed the issue of transportation hazards and evacuation hazards with respect to the road network design for the Project and surrounding areas, and determined that overall the road network design for the Project and surrounding area would provide adequate ingress and egress for residents as well as emergency access and evacuation, and therefore impacts associated with transportation and evacuation hazards would be less than significant. In addition, a wildland Fire Behavior Assessment or fire model was included in the FPP to provide four worst-case scenarios for wildland fires. As a result of the findings of the fire modeling, project design features were incorporated into the Project, including fuel modification zones, use of ignition resistant building materials, fire and building code requirements, provision of secondary emergency access roads and adequate water supply for fire hydrants.</p> <p>I38a-15 Sections III and VI of the Evacuation Plan (FEIR Appendix K) discuss that during specific wildfire conditions when evacuation is considered unsafe the residents may be better served by taking temporary refuge in the schools, churches, assisted living facility, and/or the commercial buildings. It is important to note that that specialized evacuation plans will be required for the school and the assisted living facility based on the numbers of individuals and the potential for physical or other limitations involved with occupants. These two specialized emergency evacuation plans will require the approval of the authorities having jurisdiction prior to any occupancy of either the school or the assisted living facility.</p>
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Letter I38b

Via Email

July 27, 2014

Mark Slovick, Project Manager  
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(858) 495-5172

**Subject:** Revised DEIR Public Comments regarding the **May 2014 Lilac Hills Ranch Fire Service Response Capabilities Assessment (DUDEK Report)** 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 are my Public Comments pertaining to the June 2014 Revised Draft Environmental Impact Report ("REIR") regarding the DUDEK report as noted above.

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

Please respond to each specific issue raised in this letter as part of the County's Response to Public Comments.

Sincerely,



James E. Gordon  
9733 Adams Ct.  
Escondido, CA 92026  
[Jegordon888@gmail.com](mailto:Jegordon888@gmail.com)

I38b-1

I38b-1 This comment is an introduction to comments that follow. No further response is required.

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Mr. Mark Slovick  
July 27, 2014  
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**REIR PUBLIC COMMENTS TO THE DUDEK AND HUNT RESEARCH CORP.  
MAY 2014 LILAC HILLS RANCH FIRE SERVICE RESPONSE CAPABILITIES ASSESSMENT**

**Comments to Page V of the Report**

The first paragraph on page V references comments made by CAL FIRE, DSFPD and the San Diego County Fire Authority (SDCFA) upon the initial submittal of the project's Fire Protection Plan prepared by Firewise2000 "that seemed to indicate that the project could not be adequately serviced by the DSFPD and CAL FIRE, as currently configured."

Please provide all emails and documents to/from or between the State Fire Marshal, the SDCFA and the County as to the ability and willingness of CAL FIRE to service this project. A comprehensive understanding of the ability and willingness of these parties to service the project is important in evaluating the ability of the project to meet General Plan (GP) mandated response times under the four fire service alternatives proposed by DUDEK in this report.

I38b-2

I38b-2 The comment requests documents pertaining to a statement contained in the Capabilities Assessment. This request for documents is outside the scope of CEQA .

**Comments to Paragraph #7 on Page VII of the Report**

Paragraph #7 on page VII states: (1) that a total of 85% of Phase 1 of the LHR project can be reached within 5 minutes and 50 seconds and (2) that "UP TO 70%" (emphasis added) of Phase 2 can be reached within 6 minutes. Please be specific as to the exact number of the 352 dwelling units in Phase 1 can be reached in 5 minutes and 50 seconds and also the exact number of the 466 dwelling units in Phase 2 can be reached within 6 minutes.

I38b-3

I38b-3 The comment requests the exact number of units in Phase 1 that can be reached within 5 minutes and 50 seconds and the number in phase 2 in 6 minutes. There are 71 units, spanning both Phases 1 and 2, that are reachable by Station 11 within a 5 minutes travel time. (See FEIR, Subchapter 2.7.2.4, pp. 2.7-34.) See also Table 7 of the FPP for more detail.

**Comments to Paragraph # 4 Page IX of the Report**

According to the DUDEK report, "Board Policy 1-84 (Public Facilities Availability Form) requires response times to be calculated in accordance with the standard established by General Plan Policy S-6.4"

According to DUDEK, GP Policy S-6.4 provides that travel times be calculated from: (1) the closest fire station staffed year-round; (2) publically supported; and (3) committed to providing services. DUDEK states that "Station 15 meets this definition."

HOWEVER, the VERY NEXT SENTENCE in GP Policy S-6.4 states with emphasis added: "THESE DO NO INCLUDE STATIONS THAT ARE NOT OBLIGATED BY LAW TO AUTOMATICALLY RESPOND TO AN INCIDENT." DUDEK did not discuss this key 4<sup>th</sup> element mandated by the General Plan.

I38b-4

I38b-4 The comment states that the FEIR does not include a discussion regarding stations that are obligated by law to respond.

There are four elements in General Plan Policy S-6.4 pertaining to travel times: (1) fire stations staffed year round; (2) publically supported; (3) committed to providing service and (4) **they MUST BE OBLIGATED BY LAW TO RESPOND.**

In more than ten thousand pages of this REIR and supporting documents, appendices and technical reports, **this KEY 4th element of the GP Policy S-6.4 has not been discussed.** This is a significant issue that impacts the project as well as all alternatives discussed.

See Global Response: Fire and Medical Services Standard for a thorough discussion on this topic.

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Please discuss in detail whether CAL FIRE Miller Station 15 meets all 4 elements of GP Policy S-6.4 pertaining to travel times.

I38b-5

**Comments to Paragraph #15 on Page IX of the Report**

DUDEK states that the current agreement between DSFPD and CAL FIRE can be used to allow CAL FIRE to serve the project from Station 15 provided **“assurances that the PRC requirements are preserved.”** (Emphasis added).

I38b-6

Please discuss what assurances are necessary; from whom those assurances need to be obtained; the manner in which those assurances will be obtained; and how you guarantee that those assurances will be in effect 12-15 years from now when the project is entering full build-out.

**Comments to Option 1 on Page XI of the DUDEK Report**

This option is based on providing services to the LHR project from the perspective of the overall fire delivery system under the existing Amador Agreement. **The Amador Agreement is a service option under a voluntary agreement between CAL FIRE and the County of San Diego which expires on June 30, 2018.**

I38b-7

Please discuss in detail the impacts to the LHR project if the terms of the Service Option (Amador Agreement) are changed and/or if the agreement is canceled either by CAL FIRE or the County. Section 8 of the agreement states that the agreement may be cancelled at the option of either CAL FIRE or County at any time during its term, with or without cause.

Please discuss in detail how fire and emergency services to the project would be impacted if this agreement is not in force at the time of full project build-out.

Please discuss in detail the significant impacts to the LHR Project that could result from basing fire and emergency response times on voluntary agreements that may not be in force at project build-out.

**Comments to Page 27 of the DUDEK Report**

DUDEK states that **“CAL FIRE has an obligation to automatically respond to fire incidents pursuant to the Automatic Aid Agreement”** (emphasis added) and **“Therefore, Station 15 is the actual closest fire station and it meets all the criteria of a “station” from which to calculate such travel times from as set forth in General Plan Policy S-6.4.”**

I38b-8

The key wording with emphasis added of the 4<sup>th</sup> element in General Plan Policy S-6.4 pertaining to the definition of closest fire station is: **“Does not include stations that are not obligated by law to automatically respond.”**

DUDEK states (with emphasis added): **“Therefore, Station 15 is the actual closest fire station and meets all of the criteria of a “station” from which to calculate such travel times from as set forth in General Plan Policy S-6.4.”**

I38b-5 Please see Global Response: Fire and Medical Services Standard for a thorough discussion on this topic.

I38b-6 Please refer to Global Response: Fire and Medical Services for additional information on this topic.

I38b-7 The comment requests further information regarding what would happen if the Amador Agreement with CAL FIRE and the County is cancelled. CEQA does not require analysis of impacts that are remote or speculative since CEQA only requires analysis of reasonably foreseeable impacts. (CEQA Guidelines Section 15064(d) and In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings (2008) 43 Cal.4th 1143, 1173.) Therefore, CEQA would not require an EIR to engage in speculation as to whether emergency services may no longer be provided by an essential priority station to the North County. Additionally, please refer to the Global Response: Fire and Medical Services for additional information on this topic.

I38b-8 See Global Response: Fire and Medical Services for a thorough discussion on this topic.

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There is no discussion in the DUDEK report pertaining to whether CAL FIRE Miller Station 15 is obligated by law to automatically respond to an incident. Please discuss in detail how DUDEK concludes that the CAL FIRE Miller Station 15 meets all of the criteria of a station from which to calculate travel times as set forth in General Plan Policy S-6.4.

I38b-8  
cont.

If CAL FIRE is obligated by law to respond and therefore is the "closest fire station," that should be easy to confirm with CAL FIRE and they can provide confirmation. Has CAL FIRE been contacted on this issue? If so, what questions were asked and what was there response? Has CAL FIRE confirmed that it is the "closest fire station" under Section S-6.4. If so, that should be included in the report. If CAL FIRE does not deem itself the "closest fire station," that should also be included in the report.

I38b-9

The following is a cut and paste from Section S-6.4 of the County General Plan:

**According to the General Plan - Fire Protection Services for Development** require that new development demonstrate that fire services can be provided that meets the minimum travel times identified in Table S-1 (Travel Time Standards from Closest Fire Station). *Travel times are calculated using accepted methodology based on the travel distance from the fire station to the farthest dwelling unit of the development. Fire stations must be staffed year-round, publicly supported, and committed to providing service. These do not include stations that are not obligated by law to automatically respond to an incident.* (Emphasis added).

