

Letter I55



Via Overnight Delivery and Electronic Mail

July 24, 2014

County of San Diego
Planning & Development Services
Attn: Mark Slovick
5510 Overland Avenue, Suite 310
San Diego, California 92123
Email: Mark.Slovick@sdcounty.ca.gov

Re: Comments to Revised Draft Environmental Impact Report with regards to the Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001(GPA), PDS2012-3810-12-001 (SP) and related requests

Dear Mark,

The Loftin Firm, P.C. reviewed the Lilac Hills Ranch Draft Revised Environmental Impact Report ("REIR"), dated June 12, 2014, on behalf of James Gordon, a property owner affected by the proposed Lilac Hills Ranch development.

The proposed Lilac Hills Ranch project will substantially impact the surrounding and existing properties, which impact is not adequately or fully addressed in the REIR. Enclosed herewith, please find detailed comments on behalf of James Gordon regarding the REIR.

Sincerely,

THE LOFTIN FIRM LLP

L. Sue Loftin, Esq.

cc: James Gordon

Encl: One (1) – Comments to REIR

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Matter / File No
Lilac Hills/010&146

July 24, 2014 Comments to the Revised Draft Environmental Impact Report (“REIR”) for the Lilac Hills Ranch Project, dated June 12, 2014

GENERAL COMMENTS TO REIR

This Section provides general comments to the inadequacies to the REIR, areas that the REIR either fails to address at all or fails to adequately address.

<p>1. Mountain Ridge Road Easement Rights</p>	<p>Mountain Ridge Road is a private road, the use of which is pursuant to specific easement rights. The road is currently located on properties owned by several property owners, subject to grants of easements which are the basis for the formation of the road.</p> <p>The easements which grant the rights to use Mountain Ridge Road specifically provide that the “easement and right of way is...declared to be appurtenant to and for the use and benefit of the present or future owner or owners of all or any portion of the Southeast Quarter of Section 30, Township 10 South, Range 2 West, San Bernardino Meridian.” The referenced property that has the beneficial use of the road and utility easement is the portion of the project which is referenced as the SRS-5 and SRS-6 projects and properties along Mountain Ridge Road to the south of the project.</p> <p>The project proposes to maintain the limited access rights through the use of gates throughout the SRS-5 and SRS-6 portions of the project; however, (i) such gates will not adequately protect the originally intended limited use of the private road, and (ii) the gates will be opened in events of emergency thereby flooding the small private road with vehicles beyond the original intended use and designed use of the road.</p> <p>Therefore, the project’s proposed uses of Mountain Ridge Road (i) expand the original scope of the road without properly and adequately preserving the limited use rights set forth in the grants of easements, (ii) does not provide protections to the existing property owners for noise, traffic, environmental, site or other related impacts, or (iii) completely address the environmental impacts on the proposed use of the Road or any of the proposed alternatives for Mountain Ridge Road.</p> <p>Reliance on Mountain Ridge Road as an access road for the project is not proper given the limited existing easement rights and thus the issues relating to the use, expansion, modification or development of Mountain Ridge Road are not adequately addressed in the REIR. Therefore, approvals relating to Mountain Ridge Road should not be granted unless and until all issues relating thereto are completely addressed and mitigated.</p>
<p>2. Mountain Ridge Road Design</p>	<p>The REIR provides minimal details on the standard design proposal for Mountain Ridge Road, the grading, elevations, slopes and mitigation measures. Currently, Mountain Ridge Road is designed as a private road built to a design speed of 15 MPH. The road does not meet current County private road standards but was built in accordance with the County’s approvals from prior subdivisions of properties adjacent to Mountain Ridge Road.</p> <p>The project proposes (as the standard proposal) to widen the paved portion of Mountain Ridge Road by four (4) feet to provide a 24 foot wide paved, private</p>

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155-1 The project has easement rights to Mountain Ridge Road. Please refer to the Global Response: Easements (Covey Lane and Mountain Ridge Road) for details on the project easement rights to Mountain Ridge Road. The Project was specifically planned to reflect the fact that Mountain Ridge Road is a private easement road and only those parcels that benefit from this easement have legal access rights to Mountain Ridge Road, and are able to rely upon use of the roadway. As detailed in the project description, gates within the proposed community would restrict the use of Mountain Ridge Road to residents in SFS-5 and SFS-6 (the southern portion of Phase 5), as only these parcels have easement rights to Mountain Ridge Road. In the event of an emergency, both public and private roads are routinely used by emergency responders and the public on a temporary basis; however this would not result in a permanent expansion of the easement’s current use. The FEIR fully evaluates impacts associated with the use of Mountain Ridge Road, as a private road in the proposed project, and as a public road under the Mountain Ridge Road Alternative in Chapter 4.0 of the FEIR, and finally as a private road with no design exceptions under the Road Design Alternatives. The comment is acknowledged and will be provided to the decision maker prior to a final decision on the project.

155-2 The standard design proposal for Mountain Ridge Road includes the addition of 4 feet of paved width, which subsequently improves the design speed near Circle R Drive. These improvements would occur within the existing 40-foot road easement, which would minimize the impacts to adjacent habitat, waterways, and views of Mountain Ridge Road. The FEIR includes adequate analysis of impacts associated with the off-site improvements to Mountain Ridge Road in the relevant sub chapters of the FEIR. For example, Figure 2.5-2b of subchapter 2.5 of the FEIR provides detailed vegetation mapping for the off-site portion of Mountain Ridge Road and subchapter 2.5.1.2 details the location of these vegetation types. In addition, Chapter 4.0 of the FEIR provides detailed analysis of the Mountain Ridge Road alternatives. As detailed in subchapter 4.9.2.5, the Mountain Ridge Road Fire Station Alternative would result in additional impacts to riparian habitat and sensitive natural communities from the widening and grading associated with Mountain Ridge Road improvements. This includes southern coast live oak riparian woodland (0.01 acre), coast live oak woodland (0.31 acre),

LETTER

RESPONSE

	<p>I55-2 (cont.)</p> <p>and open water (0.11 acre). These impacts include an additional 0.01 acre of habitat considered sensitive under the County RPO, and 0.024 acre under the jurisdiction of ACOE and CDFW/RWQCB. These additional jurisdictional impacts would be significant (Impact MRR-BIO-2a). Also, existing access rights to surrounding property owners are maintained as depicted on the Master Preliminary Grading Plan for the project.</p> <p>Please refer to the Global Responses: Easements (Covey Lane and Mountain Ridge Roads) and Off-site Improvements – Environmental Analysis and Easement Summary Table for additional details on easement rights at Mountain Ridge Road. The design exceptions that were requested for roadway improvements regarding Mountain Ridge Road, were analyzed as part of the project’s circulation design and for each subject area discussion within the FEIR. Ingress and egress for residents as well as emergency access was found to be adequate and therefore impacts associated with transportation hazards would be less than significant.</p>
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July 24, 2014
Comments to REIR

	<p>road within the existing 40 foot wide easement. The proposed scope of Mountain Ridge Road (excluding the proposed Alternatives), would negatively impact the habitat, waterways (creek), views and feel of the properties surrounding Mountain Ridge Road, including impacting access rights currently granted to surrounding property owners.</p> <p>The specific proposals for Mountain Ridge Road and the negative impacts are not sufficiently or adequately addressed in the REIR to provide detailed comments.</p>
<p>3. Mountain Ridge Creek Impacts</p>	<p>The alterations, removal, relocation or other impacts to the Mountain Ridge Road Creek have not been addressed in the REIR. The waterway / creek that currently crosses Mountain Ridge Road will require alterations to accommodate the expansion of Mountain Ridge Road as proposed in the project and any of the alternatives. Such impacts have not been adequately addressed in the REIR.</p>
<p>4. Condemnation of Private Road</p>	<p>Mountain Ridge Road is currently a private road intended for the use and benefit of several parcels within the project and to the south of the project. The redesignation of the private road to a public Rural Residential Collector road amounts to a taking for a private purpose—the sole purpose is to enlarge and transfer access rights in a private easement and adjacent private property to the private owners developing the project.</p> <p>The project proponents acknowledge that taking Mountain Ridge Road from a private road to a public road will require the “purchasing” of additional road easements or right-of-ways from adjacent property owners, and will further require a slope easement of approximately 9,175 square feet. However, as is acknowledged in the Exemption Request #7 (as discussed in further detail below), the adjacent property owners may be hostile to the project and thus not willing to grant the easement rights requested, in which case the only viable mechanism to obtain the added easement rights is through condemnation.</p> <p>Therefore, the redesignation of Mountain Ridge Road is not a viable alternative as it relies on a taking fundamentally for private use, which is barred by the Fifth Amendment to the U.S. Constitution, as extended to the states by the Fourteenth Amendment, even if just compensation were paid. <i>See Kelo v. City of New London, Conn., supra</i>, 545 U.S. 469, 472-473, 477 (2005).</p>
<p>PROJECT DESCRIPTION, LOCATION AND ENVIRONMENTAL SETTING</p>	
<p>5. Limited Access Rights Section 1.2.1.4, Off-Site Private Road Improvements, Page 1-17</p>	<p>REIR Statement: Due to easement limitations, Mountain Ridge Road would provide access only for the residents located in SFS-5 and SFS-6 (the southern portion of Phase 5), as well as the neighborhood park and the adjacent institutional site.</p> <p>Comment: Mountain Ridge Road is currently a private road to which only a small portion of the project has easement rights to use (subject to limitations pursuant to the grant of easements and overburdening issues). Pursuant to the specific grants of easement, the southern portion of Phase 5 (the SRS-5 and SRS-6 portion of the project) has the legal right to use Mountain Ridge Road. The easement granting language is specific and does not grant other parcels within the project the right to use the private road.</p>

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Impacts associated with improvements to Mountain Ridge Road have been adequately addressed in the FEIR. Refer to response to comment 155-2. In addition, all impacts associated with each alternative has been identified and quantified within the FEIR. Regarding a waterway/creek that crosses Mountain Ridge Road, the vegetation mapping for the project site did not identify a creek crossing; however, an area of open water is located along Mountain Ridge Road which is a man-made agricultural pond that has no vegetation associated with it and is not considered a jurisdictional wetland (see sub chapter 2.5.1.2 of the FEIR).