I38b-10

The REIR needs to be revised and updated pertaining to any discussion related to the "closest fire station." The four elements of General Plan Section S-6.4 are the County's requirements. The requirements must be disclosed, discussed and met. Only three of the four elements for determining the Closest Fire Station were discussed.

Comments to Page 38 of the DUDEK Report

The last paragraph on page 38 of the DUDEK report states "If CAL FIRE was to enter into a new agreement or amend (sic) its existing contract with the DSFPD, certain findings would need to be made or reaffirmed."

I38b-11

Please discuss in detail all findings that would need to be made or reaffirmed as well as all possible impacts to the LHR with respect to emergency response times.

The next sentence states: "The preparers of this report have reviewed PRC 4141 through 4145 and have spoken with CAL FIRE concerning interpretation of the Code and conclude that Station 15 would be able to continue its primary wildland fire mission while also serving the project." (Emphasis added).

I38b-12

Please discuss in detail who was contacted at CAL FIRE pertaining to the interpretation of the Code and summarize the information provided.

I38b-9 Please refer to Global Response: Fire and Medical Services for a thorough discussion on this topic.

I38b-10 Please see to Global Response: Fire and Medical Services for a thorough discussion on this topic.

I38b-11 Findings are based upon PRC 4143 which declares that the primary mission for CAL FIRE, including Station 15 is wildland fire suppression and prevention but it enables the "Director" to enter into agreements if the Director of CAL FIRE determines the contract would not jeopardize its wildland fire suppression and prevention mission, to provide for fire suppression duties. In addition, please refer to Global Response: Fire and Medical Services for a thorough discussion on this topic.

I38b-12 The comment referred to is based upon the interpretation of the preparers of the Capabilities Assessment, which reviewed PRC 4141 through 4145. The preparers are listed as Michael Huff, Fire Protection Planning Consultant; San Diego County CEQA Consultant List, Dudek and Jim Hunt, Hunt Research Corp. Several attempts by Michael Huff to contact CAL FIRE's then Unit Chief (Thom Porter) were made unsuccessfully over the period of several weeks. A return call was provided by a San Diego County Cal Fire Battalion Chief (who was familiar with the project and the potential for CAL FIRE to provide service). The response provided by Thom Porter's representative was that Cal Fire believed there were likely ways that the existing agreement could be modified in order for Station 15 to serve the project. There was no discussion during this telephone conversation whether the Station was obligated by law to respond. However, they did confirm that they historically, currently, and will continue to respond to calls throughout the DSFPD.

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**Comments to Figure A-4 Pertaining to Deer Springs Fire Station 15**

This figure could be misinterpreted as it is titled “DSFPD Station 15 Coverage Area – 4, 5, and 8 Minute Travel Time” and shows the coverage area for Deer Springs Fire Station 15.

There is no Deer Springs Fire Station 15. The CAL FIRE Miller Station 15 is not under the control or authority of the DSFPD nor part of the Fire Authority Having Jurisdiction.

As this is a stand-alone figure, if this figure were to be used in public meetings or with public officials, it would indicate that this is the travel response time from DSFPD Station 15. Also the footers on all these Figures states that the figure is part of the “**Deer Springs Fire Protection District Capabilities Assessment**” -- further implying that this is the response times for the DSFPD.

All references to Deer Springs Fire Station 15, DSFPD 15 or Station 15 should be clarified to avoid misinterpretation. Also, all figures for the Deer Springs Fire Protection District Capabilities must clarify that CAL FIRE Miller 15 Station is not part of the DSFPD.

**Comments to Page 57 of the DUDEK Report**

As discussed previously on page 2, DUDEK stated that “up to 70%” of Phase 2 units could be reached in under 6 minutes travel time. Now, DUDEK states: “it is **estimated** that **roughly 60-70%** of Phase 2 units could be reached in under 6 minutes travel time.” [Emphasis added]

Phase 2 is 466 homes. Please specify the exact number of Phase 2 homes that can be reached in under 6 minute travel time from Station 11. Terms such as “it is estimated,” “roughly” and “up to” are not quantifiable and can be subject to misinterpretation. Detailed modeling has been conducted and the number should be specific.

**Comments to Decommissioning of CAL FIRE Station 15 on page 65**

This section needs to discuss the impact to the LHR project, if as stated in the DUDEK report, “Station 15 were to be decommissioned or were otherwise not available to respond to emergency call with the DSFPD.”

Saying “that the impact on the remaining three Stations within the District would be primarily slower response times” does not adequately address the impact to the LHR community.

The core focus of the DUDEK report is: (1) the willingness and ability of CAL FIRE Miller Station 15 to commit to service the LHR project in 5 minutes; (2) that CAL FIRE should assume primary (and possibly full) responsibility for fire and emergency response to the Lilac Hills Ranch Project; and that (3) CAL FIRE is willing to permanently commit to assuming responsibility for the LHR project.

I38b-13

I38b-13 Please see to Global Response: Fire and Medical Services for a thorough discussion on this topic.

I38b-14

I38b-14 Please see to Global Response: Fire and Medical Services for a thorough discussion on this topic.

I38b-15

I38b-15 The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. This topic is discussed in the Capabilities Assessment Report in Section 2.4.2 – “Decommissioning of CAL FIRE Station 15”.

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**SUMMARY**

Section S-6.4, **Fire Protection Services for Development** requires "that new development demonstrative the fire services can be provided that meets the minimum travel times identified in Table S-1 - Travel Time Standards from Closest Fire Station."

Further the section states: (a) "Travel Times are calculated using accepted methodology based on the travel distance from the fire station to the farthest dwelling unit of the development;" (b) "Fire Stations must be staffed year-round, publically supported, and committed to providing service;" and(c) **These do not include stations that are not obligated by law to automatically respond to an incident.**"(Emphasis added)

The failure to include a discussion about the 4th key element as required by the General Plan is a significant impact; the failure to discuss whether or not CAL FIRE Miller Station 15 is obligated by law to respond to an incident is a terminal impact.

This report must be revised and recirculated for public review. The Fire Protection Plan that relies on the findings and information from the DUDEK report must be revised and recirculated for public review. The LHR Evacuation Plan, which relies on information and finding from the DUDEK report must be revised and recirculated for public review. The County's sections in the REIR that rely on findings and information from the DUDEK report must be revised and recirculated for public review.

The impact from not discussing the key 4<sup>th</sup> element of calculating fire and emergency response times is significant not only to the LHR project, but has far broader significant political and economic impacts.

This is a project of over 1,700 homes, more than 5,000 residents, a thousand senior citizens, hundreds of patients in an intuitional setting and substantially more than \$500,000,000 million worth of private property.

The County Board of Supervisors can use their Legislative power to allow this project to proceed even though it does not comply with the General Plan. However, the ramifications of doing so without full knowledge of all the key facts could be problematic.

If the County uses its Legislative power it is a de facto change in policy. It in effect changes the policy of San Diego County by mandating that the obligation of fire stations to respond to an incident is **based on their geographical location as opposed to the Fire Authority Having Jurisdiction.**

Such an action could ultimately lead to a jurisdictional issues, unintended litigation, and operational issues between CAL FIRE and the local districts and city fire departments within the County.

Although the Board of Supervisors has the authority, it should not proceed without a clear understanding of the issues and input from State, County, City and Local Fire Districts. Unfortunately, the State, County, City and Local Fire Districts **cannot comment on something that has NOT been discussed.**

138b-16

138b-16 Please see Global Response: Fire and Medical Services for a thorough discussion on this topic.

138b-17

138b-17 The Capabilities Assessment is included as an attachment to the Specific Plan and was madeavailable for public review along with the FEIR and its appendices on June 12, 2014.

138b-18

138b-18 The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. Please see to Global Response: Fire and Medical Services.

Letter I38c

Via Email

July 25, 2014

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](mailto:Mark.Slovick@sdcounty.ca.gov)  
(858) 495-5172

**Subject:** Public Comments to Chapter 4.9 (**Analysis of the Mountain Ridge Road Fire Station Alternative**) of the Project Alternatives section of the REIR 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 are my Public Comments pertaining to the June 2014 Revised Draft Environmental Impact Report ("REIR") regarding Section 4.9 – **Analysis of the Mountain Ridge Road Fire Station Alternative**.

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

Please respond to each specific issue raised in this letter as part of the County's Response to Public Comments.

Sincerely,



James E. Gordon  
9733 Adams Ct.  
Escondido, CA 92026  
[Jegordon888@gmail.com](mailto:Jegordon888@gmail.com)

I38c-1

I38c-1 The introductory comment is noted. The comment expresses the opinion of the commenter. The FEIR adequately discusses the issues related to this alternative consistent with the requirements of CEQA. See the responses below.