The comment raises a legal issue, but does not raise an environmental issue within the meaning of CEQA. The Mountain Ridge Road Fire Station Alternative proposes to re-designate Mountain Ridge Road as a public road in order for the fire station to have access to the surrounding property owners and the public road system. Ultimately, the Board of County Supervisors could approve this alternative and subsequently decide to adopt a Resolution of Necessity in order to allow this approach. This comment is noted, and will be considered by decision makers prior to approval of the project.

As stated in Response 155-4, this comment raises a legal issue but does not raise an environmental issue within the meaning of CEQA. In any event, please refer to the Global Response: Easements (Covey Lane and Mountain Ridge Roads) for a thorough discussion on this topic.

July 24, 2014
Comments to REIR

	<p>The project proposes to (i) preserve the limited access rights through the placement of gates; or (ii) as an alternative, in the discussion of the Mountain Ridge Road Fire Station Alternative, condemn the private road and convert it to a public county road. As is discussed in these Comments, the proposed options are not sufficient to protect the existing property rights and the limited grant of easement intended by the underlying grantor and parties.</p> <p>Further, the REIR does not completely or openly discuss the condemnation issue and merely states that Mountain Ridge Road would be changed from a private road to a County public road. The only mechanism to accomplish the change of Mountain Ridge Road from a private road to a public road is by the County condemning the private road. The condemnation would be for the purpose of granting the developer the right to develop the road into a public road and for the ultimate benefit of the development of the project. Such condemnation would be objectionable to the abutting property owners (and beneficial owners of the easement intended to use Mountain Ridge Road).</p>
<p>6. Emergency Access Section 1.2.1.4, Gates, Page 1-17</p>	<p>REIR Statement: During an emergency situation, the gates throughout Lilac Hills would be put in an open position to provide emergency access to all persons.</p> <p>Comment: In the event of an emergency, the gates (that would otherwise restrict access to Mountain Ridge Road in compliance with the existing easement limitations) would be opened to provide an emergency route to vacate the project. Mountain Ridge Road is currently a private residential road with several vertical curves and design speed as low as approximately 5 MPH along certain sections but an overall design speed of 15 MPH. (See, <i>Traffic Study, Appendix E, Page 11</i>).</p> <p>The project proposes several alternatives for Mountain Ridge Road (one of which requires condemnation of the private road to convert the road to a County Road), to increase the design speed, but one alternative maintains the overall design speed of 15 MPH on Mountain Ridge Road.</p> <p>Due to the layout and limited access to Lilac Hills, Mountain Ridge Road very likely will become inundated with vehicles thereby placing residents to the south of the development in jeopardy. During an emergency evacuation situation, Mountain Ridge Road would be increasingly more dangerous due to the design of the road not being suited to such a large number of cars and with potential reduced visibility in a fire situation, the road would become even more dangerous. The project does not adequately provide protections to the surrounding properties in the event of an emergency due to the congestion of the small road that would occur in the event of an emergency.</p>
<p>7. Wastewater Lines Section 1.2.1.7, Infrastructure and Utilities, Page 1-25</p>	<p>REIR Statement: The project originally proposed that the off-site wastewater collection system would flow south from the project site along Mountain Ridge Road. Where Mountain Ridge Road connects with Circle R Drive, the collection system would turn west following Circle R drive to the Lower Moosa Canyon WRF. However, due to easement restrictions along Mountain Ridge Road, the project includes</p>

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155-6 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.) Improvements to Mountain Ridge Road under the proposed project will lengthen one of the vertical curves on this short road segment by 300 percent. (See Appendix E, p. 12.) Road Design Alternative 7 and the Mountain Ridge Road Fire Station Alternative also would involve redesign of the road and the lengthening of existing vertical curves to safely accommodate a greater design speed of 30 mph for the road. (See FEIR subchapters 4.8.1.7 and 4.9.1.4.)

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. With the proposed design standards and improvements for Mountain Ridge Road, and the design standards and improvements for other evacuation roads, subchapters 2.3.2.3, 2.3.6.2. (cumulative transportation hazards), 2.7.2.4, and 2.7.3.3 (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. These sections of the FEIR determined that overall the road network design for the project and surrounding area (including Mountain Ridge Road) 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.

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

LETTER

RESPONSE

	<p>I55-6 (cont.) emergency evacuation plans. (FEIR subchapter 4.8.1.7 and 4.9.2.7.)</p> <p>Further, 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 with 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. (FEIR subchapter 2.7.2.3; see FPP, pp 33-38.) 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).</p> <p>The Lilac Hills Ranch development would be served by four main evacuation routes that are identified in the regional evacuation plan that was prepared by the Deer Springs Fire Safe Council, which 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 on-site 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 FPP, 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 Section 2.7.2.3.)</p> <p>Based on these facts, the Evacuation Plan examined the existing and planned roads and determined that it would provide adequate multi-directional primary and secondary emergency evacuation routes. (FEIR Appendix K.) Therefore, the FEIR adequately addressed the project's road network, including any exceptions to roadway improvements, as related to the safe and timely evacuation process for the project.</p>
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July 24, 2014
Comments to REIR

alternative routes, including the original Mountain Ridge Road option.

Comment:
The project's proposal (even as an option) to place the sewer lines for the entire project through a small, private road would greatly impact and modify the road, and expand the easement rights. The proposed sewer line location along Mountain Ridge Road does not provide any protection or preserve the existing rights to those property owners along Mountain Ridge Road.

The extensive trenching and grading for the infrastructure would negatively impact the existing waterways (creeks) and related natural habitat. Mitigation for this negative impact has not been adequately or completely addressed.

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155-7 All existing rights of property owners along Mountain Ridge Road would be preserved. Should this wastewater alignment option be selected, the installation of sewer lines would occur below the roadway (an already disturbed area) and would not result in additional impacts to any habitats. All impacts have been appropriately identified and quantified in the FEIR in subchapter 2.5.

TRANSPORTATION AND TRAFFIC

8. Section 2.3.2.3, Analysis Page 2.3-33

REIR Statement:
Approximately 5.5 percent of the total project traffic would access Mountain Ridge Road as this access would be gated and restricted to the southern half of Phase 5 (SFS-5, SFS-6, and the institutional [church] site) uses only.

Comment:
Mountain Ridge Road is currently a private residential road with several vertical curves and design speed as low as approximately 5 MPH along certain sections and a maximum design speed of 15 MPH for the remaining portions. (See, *Traffic Study, Appendix E, Page 11*)

The volume of traffic anticipated to use the small private road of Mountain Ridge Road will greatly increase from the current anticipated use, even with the gates providing restricted access. Pursuant to the Traffic Study (Appendix E), the project will add approximately 840 ADT to Mountain Ridge Road for a total of 1,190 ADT (*this increase is separate from the anticipated increase under the Mountain Ridge Road Fire Station Alternative analysis discussion below which removes the gates along Mountain Ridge Road*).

To accommodate the increase in traffic, the road will need to be modified, including widening the paved width from 20 feet to 24 feet, as well as lengthening one of the vertical curves to increase the minimum design speed from 5 MPH to 15 MPH (See, *Traffic Study, Appendix E, Page 12*). However, depending upon the design alternatives accepted by the County, the road may be modified to an even greater extent to accommodate up to an additional 3,410 ADTs. Such modifications have a direct negative impact on the properties using and surrounding Mountain Ridge Road currently which have not otherwise been mitigated or properly addressed.

Under the Private Road Maintenance Agreement (dated November 21, 1991, as Instrument No. 1993-0850511), the owners of the subdivided lots using Mountain Ridge Road are required to pay for the maintenance and repair of Mountain Ridge Road on a pro rata share. The Agreement limits the obligations of the owners; however, the proposed modifications will greatly expand the road maintenance and repair obligations thereby increasing the financial burden on the existing residents and properties subject the Agreement. The impact is not discussed or addressed in the REIR.

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155-8 The comment claims proposed modifications to Mountain Ridge Road have not been properly addressed or mitigated. As proposed, Mountain Ridge Road would be constructed as 24 feet of paved private roadway width within a 28-foot graded road easement within a total 40-foot right-of-way (FEIR, Table 1-2). The analysis of impacts associated with the proposed modifications is included throughout Chapter 2.0 of the FEIR. An illustration of the off-site impact area is found in FEIR Figure 2.5-2b. Please also see Global Response: Easements (Covey Lane and Mountain Ridge Roads), for additional information regarding Mountain Ridge Road that is responsive to the comment. The comment raises economic issues that do not relate to any physical effect on the environment beyond those already addressed in the FEIR. The comment will be included as part of the record and made available to decision makers prior to a final decision on the proposed project.