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**The following comments are part of the public participation process pertain to Chapter 4.0 – PROJECT ALTERNATIVES – and more specifically to Alternative 4.9 –ANALYSIS OF THE MOUNTAIN RIDGE ROAD FIRE STATION ALTERNATIVE - of the Revised Draft Environment Impact Report. Please respond to each comment in detail and provide detailed maps, figures and drawings as requested.**

I38c-2

I38c-3

I38c-4

I38c-5

I38c-6

I38c-7

I38c-8

I38c-9

1. If the Deer Springs Fire Protection District (“DSFPD”) decides that it is not going to have a fire station located on Mountain Ridge Road, will the County still proceed with this alternative. If yes or maybe, please provide a detailed explanation why, the anticipated timing and benefit to the public if the County proceeds to acquire rights for the Developer.
2. If the DSFPD decides that it may consider locating a fire station on Mountain Ridge Road but does not require the road to be improved to public road standards, will the County still proceed with this alternative. If yes or maybe, please provide a detailed explanation why, the anticipated timing and benefit to the Public if the County proceeds to acquire rights for the Developer.
3. If the DSFPD decides to located a fire station at another location within LHR, such as Main Street, Covey or West Lilac area; will the County still proceed with this alternative. If yes or maybe, please provide a detailed explanation why, the anticipated timing and benefit to the public if the County proceeds to acquire rights for the Developer.
4. If the County proceeds with this alternative as discussed in Section 4.9, will the County consider using Eminent Domain prior to the construction of dwelling units in Phase 3 to acquire the requisite Right of Way (ROW ) and all necessary construction and slope easements. If yes or maybe, please provide a detailed explanation why, the anticipated timing and benefit to the public if the County proceeds.
5. If the developer changes the phasing of its construction, please analyze each scenario of development (such as Phase 1 and 5, Phase 1, 4 and 5, Phase 1 and 4, etc.) which will trigger the county use of Eminent Domain if they proceed with this option. Please provide specifics as to not only the considerations, but also the timing, and reasons for the timing, of the use of Eminent Domain.
6. If a fire station is not located on Mountain Ridge Road, will the County Use Eminent Domain in any way assist the developer to use Mountain Ridge Road for the placement of water and sewer? If yes or maybe, please provide a detailed explanation why, the anticipated timing and benefit to the Public if the County proceeds to acquire rights for the Developer.
7. If a fire station is not located on Mountain Ridge Road, will the County use Eminent Domain in any way to assist the developer in mitigating, changing or enhancing traffic flow or emergency access to or from the LHR project site. If yes or maybe, please provide a detailed explanation why, the anticipated timing and benefit to the Public if the County proceeds to acquire rights for the Developer.

I38c-2 The introductory comment is noted. The comment does not raise a specific and significant environmental issue under CEQA. (See CEQA Guidelines Section 15132(d).) The comment relates to a hypothetical scenario related to one of many project alternatives.

I38c-3 The comment does not raise a specific and significant environmental issue under CEQA. (See CEQA Guidelines Section 15132(d).) The comment raises a hypothetical scenario related to one of many project alternatives and to possible actions of the DSFPD. CEQA does not require the County or the project applicant to address non-environmental and speculative issues as part of this FEIR. (See CEQA Guidelines Section 15145 regarding speculative matters.) If the hypothetical scenario posed by this comment arises in the future, the County will then comply with all applicable codes, ordinances, regulations and procedures regarding the matter. Furthermore, the need for easements and use of eminent domain is not an environmental issue that is separate from the project or alternative. The environmental issue is the impacts that would result from the construction of facilities within and the use of the easements, whether purchased or acquired through eminent domain. The FEIR addresses those impacts. Nonetheless, parcels with legal access rights to Mountain Ridge Road are disclosed for informational purposes in Table 4-9. APNs are shown on Figure 4-17 and 4-18. The FEIR adequately discloses all physical environmental impacts that would result from off-site improvements, including those that may require the use of eminent domain. In addition, the applicant has the required easements needed to construct required improvements of Mountain Ridge Road as a private road. Refer to Global Response: Off-site Improvements – Environmental Analysis and Easement Summary Table for additional details about the easement rights and the adequacy of the environmental analysis in relation to easements.

I38c-4 See response to comment I38c-3 above.

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	<p>I38c-5 The comment does not raise a specific environmental issue under CEQA. (See CEQA Guidelines Section 15132(d).) The comment raises a hypothetical scenario that is outside of the project description in FEIR Chapter 1.0 and the identified project alternatives listed in FEIR Chapter 4.0. CEQA does not require the County or the project applicant to address non-environmental and speculative issues as part of this FEIR. (See CEQA Guidelines Section 15145 regarding speculative matters.) Furthermore, the need for easements and use of eminent domain is not an environmental issue that is separate from the project or alternative. The environmental issue is the impacts that would result from the construction of facilities within and the use of the easements, whether purchased or acquired through eminent domain. The FEIR addresses those impacts.</p> <p>I38c-6 The comment does not raise a specific and significant environmental issue under CEQA. (See CEQA Guidelines Section 15132(d).) The comment raises a hypothetical scenario related to one of many project alternatives. CEQA does not require the County or the project applicant to address non-environmental and speculative issues as part of this FEIR. (See CEQA Guidelines Section 15145 regarding speculative matters.) If the hypothetical scenario posed by this comment arises in the future, the County will then comply with all applicable codes, ordinances, regulations and procedures regarding the matter. Furthermore, the need for easements and use of eminent domain is not an environmental issue that is separate from the project or alternative. The environmental issue is the impacts that would result from the construction of facilities within and the use of the easements, whether purchased or acquired through eminent domain. The FEIR addresses those impacts. Nonetheless, parcels with legal access rights to Mountain Ridge Road are disclosed for informational purposes in Table 4-9. APNs are shown on Figure 4-17 and 4-18. The FEIR adequately discloses all physical environmental impacts that would result from off-site improvements, including those that may require the use of eminent domain. In addition, the applicant has the required easements needed to construct required improvements of Mountain Ridge Road as a private road. Refer to Global Response: Off-site Improvements – Environmental Analysis and Easement Summary Table for additional details about the easement rights and the adequacy of the environmental analysis in relation to easements.</p>
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	<p>I38c-7 The comment does not raise a specific environmental issue under CEQA. (See CEQA Guidelines Section 15132(d).) The comment raises a hypothetical scenario that is outside of the project description in FEIR Chapter 1.0 and the identified project alternatives listed in FEIR Chapter 2.0. CEQA does not require the County or the project applicant to address non-environmental and speculative issues as part of this FEIR. (See CEQA Guidelines Section 15145 regarding speculative matters.) If the hypothetical scenario posed by this comment arises in the future, the County will then comply with all applicable codes, ordinances, regulations and procedures regarding the matter. Furthermore, the need for easements and use of eminent domain is not an environmental issue that is separate from the project or alternative. The environmental issue is the impacts that would result from the construction of facilities within and the use of the easements, whether purchased or acquired through eminent domain. The FEIR addresses those impacts. Nonetheless, parcels with legal access rights to Mountain Ridge Road are disclosed for informational purposes in Table 4-9. APNs are shown on Figure 4-17 and 4-18. The applicant has the required easements needed to construct required improvements of Mountain Ridge Road as a private road. Refer to Global Response: Off-site Improvements – Environmental Analysis and Easement Summary Table for additional details about the easement rights and the adequacy of the environmental analysis in relation to easements.</p> <p>I38c-8 The comment does not raise a specific environmental issue under CEQA. (See CEQA Guidelines Section 15132(d).) The comment raises a hypothetical scenario related to one of many project options. CEQA does not require the County or the project applicant to address non-environmental and speculative issues as part of this FEIR. (See CEQA Guidelines Section 15145 regarding speculative matters.) If the hypothetical scenario posed by this comment arises in the future, the County will then comply with all applicable codes, ordinances, regulations and procedures regarding the matter. Further, as discussed at FEIR subchapter 3.1.7.2, any possible routing of the project's water and sewer lines in Mountain Ridge Road would occur within existing easements for such utilities.</p>
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	<p>I38c-9 The comment does not raise a specific environmental issue under CEQA. (See CEQA Guidelines Section 15132(d).) The comment raises a hypothetical scenario related to one of many project options. CEQA does not require the County or the project applicant to address non-environmental and speculative issues as part of this FEIR. (See CEQA Guidelines Section 15145 regarding speculative matters.) Furthermore, the need for easements and use of eminent domain is not an environmental issue that is separate from the project or alternative. The environmental issue is the impacts that would result from the construction of facilities within and the use of the easements, whether purchased or acquired through eminent domain. The FEIR addresses those impacts. Nonetheless, as discussed at FEIR subchapter 1.2.1.4, Mountain Ridge Road will be improved to 24' of pavement within an existing easement. Parcels with legal access rights to Mountain Ridge Road are disclosed for informational purposes in Table 4-9. APNs are shown on Figure 4-17 and 4-18. The applicant has the required easements needed to construct required improvements of Mountain Ridge Road as a private road. Refer to Global Response: Off-site Improvements – Environmental Analysis and Easement Summary Table for additional details about the easement rights and the adequacy of the environmental analysis in relation to easements.</p>
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- 8. If the County proceeds with the Mountain Ridge Public Road option, will the developer be able to change its intended use of the Southern portion of the project site from a gated neighborhood for senior citizens to another type of use. Please discuss in details any other uses of the Southern Portion of the site (Phase 4 & 5) that have been considered or discussed by the developer if Mountain Ridge did not have easement limitations or if Mountain Ridge was converted to a public road. I38c-10
- 9. What assurances will the County seek and how will the County enforce construction of Phase 3 of the project as described in the Specific Plan and REIR once Eminent Domain is used to convert Mountain Ridge into a public road. I38c-11
- 10. Please provide a map and summary of the Access Dependency of Mountain Ridge Road as listed in Table 4.9 (page 4-178) of the REIR. The summary should be list by APN lot # all lots that have access to Mountain Ridge Road and whether their access rights are: (1) to all of Mountain Ridge Road; (2) the middle third of Mountain Ridge Road; or (3) the lower third of Mountain Ridge Road. I38c-12
- 11. Does the County intend to use Eminent Domain to help the developer acquire any type of land, ROW or easements (permanent or temporary) for improvements to Mountain Ridge Road if **the road remains private**? Please discuss in detail and provide the information delineated below for any condemnation the County may consider with pertaining to Mountain Ridge Road as a Private Road. I38c-13
  - (a) The amount of right-of-way the County plans to condemn;
  - (b) The amount of land the County plans to condemn for grading;
  - (c) The amount of land required for slope easements and whether the County will use Eminent Domain to acquire the slope easements;
  - (D) the amount of land required for grading easements and whether the County will use Eminent Domain to acquire the grading easements;
  - (E) the amount of land required for easements to maintain pedestrian and vehicular egress and ingress during construction and whether the County plans to use Eminent Domain to acquire these easements;
  - (f) the amount of land required for easements related to construction activities, such as staging, and whether the County plans to use Eminent Domain for these easements; and
  - (g) Please list any other easements, permanent or temporary, that will be required for construction and whether the County plans to use Eminent Domain to acquire these easements.