July 24, 2014
Comments to REIR

	The natural habitat and waterway (creek) impact has not been mitigated or adequately addressed in the REIR.
9. Section 2.3.2.3, Analysis, Page 2.3-33,	<p>REIR Statement: The proposed institutional site under the project's standard proposal would have two parking lots, one on the south side of the gates along Mountain Ridge Road, and one on the north side. This would allow project residents to park on the north side, but non-residents and visitors would access the church using the Mountain Ridge Road and park in the parking area south of the gated access.</p> <p>Comment: Providing a parking site for the institutional site to the south of the gates and providing for non-residents and visitors to access the institutional site via Mountain Ridge Road will further increase the volume of traffic along Mountain Ridge Road; which impact can only be addressed through the expansion of Mountain Ridge Road. The expansion of the Road (as discussed above) will negatively impact the surrounding residential properties, the wildlife habitat and the waterways (creek) along Mountain Ridge Road, which impacts are not adequately or completely addressed in the REIR.</p>
10. Sight Distance Condemnation Section 2.3.4.2, Transportation Hazard, Page 2.3-52	<p>REIR Statement: Standard County conditions of approval for a Tentative Map require all street intersections to conform to the intersectional sight distance criteria of the Public Road Standards. The project proponent would request an off-site clear space easement from the property owners. Should an easement not be granted, the County would acquire the site distance by condemnation through funds provided by the project applicant. Clear space easements would be required at Mountain Ridge Road at Circle R Drive.</p> <p>Comment: The project proponent does not have the legal rights to develop Mountain Ridge Road as proposed throughout the EIR and proposes to obtain such rights through the use of the County's condemnation rights; however, such rights will be utilized for private purpose as is discussed in more detail herein.</p> <p>The expansion of the Road (as discussed above) will negatively impact the surrounding residential properties, the wildlife habitat and the waterways (creek) along Mountain Ridge Road, which impacts are not adequately or completely addressed in the REIR.</p>
11. Mountain Ridge Noise Section 2.8.3.1, Cumulative Impact Analysis, Traffic Generated Noise, Page 2.8-23	<p>REIR Statement: Based on the traffic modeling of off-site impacts, the project would result in an increase of 10 dB(A) or greater along Covey Lane, Lilac Hills Ranch Road and Mountain Ridge Road. This is a significant cumulative impact.</p> <p>Comment: The project proposes to take a rural, quiet road and increase the flow of traffic using such road thereby increasing the noise to a point that is readily noticeable and is considered a significant impact. This impact is not mitigated nor are the residents surrounding Mountain Ridge Road accommodated for such noise increase.</p>

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I55-9 Please see the response to comment I55-8, above.

I55-10 Please see response to comments I55-2 and I55-8 regarding impacts due to Mountain Ridge Road widening.

I55-11a Please refer to subchapter 2.8.2.1 of the FEIR for detailed analysis of the noise impacts related to traffic on Mountain Ridge Road. As determined by the analysis, the impacts upon the closest residences would remain less than significant.

July 24, 2014
Comments to REIR

ROAD DESIGN ALTERNATIVE 7: MOUNTAIN RIDGE ROAD – REDUCED DESIGN SPEED

Mountain Ridge Road as it exists today does not satisfy current County of San Diego standards for a Private Road and was built to a design speed of 15 MPH. If Mountain Ridge Road were to be maintained as a private road and brought to current County Standards, the “existing road would have to be rebuilt. Existing vertical curves would have to be lengthened considerably (which would result in significant impacts to existing driveways, biological habitats, RPO wetlands, existing Biological Open Space and homes). 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. 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.” (See Request for Modification to Road Standards (Mortification #7 – Reduce Design Speed Mountain Ridge Road), attached hereto as Exhibit “A” (“Exception Request #7”). Exception Request #7 further states that the requested modification is based on the fact that “[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.”

However, the project’s applicant is more explicit in explaining the impact on Mountain Ridge Road in bringing the Road to current County Private Road Standards in its original “Request for a Modification to a Road Standard (Reduced Design Speed Mountain Ridge Road), attached hereto and incorporated herein as Exhibit “B” (the “Original Design Speed Reduction Request”). Applicant sought to replace the Original Design Speed Reduction Request with the Exception Request #7; however, the issues highlighted in the Original Design Speed Reduction Request more accurately reflect the problems and impact with modifications to Mountain Ridge Road. The Original Design Speed Reduction Request bluntly states that “[a]t a 25 mph design speed, the existing road would have to be completely rebuilt. 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)...[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). Also, the additional cost to reconstruct this entire road and add many large retaining walls would be prohibitive. Access to some of the existing driveways (on the sags or peaks) may not even be possible.”

Comment:
Exception Request #7 proposes an alternative from the standard project approvals for Mountain Ridge Road to reduce the design speed for Mountain Ridge Road from the proposed 30 MPH to 15 MPH. Within this Section of the REIR, the design standards of Mountain Ridge Road as a 30 MPH road are discussed at length and illustrate the significant impact that the utilization of Mountain Ridge Road by the overall project would have; which impacts are not adequately addressed or discussed within the REIR and therefore should not be approved.

The Exception Request #7 provides a frank discussion on the (i) insufficiency of Mountain Ridge Road to accommodate the proposed project; (ii) the substantial environmental impacts of the proposed use and modifications to Mountain Ridge Road; and (iii) the significant impact on the properties surrounding Mountain Ridge Road, including the impacts on access rights of the affected properties (through either the standard project proposal or the modifications).

The project’s standard design proposal for Mountain Ridge Road proposes to add additional width to Mountain Ridge Road on the existing grade. Since Mountain Ridge Road does not currently meet County Private Road standards, Mountain Ridge Road would require substantial redesign and rebuilding to bring the road to current standards. Although outlined in the Exception Request #7, the REIR does not adequately address the problems with Mountain Ridge Road and the impact on the surrounding properties.