I38c-10 The comment does not raise a specific environmental issue under CEQA. (See CEQA Guidelines Section 15132(d).) The comment raises a hypothetical scenario related to one of many project alternatives, and a scenario that is outside of the project description in FEIR Chapter 1.0. CEQA does not require the County or the project applicant to address non-environmental and speculative issues as part of this FEIR. (See CEQA Guidelines Section 15145 regarding speculative matters.) If the hypothetical scenario posed by this comment arises in the future, the County will then comply with all applicable codes, ordinances, regulations and procedures regarding the matter. Furthermore, the need for easements and use of eminent domain is not an environmental issue that is separate from the project or alternative. The environmental issue is the impacts that would result from the construction of facilities within and the use of the easements, whether purchased or acquired through eminent domain. The FEIR addresses those impacts. Nonetheless, parcels with legal access rights to Mountain Ridge Road are disclosed for informational purposes in Table 4-9. APNs are shown on Figure 4-17 and 4-18. The applicant has the required easements needed to construct required improvements of Mountain Ridge Road as a private road. Refer to Global Response: Off-site Improvements – Environmental Analysis and Easement Summary Table for additional details about the easement rights and the adequacy of the environmental analysis in relation to easements.

I38c-11 To clarify, the project would retain Mountain Ridge Road as a private road and the Mountain Ridge Road Fire Station Alternative would convert Mountain Ridge Road to a public road. The construction of either the proposed project or an alternative would proceed in compliance with applicable permits from the County, which are enforceable by the County. Environmental impacts associated with the Mountain Ridge Road Fire Station Alternative’s construction of Mountain Ridge Road to public roadway standards are disclosed in FEIR subchapter 4.9, and illustrated in Figures 4-17 to 4-19.

Furthermore, the need for easements and use of eminent domain is not an environmental issue that is separate from the project or alternative. The environmental issue is the impacts that would result from the construction of facilities within and the use of the easements, whether purchased or acquired through eminent domain. The FEIR addresses those impacts.

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	<p>138c-11 (cont.) Nonetheless, parcels with legal access rights to Mountain Ridge Road are disclosed for informational purposes in Table 4-9. APNs are shown on Figure 4-17 and 4-18. The FEIR adequately discloses all physical environmental impacts that would result from off-site improvements, including those that may require the use of eminent domain. In addition, the applicant has the required easements needed to construct required improvements of Mountain Ridge Road as a private road. Refer to Global Response: Off-site Improvements – Environmental Analysis and Easement Summary Table for additional details about the easement rights and the adequacy of the environmental analysis in relation to easements.</p> <p>138c-12 See response to comment 138c-11. Refer to Global Response: Off-site Improvements – Environmental Analysis and Easement Summary Table for additional details about the easement rights and the adequacy of the environmental analysis in relation to easements.</p> <p>138c-13 The applicant has the required easements needed to construct required improvements of Mountain Ridge Road as a private road. Refer to Global Response: Off-site Improvements Environmental and Easement Analysis Summary Table for additional detail. As this comment does not raise a significant environmental issue or concern, no further response is necessary. See also response to comment 138c-11.</p>
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12. Please describe in detail and summarize with a chart by APN the amount of land, right-of-way and easements that the County and the developer will require to be condemned under this Mountain Ridge Road Public Road option. The summary on page 4-179 is confusing and does not fully address the extent of Condemnation required:

Please itemize each of the following:

- (a) The amount of right-of-way the County plans to condemn;
- (b) The amount of land the County plans to condemn for grading;
- (c) The amount of land required for slope easements and whether the County will use Eminent Domain to acquire the slope easements;
- (D) the amount of land required for grading easements and whether the County will use Eminent Domain to acquire the grading easements;
- (e) The amount of land required for easements to maintain pedestrian and vehicular egress and ingress during construction and whether the County plans to use Eminent Domain to acquire these easements;
- (f) the amount of land required for easements related to construction activities, such as staging, and whether the County plans to use Eminent Domain for these easements; and
- (g) Please list any other easements, permeant or temporary, that will be required for construction and whether the County plans to use Eminent Domain to acquire these easements.

138c-14

138c-14 See response to comment 138c-11 above.

13. Please provide a summary chart similar to Figure's 4-12, 4-13 and 4-18 showing the footprint and impact to each lot along Mountain Ridge Road of all easements (permanent, temporary, slope, grading and excavation, etc.) that will be required to convert Mountain Ridge road to a public road.

138c-15

138c-15 Refer to Global Response: Off-site Improvements – Environmental Analysis and Easement Summary Table for additional details about the easement rights and the adequacy of the environmental analysis in relation to easements.

14. For Adam Court, please describe in detail the amount of land, right-of-way and easements that the County and the developer will require to be condemned to construct Mountain Ridge Road as a public road. Please itemize each of the following: (1) the amount of right-of-way the County plans to condemn; (2) the amount of land the County plans to condemn for grading; (3) the amount of land required for slope easements and whether the County will use Eminent Domain to acquire the slope easements; (3) the amount of land required for grading easements and whether the County will use Eminent Domain to acquire the grading easements; (4) the amount of land required for easements to maintain pedestrian and vehicular egress and ingress during construction and whether the County plans to use Eminent Domain to acquire these easements; the amount of land required ; and please list any other easements that will be required for construction as well as for the use of Mountain Ridge as a public road and whether

138c-16

138c-16 The grading and topography changes included in this alternative at the Mountain Ridge Road and Adam Court intersection are shown on figures Figures 4-17 and 4-18 and are included in the environmental analysis. Refer to Global Response: Off-site Improvements – Environmental Analysis and Easement Summary Table for additional details about the easement rights and the adequacy of the environmental analysis in relation to easements.

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the County plans to use Eminent Domain to acquire these easements. Also please describe the impact to Adam Court including changes to existing topography.

I38c-16  
 cont.

15. For Megan Terrace, please describe in detail the amount of land, right-of-way and easements that the County and the developer will require to be condemned to construct Mountain Ridge Road **as a public road**. Please itemize each of the following: (1) the amount of right-of-way the County plans to condemn; (2) the amount of land the County plans to condemn for grading; (3) the amount of land required for slope easements and whether the County will use Eminent Domain to acquire the slope easements; (3)the amount of land required for grading easements and whether the County will use Eminent Domain to acquire the grading easements; (4) the amount of land required for easements to maintain pedestrian and vehicular egress and ingress during construction and whether the County plans to use Eminent Domain to acquire these easements; the amount of land required ; and please list any other easements that will be required for construction as well as for the use of Mountain Ridge as a public road and whether the County plans to use Eminent Domain to acquire these easements. Also please describe the impact to Megan Court including changes to topography.

I38c-17

16. For Elmond Drive, please describe in detail the amount of land, right-of-way and easements that the County and the developer will require to be condemned to construct Mountain Ridge Road **as a public road**. Please itemize each of the following: (1) the amount of right-of-way the County plans to condemn; (2) the amount of land the County plans to condemn for grading; (3) the amount of land required for slope easements and whether the County will use Eminent Domain to acquire the slope easements; (3)the amount of land required for grading and construction easements and whether the County will use Eminent Domain to acquire the grading and construction easements; (4) the amount of land required for easements to maintain pedestrian and vehicular egress and ingress during construction and whether the County plans to use Eminent Domain to acquire these easements; the amount of land required ; and please list any other easements that will be required for construction as well as for the use of Mountain Ridge as a public road and whether the County plans to use Eminent Domain to acquire these easements. Also please describe the impact to Megan Court including changes to topography.

I38c-18

17. Please provide details as to the LHR project timelines that will lead to the County filing a Resolution of Necessity for the condemnation process. Please detail each factor the County will consider as to timing and approximately during which phase of LHR project construction it is estimated that the Resolution of Necessity will be filed.

I38c-19

18. Will the County seek a Court order granting possession prior to the conclusion of the Condemnation action? If yes, please describe in detail why the County feels that this action will be necessary.

I38c-20

19. Is the Fire Station proposed on Mountain Ridge road a relocation of DSFPD Station 11 or a proposed fourth DSFPD station in addition to DSFPD Stations 11, 12 and 13?

I38c-21

I38c-17 The grading and topography changes included in this alternative at the Mountain Ridge Road and Megan Terrace intersection are shown on Figures 4-17 and 4-18 and are included in the environmental analysis. Refer to Global Response: Off-site Improvements – Environmental Analysis and Easement Summary Table for additional details about the easement rights and the adequacy of the environmental analysis in relation to easements.

I38c-18 The grading and topography changes included in this alternative at the Mountain Ridge Road and Elmond Drive intersection are shown on Figures 4-17 and 4-18 and included in the environmental analysis. Refer to Global Response: Off-site Improvements – Environmental Analysis and Easement Summary Table for additional details about the easement rights and the adequacy of the environmental analysis in relation to easements.