155-11b The comment claims the FEIR does not adequately address the impacts associated with Mountain Ridge Road under Road Design Alternative 7. However, FEIR subchapter 4.8.1.7 addresses the potential impacts associated with this alternative for each environmental impact category, including biology, traffic and noise. As explained in the FEIR, the road design analyzed under this alternative is the construction of Mountain Ridge Road from Circle R Drive north to the project boundary with 24 feet of paved private roadway width within a 28-foot graded road easement, and with a design speed of 30 mph; this is to be compared with Exception Request No. 7, which would retain the existing 15 mph design speed. It is the increase in design speed to 30 mph under this alternative that would require the road to be redesigned. As the comment addresses general subject areas, which received extensive analysis in the FEIR, the comment does not raise any specific issue regarding that analysis. Therefore, no more specific response can be provided or is required. 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.

155-11b

July 24, 2014
 Comments to REIR

The REIR is wholly insufficient at addressing the numerous environmental, traffic, noise, road or access issues relating to Mountain Ridge Road.

<p>12. Design Section 4.8.1.7, Road Design Alternative 7: Mountain Ridge Road – Reduced Design Speed, Page 4-121</p>	<p>REIR Statement: This portion of the REIR purports to discuss Exception Request #7; however it in fact discusses the construction of Mountain Ridge Road from Circle R Drive north to the project boundary with 24 feet of paved private roadway width within a 28 foot graded road easement, with a design speed of 30 MPH.</p> <p>The design requires existing power poles to be relocated and existing vertical curves to be lengthened; which in turn results in 10 existing residential driveways no longer being accessible and requiring modification as well as the encroachment into the existing footprint of three single-family homes. The road design further requires manufactured slopes up to 30 feet in height, which is double the height required for the project.</p> <p>As with the underlying project, the road would result in significant unmitigated character and quality impacts: the additional widening, manufactured slopes and flattening of the topography under this Alternative would result in a slightly more urbanized feel than the project.</p> <p>Comment: <u>Failure to Discuss Exception Request #7.</u> The heading of this particular section of the REIR, and the initial sentence (“The project’s proposed road design for this road segment corresponds to Road Exception Request #7, as submitted to the County.”) implies that this portion of the REIR discusses the Exception Request #7. As discussed above, Exception Request #7 purports to request a modification to the road standard to reduce the design speed of Mountain Ridge Road to 15 MPH; however, the analysis provided in this section relates to a design of the road at 30 MPH and therefore, the REIR does not address Exception Request #7 or the design of the road at 15 MPH.</p> <p><u>Visual Resources.</u> The wider and flatter Mountain Ridge Road would result in a more urbanized character relative to the project and would result in significant unmitigated character and quality impacts (See, REIR, Page 4-122). Existing property owners acquired property in this area because of the rural feel; changing the character and quality of the community to a more urbanized feel cannot be mitigated and should not be permitted.</p> <p><u>Air Quality.</u> In order to approve the project, the project proposes a General Plan Amendment to increase the density beyond that currently allowed at the project site (see, REIR, page 4-123). An increase in the density would have a negative impact on the air quality within the community and the surrounding properties which is not adequately addressed or mitigated against.</p> <p><u>Access.</u> The modifications to and design of Mountain Ridge Road would result in 10 existing residential driveways no longer being directly accessible to Mountain Ridge Road thereby requiring redesigning and rebuilding of the driveways of 10 private residences. This redesign and rebuild will substantially impact the access (ingress and egress) to these properties, the properties’ value and usability during</p>
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155-12a

155-12b

155-12c

155-12d

155-12a FEIR subchapter 4.8.1.7 analyzes the impacts of Road Design Alternative 7, which addresses a design speed of 30 mph on Mountain Ridge Road, which would occur if Design Exception Request 7 is denied (reduced speed of 15 mph). Chapter 2.0, Project Description addresses the 15 mph design speed as part of the proposed project, which includes all of the road design exceptions (including Exception Request #7) as part of the project’s circulation plan.

155-12b The Road Design Alternative 7 (Mountain Ridge Road - Reduced Design Speed) would improve Mountain Ridge Road to its design standard of 24 feet of paved private roadway width within a 28-foot graded road easement (40-foot right-of-way). This alternative would also require lengthening of existing vertical curves in order to meet the standard for a design speed of 30 miles per hour. This alternative would introduce new visual elements associated with suburban patterns of development but which are similar to some of the elements found within the viewshed such as asphalt paving, naturalized and native plantings, and other man-made improvements. Therefore, the improvements included in this alternative would not significantly alter the composition of the visual environment and would, therefore, not result in significant adverse visual impacts to views.

Due to the flattening of the peaks along Mountain Ridge Road, and the changes to the interior views of the project site, the views along Mountain Ridge Road would have increased urbanized character. The visual portions of the project would be at a relative scale and density that would contrast moderately with the composition of the existing visual environment.