I38c-19 The comment does not raise a specific and significant environmental issue under CEQA. (See CEQA Guidelines Section 15132(d).) No further response is required.

I38c-20 The comment does not raise a specific and significant environmental issue under CEQA. (See CEQA Guidelines Section 15132(d).) No further response is required.

I38c-21 The fire station proposed as a part of the Mountain Ridge Road Fire Station Alternative would be a new station added to the DSFPD and is not proposed to be a relocation of an existing station. The FEIR is intended to analyze and disclose the impacts of the project and potential alternatives on the environment, not to determine the best location of the fire station to serve the community. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. Ultimately, the County in consultation with the DSFPD would determine which fire service option to approve and implement. However, because the comment does not raise an environmental issue with respect to the FEIR, no further response is required.

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Mr. Mark Slovick  
July 25, 2014  
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- 20. If this is a relocation of Station 11, what studies or Standards of Cover Analysis have been conducted to determine that Mountain Ridge Road is the best location for relocating the existing Station 11, both in the short, medium and long term? Please provide details as to the response times and ability to continue to serve existing residents in the DSFPD District. Please quantify all impacts to existing residents of the DSFPD District. Please provide a copy of all studies or analysis and summarize the findings.
- 21. If this is a proposed additional fourth station to the DSFPD, what studies or Standards of Cover Analysis have been conducted to determine that Mountain Ridge Road is the best location for a fourth station, both in the short, medium and long term. Please provide all reports that identify Mountain Ridge Road as the best location for the community, not just the project developer.
- 22. If this is a proposed additional fourth station to the DSFPD, please detail by year all costs associated with this station and who will pay the costs. Please list by calendar year the: (1) anticipated capital costs for a fourth station each year for the next 15 years; (2) anticipated operating costs for a fourth station each year for the next 15 years; (3) annual recurring expenses each year for the next 15 years; and summarize by year the anticipated revenue the Project will generate through property tax assessments for fire standby and suppression.
- 23. For each year above that a capital expense is required, please identify who will be responsible for the cost – the taxpayers or the developer.
- 24. For each year above that revenues from the project are less than the operating costs of the 4<sup>th</sup> station, please identify who will be responsible for the cost – the taxpayers or the developer.
- 25. If Option 3, a fourth DSFPD station (neighborhood station) located On-Site in Phase 3 is selected, does the County plan to use Eminent Domain to convert Mountain Ridge Road to a public road. If yes or maybe, please explain in detail the reasons.

I38c-21  
cont.

I38c-22

I38c-23

I38c-22 The comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue with respect to the FEIR, no further response is required.

I38c-23 Considering the location of the fire station under this option and the quickest travel routes, the proposed project fire service Option 3 would not include the conversion of Mountain Ridge Road to a public roadway.

Letter I38d

Via Email

July 21, 2014

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](mailto:Mark.Slovick@sdcounty.ca.gov)  
(858) 495-5172

**Subject:** Public Comments to Chapter 4.0 - **FIGURE 4-17 – MOUNTAIN RIDGE ROAD FIRE STATION ALTERNATIVE- MOUNTAIN RIDGE ROAD GRADING PLAN** of the Project Alternatives section of the REIR 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 are my Public Comments pertaining to the June 2014 Revised Draft Environmental Impact Report ("REIR") regarding **FIGURE 4-17 – MOUNTAIN ROAD FIRE STATION ALTERNATIVE- MOUNTAIN RIDGE ROAD GRADING PLAN**.

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

Please respond to each specific issue raised in this letter as part of the County's Response to Public Comments.

Sincerely,



James E. Gordon  
9733 Adams Ct.  
Escondido, CA 92026  
[Jegordon888@gmail.com](mailto:Jegordon888@gmail.com)



I38d-1

I38d-1 The introductory comment is noted. The comment expresses the opinion of the commenter. The FEIR adequately discusses the issues related to this alternative consistent with the requirements of CEQA. See the responses below.

Mr. Mark Slovick  
 July 21, 2014  
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COMMENTS TO FIGURE 4-17 – MOUNTAIN ROAD FIRE STATION ALTERNATIVE-  
 MOUNTAIN RIDGE ROAD GRADING PLAN (OPTION 1) OF CHAPTER 4.0 (PROJECT  
 ALTERNATIVES) OF THE REVISED DRAFT ENVIRONMENTAL IMPACT REPORT

**COMMENTS:**

Figure 4-17 of the Mountain Ridge Road Fire Station Alternative is insufficient to provide the information necessary to determine the impact and feasibility of this option as the accompanying report and Figures do not address significant impacts.

I38d-2

The current Figure and summary provided is deficient in multiple ways as discussed below. As an example, the elevation map for the road does not provide any details on the impact and required construction easements necessary for Megan Terrace, Adams Ct, Elmond Drive and an unnamed road located on the west side of Mountain Ridge, just south of Adams Ct.

I38d-3

The grading plan needs to provide details as to what sections of the road will be worked on during each phase of road construction so that the significance of the impacts can be evaluated. Additionally, only the "limits of disturbance" required for slope easements are shown. **HOWEVER** the areas that will be impacted for construction activities, grading, equipment staging, worker parking, interim relocation of egress/ingress roads and utilities **are not shown**. Also not shown are the designs details including grading alignment for the temporary ingress and egress roads that will be required. Please provide specific details for each of these issues, including plans, figures and summary Tables. It is impossible to determine impacts and their significance or discuss mitigation efforts and their effectiveness without this basic and key information.

I38d-4

According to Recon's May 16<sup>th</sup> Mountain Ridge Road Noise Analysis report, Recon (page 12) has the detailed plans with proposed roadway elevations, including the proposed grading contours and lane locations for construction of Mountain Ridge Road Public. The County also has these plans. These plans are critical to evaluate the full and significant impacts of the Mountain Ridge Road Fire Station Alternative. Please provide a copy of all the plans.

I38d-5

Also, as discussed by Recon on page 7 of their May 16<sup>th</sup> report, a typical daily work area for this construction project would be encompass work on 5 acres and have an average linear working distance of 300 feet. Thus to stay consistent with Recon's methodology, please break down each phase of construction into 5 acre phases showing 300 linear feet of construction for the requests and comments below.

I38d-6

Also, please provide details as to the amount of cubic yards of fill will be required for grading and how many cubic yards of cut will be done. How many cubic yards of fill will be imported or exported for the construction of Mountain Ridge Road Public project.

I38d-7

PLEASE PROVIDE DETAILS, INCLUDING LARGE SCALE DRAWINGS AND DETAILED PHASED CONCEPTUAL PLANS THAT ADDRESSES THE FOLLOWING: ALSO THESE REQUESTS AND COMMENTS PERTAIN TO THE BASELINE ROAD AS IT EXISTS TODAY AS WELL AS THE ROAD PROPOSED IN THE PROJECT.

I38d-2 The comment expresses the opinion of the commenter. See the Global Responses: Easements (Mountain Ridge Road and Covey Lane) and Environmental Analysis and Easement Summary Table. No easements for the referenced roads are required for the alternative. Impacts associated with this alternative and option are discussed at FEIR Subchapter 4.9.2 and 4.9.3. No improvements beyond those shown on FEIR Figures 4-17 and 4-18 are proposed for this alternative.

I38d-3 Portions of the comment do not raise a specific and significant environmental issue under CEQA. (See CEQA Guidelines Section 15132(d).) Impacts associated with this alternative and option are adequately discussed in FEIR subchapters 4.9.2 and 4.9.3 and are consistent with CEQA Guidelines Section 15126.6(d). Specific improvement project details and plans necessary to address the questions raised in the comment will be prepared later if this alternative and option are approved by the County. Any possible improvement project plans for this alternative will comply with all applicable codes, ordinances, regulations and procedures regarding the matter. This includes compliance with the County Grading Ordinance (Sections 87.101 through 87.804 of the County Code of Regulatory Ordinances). The Grading Ordinance requires, among other items, (1) protection of utilities and adjacent real properties (Section 87.101(f)), (2) extensive permit application materials for major grading permits (Sections 87.201, 87.203, 87.204, 87.207 and 87.208), (3) review of grading and improvement plans for compliance with CEQA (Sections 87.204 and 87.207(a)(2)), (4) the imposition of grading permit conditions (Section 87.210), (5) extensive design standards and performance requirements for grading plans (Sections 87.401 et seq.), (6) the protection of watercourses related to the grading work (Sections 87.601 et seq.), and (7) significant enforcement powers by the County related to the Grading Ordinance and grading permits (Sections 87.102 through 87.110.) Compliance with the County Grading Ordinance will therefore ensure appropriate review of the possible impacts regarding specific grading and improvement plans, and the imposition of any needed further mitigation measures, if this alternative and option is approved by the County. But sufficient detail about the possible alternative has already been provided in the FEIR consistent with CEQA Guidelines Section 15126.6(d).

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	<p>I38d-4 The plans used to prepare Appendix V3 are the grading plans in FEIR Figures 4-17 and 4-18.</p> <p>I38d-5 The comment does not raise a specific and significant environmental issue under CEQA. (See CEQA Guidelines Section 15132(d).) Sufficiently detailed grading plans for this possible alternative and options are found in the FEIR at Figures 4-17 and 4-18 consistent with CEQA Guidelines Section 15126.6(d). Specific improvement project detail and plans necessary to address the questions raised in the comment will be prepared later if this alternative and option are approved by the County. Any possible improvement project plans for this alternative will comply with all applicable codes, ordinances, regulations and procedures regarding the matter.</p> <p>I38d-6 FEIR subchapter 4.9.1.6 discusses the amount of cut and fill related to the grading work for this alternative.</p> <p>I38d-7 The comment does not raise a specific environmental issue under CEQA. (See CEQA Guidelines Section 15132(d).) Sufficiently detailed grading plans for this possible alternative and options are found in the FEIR in Figures 4-17 and 4-18 consistent with CEQA Guidelines Section 15126.6(d). The FEIR adequately analyzes potential impacts associated with this alternative and provides adequate information to identify and disclose environmental impacts. Should this alternative be selected by the decision maker, future improvement plans for this alternative would be prepared in compliance with all applicable codes, ordinances, regulations and procedures regarding the matter.</p>
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Mr. Mark Slovick  
 July 21, 2014  
 Page 3 of 5

- 1. Detailed plans by phase of construction for maintaining utilities for the residents of Mountain Ridge including electricity, telephone, domestic water and fire water. Will the impacted residents be without telephone, power, domestic water or fire water for any part of the construction? If use, please describe in detail the impact and mitigation proposed. I38d-8
- 2. Detailed plans by phase of construction for where fire hydrants will be relocated during construction that meets the current level of service and County requirements. I38d-9
- 3. Detailed plans by phase of construction for maintaining 24/7 ingress and egress to the residents of Mountain Ridge Road, including residents of Megan Terrace, Adams Ct, Elmond Drive, and the unnamed street mentioned above as well as maintain access to all residents whose driveways abut Mountain Ridge Road. I38d-10
- 4. Detailed plans by phase of construction for the design, location and construction specifics for any temporary roads that will be required. Also include a summary of all rights of way or temporary easements that will be required for construction of the temporary roads and what rights the County has or alternatively what rights the County/Developer will require and how it plans to obtain those rights. I38d-11
- 5. Detailed plans by phase of construction to maintain internal traffic and pedestrian flow within the Circle R Estates HOA that will allow free and unobstructed traffic and pedestrian flow between the HOA residents located on Megan Terrace and their family and friends on Adams Ct. I38d-12
- 6. A detailed Fire and Life Safety Access plan for Mountain Ridge road during each phase of construction. The project requires fill of 20 feet above existing grade in a number of locations which is a major undertaking. In addition to the grading and construction equipment that will be located on Mountain Ridge Road, the project will require more than 12,000 10 wheel truck 6 c.u. loads of fill to be brought in. I38d-13
- 7. Please detail where the fill will be imported from and the impact and safety factors to the Circle R Road Community as well as Mountain Ridge road of 12,000 truckloads (each of which can weigh 15,000 to 25,000 pounds) of fill being imported over a short time period. Also please provide similar information for the amount of asphalt that will be brought in. I38d-14
- 8. Please provide a safety plan for pedestrians and bicyclists for Mountain Ridge Road as well that portion of Circle R Drive that construction trucks and trucks carrying imported fill will be using. I38d-15
- 9. Please provide a fire, health and safety plan for the storage of hazardous materials. What hazardous materials will be stored or used, in what quantities, at what locations along Mountain Ridge Road, Megan Terrace, Adams Ct or Elmond Drive. Please provide a detailed Hazmat and Emergency Response/Evacuation Plan. Also please discuss in detail the potential impacts to the Mountain Ridge Road Community, including a discussion on the health effects, from each and every hazardous material that will be used or stored within the Mountain Ridge Road Alternative Construction area. Also, please provide a plan for responding to spills, including community notification as well as the process for reporting to regulatory authorities. I38d-16

I38d-8 The comment does not raise a specific environmental issue under CEQA. (See CEQA Guidelines Section 15132(d).) The comment raises a hypothetical scenario related to one of many project alternatives. CEQA does not require the County or the project applicant to address non-environmental and speculative issues as part of this FEIR. (See CEQA Guidelines Section 15145 regarding speculative matters.) If the hypothetical scenario posed by this comment arises in the future, the County will then comply with all applicable codes, ordinances (including the County Grading Ordinance), regulations and procedures regarding the matter. Questions posed in the comment would be addressed, to the extent required and permitted, at the grading permit and improvement plan level consistent with applicable law, and appropriate conditions and procedures for the work would be imposed. This includes compliance with the County Grading Ordinance (Sections 87.101 through 87.804 of the County Code of Regulatory Ordinances). The Grading Ordinance requires, among other items, (1) protection of utilities and adjacent real properties (Section 87.101(f)), (2) extensive permit application materials for major grading permits (Sections 87.201, 87.203, 87.204, 87.207 and 87.208), (3) review of grading and improvement plans for compliance with CEQA (Sections 87.204 and 87.207(a)(2)), (4) the imposition of grading permit conditions (Section 87.210), (5) extensive design standards and performance requirements for grading plans (Sections 87.401 et seq.), (6) the protection of watercourses related to the grading work (Sections 87.601 et seq.), and (7) significant enforcement powers by the County related to the Grading Ordinance and grading permits (Sections 87.102 through 87.110.) Compliance with the County Grading Ordinance will therefore ensure appropriate review of the possible impacts regarding specific grading and improvement plans, and the imposition of any needed further mitigation measures, if this alternative and option is approved by the County. Sufficient detail about the possible alternative has been provided in the FEIR consistent with CEQA Guidelines Section 15126.6(d).

I38d-9 through I38d-12  
 See response to comment I38d-8 above.

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RESPONSE

	<p>I38d-13 Portions of the comment express the opinion of the commenter. See response to comment I38d-8 above. Further, the impacts associated with grading for this alternative have been discussed in FEIR subchapters 4.9.2 and 4.9.3. FEIR subchapter 4.9.1.6 discusses the amount of cut and fill related to the grading work for this alternative, and appropriate mitigation has been proposed where needed to address any potentially significant adverse impacts.</p> <p>I38d-14 See response to comment I38d-13 above.</p>
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Mr. Mark Slovick  
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- 10. Please provide a plan to maintain 24/7/365 access to all homes along Mountain Ridge including Elmond Drive, Megan Terrace, Adams Ct for fire, ambulance, police and other emergency vehicles. If 24/7/365 access cannot be provided, please discuss in detail the impact to the neighborhood and its residents. I38d-17
- 11. Please provide a fire evacuation plan for the community discussing what evacuation routes to take so they can safely evacuate their homes in case of a wild land fire during the construction of Mountain Ridge Public Road. I38d-18
- 12. Please provide details and a plan by construction phase of the storm water protection plan. A detailed storm water drainage flow map is critical as Mountain Ridge Road has two areas that flow into tributaries of the United States. Mountain Ridge Creek, located on the northern boundary of the existing paved road (southern portion of the project site) flows into a tributaries of the United States. Also, the Mountain Ridge wetlands, located on the West Side of Mountain Ride (in the areas opposite Megan Terrace) flows into Mountain Ridge Creek and into the tributaries of the United States. Please provide copies of all maps and plans that will be required for review by the United States Army Corp of Engineers. This is critical as the project will produce a significant amount of pollutants as well as silt and other contaminants that will result in possible pollution to the tributaries of United States waterways. I38d-19
- 13. Please provide a specific plan for grading, including watering, that will address the fact that this work will be conducted in an existing community. As an example, how often will all grading areas be watered down and will that water be potable water. How often construction areas will be watered down. What additional dust control steps will be taken and what will the impact of dust be to the neighborhood. The majority of the residents of Mountain Ridge live on the east side of the road which is always the downwind side. As the topography of the road is known, how will the topography of the road and the prevailing winds effect the impact of noise, dust and pollutants on the residents. I38d-20
- 14. Please provide detailed security plan for the impacted residents for physical and property security during construction. I38d-21
- 15. What are the plans for dealing with special needs children living in the impacted area?
- 16. What are the plans for dealing with frail and elderly residents living in the impacted area?
- 17. Please show by the phase of construction all physical areas on and surrounding Mountain Ridge road that will be impacted and disturbed during the construction period and delineate the type of impact and the areas of impact. The current "limits of disturbance" and "limits of grading" shown are misleading as they imply that the areas shown are the full area of impact but do not show the temporary limits of impact. I38d-22
- 18. Please show all temporary and permanent areas of impact for any every part of the construction project and also provide details on every temporary or permanent easement that will be required. Please provide a summary and a map that identifies by APN the amount of right of way that will need to be condemned; the amount private property for I38d-23

I38d-15 through I38d-21  
 See response to comment I38d-8 above.

I38d-22 Sufficiently detailed grading plans for this possible alternative and options are found in the FEIR in Figures 4-17 and 4-18 consistent with CEQA Guidelines Section 15126.6(d). Also, the impacts associated with grading for this alternative have been discussed at FEIR Subchapters 4.9.2 and 4.9.3, and appropriate mitigation has been proposed where needed to address any potentially significant adverse impacts. The FEIR adequately analyzes potential impacts associated with this alternative and provides adequate information to identify and disclose environmental impacts. Should this alternative be selected by the decision maker, future improvement plans for this alternative would comply with all applicable codes, ordinances, regulations and procedures regarding the matter.

I38d-23 See response to comment I38d-8 above. Further, sufficiently detailed grading plans for this possible alternative and options are found in the FEIR in Figures 4-17 and 4-18. Also, the impacts associated with grading for this alternative have been discussed in FEIR Subchapters 4.9.2 and 4.9.3, and appropriate mitigation has been proposed where needed to address any potentially significant adverse impacts.

See also the Global Responses: Easements (Mountain Ridge Road and Covey Lane) and Environmental Analysis and Easement Summary Table.

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Mr. Mark Slovick  
 July 21, 2014  
 Page 5 of 5

of slope easements that will need to be condemned; the amount of temporary construction easements that will need to be condemned.

19. Please describe in detail all temporary and permanent impacts to the driveway located at 31013 Mountain Ridge Road where the road grade will be reduced by 5 feet.