Policies and guidelines required by the implementation of the Specific Plan, would minimize the contrast of the project within its surroundings to the greatest extent possible. The alternative would include project design features such as landscaping on slopes, along streets, and within HOA open space areas, that would visually buffer and screen portions of the project from view while providing visual context. As the project vegetation matures, it would increasingly screen and buffer the project from view, enabling it, over time, to be increasingly integrated into the existing visual environment to the greatest extent possible. Therefore, there would not be a significant adverse impact to views from Mountain Ridge Road.

LETTER

RESPONSE

	<p>155-12c As stated in the project air quality analysis, an increase in density would conflict with the assumptions used to develop the Regional Air Quality Strategy (RAQS). The impact is fully analyzed and disclosed in subchapter 2.2.2.1, under Issue 1. However, as discussed, the inconsistency can only be resolved through an update to the RAQS, which is incorporated as M AQ-1.</p> <p>155-12d The comment is referring to the design of Mountain Ridge Road as presented under Road Design Alternative 7, in subchapter 4.8.1.7 of the FEIR. The FEIR appropriately addresses the physical environmental impacts that would result from the alternative. The comment asserts that the redesign of driveways would impact access to the properties, value and usability during the redesign. However, any improvement would be required to maintain access to existing driveways and residences at all times. The FEIR is not required to evaluate the effect of the improvements on the value of the affected properties. As a result, the analysis provides sufficient disclosure of impacts and mitigation measures.</p>
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July 24, 2014
Comments to REIR

the time of the redesign and rebuild and potentially require other modifications not adequately addressed in the REIR or provided sufficient mitigation measures (or measures that can be evaluated).

Encroachment. The modifications to and design of Mountain Ridge Road would also require the encroachment into the existing footprint of multiple single-family residences. The REIR states that the encroachment will affect 3 homes; however, the overall road encroachment would affect more than 3 homes and would in fact affect multiple properties. The REIR misstates the encroachment issues. Further, the REIR does not discuss the condemnation or grant of easements that would be required, the impact on these properties or the cost thereof.

Slopes. The project originally proposed modifications to Mountain Ridge Road; however, with this modification, the slopes for Mountain Ridge Road would be up to 30 feet in height, which is double the height required for the project. The impact of height of the slopes on the residents adjacent to the road, the habitat surrounding the road or the waterways adjacent and transecting the road are not addressed or adequately mitigated for.

I55-12d
cont.

I55-12e

I55-12f

ANALYSIS OF THE MOUNTAIN RIDGE ROAD FIRE STATION ALTERNATIVE
This portion of the comments focuses solely on Section 4.9 of the REIR, the Mountain Ridge Road Fire Station Analysis. The primary comments to this section relates to the inadequacies in addressing the impact of the converting a small private road intended for limited use to a public road with no access limitations, which modified road would include 35 foot slopes and negatively impact access rights of properties currently accessing and utilizing Mountain Ridge Road. This Alternative would greatly impact the properties that have the current legal and vested rights to use Mountain Ridge Road, which impacts are not properly addressed or mitigated.

<p>13. Condemnation of Mountain Ridge Road Section 4.9.1, Description and Setting, Page 4-176; Section 4.9.1.4, Circulation, Page 4-179</p>	<p>REIR Statements: The Mountain Ridge Road Fire Station Alternative includes the improvement of Mountain Ridge Road "as a County public road and eliminating the gates in the southern area of the Site..."</p> <p>The access changes to the project include redesignation of Mountain Ridge Road from a private road to a public Rural Residential Collector. The construction of Mountain Ridge Road as a public road (under either proposed option) would require the acquisition of an additional 2.37 acres of right-of-way.</p> <p>Comments: Mountain Ridge Road is currently a private road intended for the use and benefit of specific parcels within the project and to the south of the parcel (those Parcels indicated as SRS-5 and SRS-6).</p> <p>The project as originally designed would attempt to limit access to Mountain Ridge Road to those parcels within the project that have specific easement rights currently granted to those parcels to preserve the original intent of the grant of easements over Mountain Ridge Road. The originally designed expansion of Mountain Ridge Road is objectionable as set forth above due to the inadequacies in addressing the impacts or mitigation measures relating to traffic, noise,</p>
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I55-13

I55-12e The commenter asserts that the FEIR underestimates the number of homes that would be encroached upon with Road Design Alternative 7, but does not provide any evidence supporting this assertion. On Figure 4-12, the FEIR analysis shows that a portion of the road grading would be required on 9 APNs, and the grading may encroach into the edge of 2 residential pads, which could be avoided through the use of retaining walls. Regarding discussion of easements in the FEIR, the need for easements and/or the cost of easements is not an environmental issue under CEQA. The FEIR appropriately analyzes the physical impacts of improvements and is not required to address easement rights.

I55-12f The 30-foot-high slopes required with Road Design Alternative 7 are disclosed and analyzed in subchapter 4.8.1.7 of the FEIR. The analysis appropriately discusses the visual, noise, and air quality impacts of these slopes and includes specific discussion of impacts to surrounding residences. Biological impacts are addressed and mitigation measures are identified (M-RD-BIO-1d and M-RD-BIO-2a) that would reduce impacts to less than significant.