20. Please describe in detail and provide detailed plans for all driveways and existing intersecting roads (Elmond Drive, Adams Ct., Megan Terrace) where either through grading or fill, driveways or existing intersecting roads will be impacted, the extent of the impact (including elevation changes, proposed grading, easements or right of way required and Figures depicting the impact.

21. Please provide detailed figures for the entire project showing all of the visual changes that will occur to Mountain Ridge Road from its current existing grade. It is critical to be able to visualize the changes that will occur during the construction process, in order to determine the Visual Impact and significance.

22. Please provide detailed figures for the entire project showing the construction of the manufactured slopes, some of which will be 30-50 feet high. Please describe in detail how the slopes will be constructed, what materials and provide a figure showing all of the slopes on both the East Side and West Side of the road that will be required.

23. Please provide detailed figures for the entire project showing the construction of retaining walls that will be required and description of the materials that will be used. Please describe in detail how the retaining walls will be constructed and provide a figure showing all retaining walls on both the East Side and the West Side of Mountain Ridge Road.

24. Please provide a detailed summary of any land form berms or noise barriers that will be located along Mountain Ridge Road. Please discuss in detail what types of berms, walls or other structures will be used as a noise barrier including details on their construction, the types of construction materials that will be used and provide Figures showing their location and size. Also, please update the Mountain Ridge Road Public Visual Impact analysis as this was not discussed in the Visual Impact Study.

25. Please discuss in detail whether any construction light will be used. If so, provide details as to the types of units, the proposed height of the units, and where the units will be located during each phase of construction. Update the Mountain Ridge Road Visual Impact study as this issue was not discussed.

26. Please discuss in detail whether any temporary noise construction walls or barriers will be used. If so, please discuss in detail what types noise construction containment features will be used, their locations, construction materials and please update the Mountain Ridge Road Visual Impact analysis as this issue was not discussed.

I38d-23

I38d-24

I38d-25

I38d-26

I38d-27

I38d-28

I38d-29

I38d-30

I38d-31

I38d-24 Sufficiently detailed grading plans for this possible alternative and options are found in the FEIR in Figures 4-17 and 4-18 consistent with CEQA Guidelines Section 15126.6(d). Specific improvement project detail and plans necessary to address the questions raised in the comment will be prepared later if this alternative and option are approved by the County. Any possible improvement project plans for this alternative will comply with all applicable codes, ordinances, regulations and procedures regarding the matter.

I38d-25 See response to comment I38d-24 above. See also the Global Responses: Easements (Mountain Ridge Road and Covey Lane) and Environmental Analysis and Easement Summary Table.

I38d-26 Refer to response to comment I38d-24.

Discussion of visual impacts relating to this alternative are found in FEIR subchapter 4.9.2.1. As determined in that subchapter, no significant adverse visual impacts for residents on Mountain Ridge Road would result from implementation of this alternative.

I38d-27 to I38d-28  
 See response to comment I38d-24 above.

I38d-29 See response to comment I38d-24 above. Further, as discussed in FEIR subchapter 4.9.2.8 and Appendix V3, no new or additional significant adverse noise impacts relative to the proposed project will result for residences along Mountain Ridge Road during the construction and operational phases for implementation of this alternative.

I38d-30 to I38d-31  
 See response to comment I38d-24 above.

Letter I38e

Via Email

July 22, 2014

Mark Slovick, Project Manager  
County of San Diego Planning and Development Services  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123  
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(858) 495-5172

**Subject:** Public Comments to the 2014 Revised DEIR ("REIR") pertaining to **the May 16, 2014 RECON Noise Technical Analysis for the Mountain Ridge Road Fire Station Alternative** 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 are my Comments pertaining to the June 2014 Revised Draft Environmental Impact Report ("REIR") regarding the **May 16, 2014 RECON Noise Technical Analysis for the Mountain Ridge Road Fire Station Alternative**

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

Please respond to each specific issue raised in this letter as part of the County's Response to Public Comments.

Sincerely,



James E. Gordon  
9733 Adams Ct.  
Escondido, CA 92026  
[Jegordon888@gmail.com](mailto:Jegordon888@gmail.com)



I38e-1

I38e-1 This comment is an introduction to comments that follow. No further response is required.

Mr. Mark Slovick  
 July 22, 2014  
 Page 2 of 6

**COMMENTS TO THE RECON MOUNTAIN RIDGE ROAD FIRE STATION ALTERNATIVE –  
 NOISE ANALYSIS DATED MAY 16, 2014**

**General Overview and Comments**

The Recon **Mountain Ridge Road Fire Station Alternative – Noise Analysis** dated May 16, 2014 was prepared as required by CEQA to address these two items as well as others:

1. Identify, summarize, quantify and document the impacts of the Alternative (Mountain Ridge Public) to the Project conditions as they exist today; and
2. Determine the direct impact delta and the cumulative impact delta of the Alternative (Mountain Ridge Public) to the Project conditions as they exist today.

An Environmental Impact Report (EIR) must contain an accurate description of the physical environmental conditions at the project site **as they exist at the time that the environmental analysis is conducted**. This environmental setting is the **“baseline”** physical condition from which the County measures whether an impact is significant.

Mountain Ridge Existing is approximately a 2,500 foot road that runs from Circle R Drive to the southern boundary of the LHR project built to approximately a 5 MPH design speed. The majority of the homes in the Mountain Ridge Road Community are located in Circle R Estates. Circle R Estates is a HOA community located on the Eastern side of a 1,200 foot section of Mountain Ridge Road that runs south from the LHR project’s southern boundary; along Megan Terrance and Adams Ct., to the top of the steep hill south of Megan Terrance.

An EIR is mandated by CEQA in response to the County’s a Mountain Ridge Road Fire Station Alternative. This EIR report will be relied on by the County during the Condemnation and Eminent Domain Process to: (1) condemn an existing right-of-way from easement holders; (2) condemn acres of private land from property owners for permanent slope easements; (3) condemn tens or acres of private land for construction easements; and (4) condemn an unknown amount of private property from an unknown number of property owners to build interim ingress and egress roads.

The Alternative requires a COMPLETE REBUILD of the road. As stated on page 6 of the Recon Report, construction would occur along 0.6 miles of Mountain Ridge Road and **“occur over approximately 20 acres with a daily disturbance of 5 acres.”** Portions of the Alternative will involve “raising” the existing road more than 20 feet above the current grade and result in the construction of manufactured slopes 30-50 feet high. More than 10,000 truckloads of fill will be required. This a major construction project to an existing road that is only 20 feet wide and 2,500 feet long.

**All Comparisons Must Be Based on Mountain Ridge Existing**

The County cannot compare the Alternative, a County Public Road, classified as a Rural Residential Collector, to a hypothetical road that **DOES NOT EXIST**.

138e-2

138e-3

138e-4

138e-5

138e-6

138e-2 The comment identifies the CEQA requirement for the commencement of environmental analysis on an issue, but does not raise an issue under CEQA. No additional response is required.

138e-3 The comment provides factual background information, but does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

138e-4 The Mountain Ridge Fire Station Alternative is analyzed in subchapter 4.9 of the FEIR. The level of analysis of this alternative in the FEIR is greater than required under CEQA 15126.6. The alternative identifies all additional impacts that would occur for the road design associated with constructing Mountain Ridge Road to public road standards (see, FEIR subchapter 4.9). The question of condemnation of land is outside the scope of CEQA; however, should the County act under its right of Eminent Domain, all impacts have been disclosed. Refer also to Global Response: Easements (Mountain Ridge Road and Covey Lane) for additional information regarding the use of eminent domain.

138e-5 The comment restates information contained in the FEIR, but does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue with respect to the FEIR, no further response is required.

138e-6 The Mountain Ridge Road Fire Station Alternative is included in the FEIR as an alternative project design pursuant to CEQA 15126.6. As stated in the CEQA Guidelines, the analysis of alternatives is based on a comparison of the alternative to the proposed project (See, CEQA 15126.6(d)). Therefore, as presented in the FEIR, the analysis of this alternative is adequate under the law.

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CEQA, County regulations and the Condemnation process requires that the Alternative (Mountain Ridge Public) be compared to the existing ambient conditions (traffic, noise, greenhouse gas, etc.) as they exist today.

I38e-6  
cont.

According to the developer; they do not have the rights to build Mountain Ridge Private. (See Request for Modification to Road Standards (Mortification #7 – Reduce Design Speed Mountain Ridge Road)

According to the developer in the request above:

1. “[a]t a 25 MPH design speed, the existing road would have to be completely rebuilt.”
2. “The newly designed road would require permission to grade from multiple neighbors and would affect multiple access points along the entire length of the road.”
3. “The cost and time to acquire these approvals would be considerable (if they would even be given from adjacent hostile neighbors) and would be very disruptive to the neighbors during construction.”
4. “[t]he impacts to the existing homes on this road would be tremendous including disruption of water and electrical services...[and] the additional costs to reconstruct the entire road and add either many large slopes and/or large retaining walls would be prohibitive.”
5. “Existing vertical curves would have to be lengthened considerably (which would result in some existing driveways no longer being accessible since they are at the sag or peak of the existing curves)” and
6. “[Further, the] impact to the existing homes on this road would be tremendous and the need for permission to grade letters from a large number of neighbors could cause serious delays (and/or kill this project).”

I38e-7

It is clear that Mountain Ridge Private does not exist. As stated above, Mountain Ridge Private would have to be “newly designed” and the “existing road would have to be completely rebuilt.”

The Lilac Hills Ranch Traffic Impact Study dated May 16, 2014, submitted to the County pursuant to the Mountain Ridge Road Fire Station Alternative defines “the existing road.” On pages 10 and 11, with emphasis added, Chen Ryan states:

I38e-8

*“As Mountain Ridge Road currently exists, the road is a narrow 20 foot wide travel-way which currently serves a small amount of homes and is proposed to provide access to the project site;”*

I38e-7 The commenter assumes that the request for a road design modification equates to not having a right to build the road. As stated in Chapter 1.0 of the FEIR, road modification requests are allowed under the County road standards. The remainder of this comment expresses the opinions of the commentator. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

I38e-8 The comment restates information contained in the FEIR, but does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue with respect to the FEIR, no further response is required.

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*"The current volume on Mountain Ridge Road is 160 ADT. The project will add approximately 3,220 ADT to Mountain Ridge Road for a total of 3,570 ADT;"* and

*"Mountain Ridge Road is a residential serving road with several vertical curves and design speed as low as approximately 5 mph along certain sections."*

I38e-8  
 cont.

Creating a hypothetical road that does not exist and cannot be built will result in a CEQA challenge.

Also, I am not sure how the County will word a Resolution of Necessity to condemn a hypothetical road that does not exist and cannot be built.

I38e-9

Mountain Ridge Existing, built to an approximate design speed of 5 MPH with an average of 160 ADT's is **the existing baseline to which the Alternative must be compared.**

I38e-10

**Overview of a CEQA Challenge**

The primary purpose of CEQA is to insure that the County is informed about the potential adverse impacts to the environment of a project before the County approves the project.

The County's compliance with CEQA is based on the assumption that the County will proceed in good faith and circulate an EIR for public review that accurately describes the proposed project.

I38e-11

Mountain Ridge Existing is the baseline that the Alternative must be compared to. Mountain Ridge Private does not exist and CEQA states that the EIR must contain a description of the physical environment at the time the environmental analysis is commenced. Mountain Ridge Private is a hypothetical road.

By way or background and to provide some clarity to the numerous Mountain Ridge Roads discussed throughout the County's REIR, the following provides a summary of the key Mountain Ridge Roads:

1. Mountain Ridge Existing is the current road. It is built to an approximately 5 MPH designed speed, has a paved road section of 20 feet, providing two 10 foot travel lanes. It has a 21% grade and very steep (80') vertical curves. The road resides in a 40 foot easement and in parts of the road, the edge of the paved road is surrounded by granite walls or steep sloping wetlands. It is a backcountry small private road, serving about 20 homes with some hair raising "whoop-de-dooos" on the vertical curves. In many parts of the road, the easement drops ten feet or more from the edge of the paved road and cannot be used. The existing road **cannot be improved without being rebuilt.**
2. Mountain Ridge Private is used by the County to describe, without clarification, the various versions of Mountain Ridge Existing. It is very confusing because it is never clearly discussed or defined and the definition keeps changing throughout the REIR. Also **there are numerous versions of Mountain Ridge throughout the REIR technical reports** which the County relies on.

I38e-12

I38e-13

I38e-9 The design of the proposed road correlates with the alternative. The remainder of the comment expresses the opinions of the commentator and goes beyond the scope of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

I38e-10 See response to comment I38e-6.

I38e-11 See response to comment I38e-6.

I38e-12 The comment provides factual background information, but does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue with respect to the FEIR, no further response is required.

I38e-13 All proposed designs for Mountain Ridge Road are described throughout the FEIR. Refer to Global Response: Off-site Improvements – Environmental Analysis and Easement Summary Table for additional details about the easement rights and the adequacy of the environmental analysis in relation to easements.

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Some versions of Mountain Ridge talk about design speed exception requests. Some versions of it pertain to a dirt road on the LHR project site. Some versions of it discuss a 2-lane private road. Some versions just call it a private road. There are many references to Mountain Ridge with no discussion or clarification as to: (1) which Mountain Ridge Road is being discussed; (2) what are the existing design specifications of the road being discussed; (3) what levels of improvements (if any) that have been assumed for the road being discussed; and (4) what are the direct and cumulative impacts of making those improvements.

I38e-13  
 cont.

3. Mountain Ridge Improved is the road used by the County as the baseline in the REIR for determining the impacts to the community of the *Mountain Ridge Road Fire Station Alternative*. This road, built to a 30 MPH design speed, is assumed by the County to “exist” in the future at the time the road is “converted” to a Public Road. However, it cannot exist unless the existing road is completely rebuilt and the existing road cannot be rebuilt unless Mountain Ridge Existing is Condemned.

I38e-14

4. Mountain Ridge Public is the proposed Public Rural Residential Collector road built to County Public Road Standards with 30 MPH design speed and is one of the two “Alternatives” discussed. There is also Mountain Ridge Public Option #2 road Alternative, which is the same Public Rural Residential Collector but with road design exceptions requested from the County standards.

I38e-15

The key issue in the REIR is the County made Mountain Ridge Existing **DISAPPEAR**. Mountain Ridge Existing has been **replaced** by Mountain Ridge Improved (a hypothetical road that does not exist).

I38e-16

**Thus, for purposes of the Environmental Impact Report, the County created Mountain Ridge Improved and the County required that the road they created be used as the baseline by all of its experts including: traffic; noise; visual, and air quality among others. The result is that the REIR compares the Alternative to a road created by the County that does not exist (the Project).**

I38e-17

From a CEQA perspective, Mountain Ridge Improved (a nonexistent road) is not the baseline. Mountain Ridge Existing is the baseline. At this point, the community has a valid CEQA challenge.

I38e-18

However, the ramifications of creating Mountain Ridge Improved is far more serious than a CEQA challenge.

To accommodate the Fire Station, the County requires Mountain Ridge Existing to be a County Public Road (Mountain Ridge Public) and proposes to use its powers of Condemnation to acquire the right-of-way and easements necessary. The right-of-way and easements obtained through the Condemnation process would then be transferred to the private owners developing the project.

I38e-19

Condemnation of private property by the Government (County) is very serious and sensitive issue. One of the key protections given to homeowners by the County is the requirement of an Environmental Impact Review process which looks at all the environmental impacts to the homeowners that will result from the County Condemning their property.

I38e-14 The Mountain Ridge Road Fire Station Alternative would construct the road to public road standards. See response to comment I38e-4 and I38e-9.

I38e-15 The comment restates information contained in the FEIR, but does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue with respect to the FEIR, no further response is required.

I38e-16 Mountain Ridge Road constructed to public road standards is a proposed design considered as an alternative to the project. The remainder of this comment is an opinion of the commenter. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

I38e-17 through I38e-18  
 See response to comment I38e-6.

I38e-19 See response to comment I38e-4 regarding issues of condemnation. The Mountain Ridge Road alternative adequately evaluates the environmental impacts associated with the construction of Mountain Ridge Road to public road standards as required under CEQA 15126.6. Also see response to comment I38e-6.

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An Environmental Impact Report requires the County to determine the impact to the community by evaluating Mountain Ridge Public (known as the "Alternative") to Mountain Ridge Existing. However this evaluation would result in massive significant impacts that could not be mitigated.

I38e-19  
cont.

As discussed above, the Developers do not have the rights necessary to build Mountain Ridge Improved. Even if Mountain Ridge Improved could be build, it would take a year or more to construct. Mountain Ridge Improved would require: the construction of interim ingress/egress road; relocating utilities; construction in wetlands and waterways; bulldozing and destroying driveways and existing streets; building retaining walls and slopes that would be 50 feet high and require more than 10,000 truckloads of fill. This construction would all occur on a roadway that is 20 feet wide and 2,500 feet long. The result is that if the County followed CEQA standards, as noted above by the Developer, the findings will kill the Lilac Hills Ranch project.

I38e-20

I38e-20 See response to comment I38e-19.

Thus comes the County solution. Rather than compare the proposed Mountain Ridge Public to Mountain Ridge Existing as required by CEQA; **the County will compare Mountain Ridge Public to Mountain Ridge Improved.**

I38e-21

I38e-21 See response to comment I38e-6.

The difference is massive. Neither the County nor the Developer have the rights to build Mountain Ridge Improved. To convert Mountain Ridge Improved to Mountain Ridge Public, although significant, requires mostly increasing the graded width, additional slopes, drainage and adding street lights.

I38e-22

I38e-22 See response to comment I38e-4.

To convert Mountain Ridge Existing to Mountain Ridge Improved requires BUILDING THE ENTIRE ROAD FROM SCRATCH. This is a MASSIVE DIFFERENCE TO THE COMMUNITY AS WELL AS THE HOMEOWNERS WHO ARE LIVING ON THE ROAD.

I38e-23

I38e-23 To construct Mountain Ridge Road to public road standards would require road construction. The comment expresses the opinions of the commentator. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

In summary, using Mountain Ridge Improved (a hypothetical and nonexistent road) as the baseline for the environmental impact report significantly and consciously understates the impacts of the Alternative to the Project and does not comply with CEQA requirements. The EIR must be changed and recirculated for public review.

I38e-24

Using Mountain Ridge Improved for purposes of determining impacts to homeowners whose land and right-of-way is being condemned not only significantly and consciously understates the impacts of the Alternative to the Proposed project; it also does not comply with the intent and purpose of the environmental impact report under the Condemnation process.

I38e-25

I38e-24 See response to comment I38e-6.

Please provide a copy of the County's Requirements for this project.

I38e-26

I38e-25 See response to comment I38e-6.

Please provide a copy of the Scope of Work for each of the technical consultants for this project.

I38e-26 The comment is unclear in its request. This request is beyond the scope of CEQA. Please see the County's Report Format and Content Requirements that provide requirements for the preparation of technical studies.