I55-13 The off-site improvements for Mountain Ridge Road under the proposed project are adequately discussed throughout Chapters 2.0 and 3.0 of the FEIR. Impacts associated with the expansion of Mountain Ridge Road under the Mountain Ridge Road Fire Station Alternative are addressed throughout subchapter 4.9. Specifically, the FEIR discloses that by expanding Mountain Ridge Road from its existing condition to a 28-foot paved roadway within a 48-foot graded right-of-way (Option 1) or a 28-foot paved roadway within a 40-foot graded right-of-way (Option 2), additional grading beyond that required for the proposed project would occur. Subchapter 4.9.1 states "[c]onstruction of Mountain Ridge Road as a private road would require the acquisition of 0.01 acre (642 square feet) of right-of-way. Both the Mountain Ridge Road options would require the acquisition of additional 2.37-acres of right-of-way." Impacts associated with the acquisition of the right-of-way and the two options for improvement of Mountain Ridge Road are discussed in FEIR subchapter 4.9.2. Discussion of the financial costs of such acquisition are beyond the scope of CEQA, and the act of condemnation will require approval by the County's Board of Supervisors.

July 24, 2014
Comments to REIR

	<p>construction activity, grading, slopes, loss of habitat and impacts on the waterways (to list a few). The proposed Alternative would require the condemnation of the private road to expand the use of the road beyond the originally intended (and currently legally permissible use).</p> <p>The REIR does not discuss the impact of the condemnation of the private road upon the current owners of the road, the financial costs thereof or the fact that the condemnation is for a private benefit.</p> <p>The redesignation of the private road to a public Rural Residential Collector is a significant and material change to the habitat, waterways (creek) and adjacent properties that is not properly addressed or mitigated against. These significant and material proposed changes to Mountain Ridge Road under all proposed alternatives have been inadequately addressed or not addressed in this REIR, including the related Traffic Studies (Appendices E and V-2).</p>
<p>14. Elimination of Gates Section 4.9.1, Description and Setting Section 4.9.1.4, Circulation, page 4-177</p>	<p>REIR Statements: The Mountain Ridge Road Fire Station Alternative includes the improvement of Mountain Ridge Road "as a County public road and eliminating the gates in the southern area of the Site..." The access changes to the project include redesignation of Mountain Ridge Road from a private road to a public Rural Residential Collector and the elimination of the gates included in Phases 4 and 5 of the project.</p> <p>The circulation changes would specifically allow the public, including the proposed on-site uses and other existing residents in the area, full access to Mountain Ridge Road.</p> <p>Comments: Mountain Ridge Road is currently a private road intended for the use and benefit of the southern portion of Phase 5 (the SRS-5 and SRS-6 portion of the project) and properties to the south of the project. Throughout the REIR, the original concepts of the project included preservation of the easement rights and limiting access to Mountain Ridge Road through the use of gates. The elimination of gates will have the direct impact of increasing the flow of traffic through Mountain Ridge Road thereby increasing the impact on the surrounding properties.</p> <p>The only proposed mitigation of such impacts are to completely rebuild Mountain Ridge Road as a wider, flatter road (which results in larger slopes and more grading) which rebuilding will have substantial environmental impacts. The proposed mitigation measure, being the rebuild of Mountain Ridge Road, is not the solution, but rather an exacerbation of the problems by creating greater environmental impacts to the properties adjacent to Mountain Ridge Road.</p>
<p>15. Mountain Ridge Road Modifications Section 4.9.1.4,</p>	<p>REIR Statements: The reclassification of Mountain Ridge Road will be accomplished through one of two proposed options:</p>

I55-13
cont.

I55-14

I55-14 As discussed in subchapter 4.9, the redesignation of Mountain Ridge Road to a public roadway is a design feature of the alternative, as is the removal of the proposed gates. Traffic impacts associated with the alternative design is discussed in subchapter 4.9.2.3, and the Mountain Ridge Fire Station Traffic Study (FEIR Appendix V-2). The alternative would have the same traffic impacts as the project under all traffic scenarios. All mitigation measures proposed for the project would be implemented under the alternative. Further, all mitigation measures for this alternative would be implemented as discussed in subchapter 4.9.

July 24, 2014
Comments to REIR

<p>Circulation, page 4-178, 4-179</p>	<p>Option 1: a 28-foot paved roadway within a 48-foot graded right-of-way, with a speed limit of 30 MPH. Option 2: a 28-foot paved roadway within a 40 foot graded right-of-way, with a speed limit of 30 MPH. Additional modifications include: lighting placed intermittently along Mountain Ridge Road; relocation of power poles, and extension of three culverts.</p> <p>Comments: Mountain Ridge Road, as a private road is based on an easement of 40 feet in total width. The expansion of the road to a 48-foot graded right-of-way would include the expansion of the road by an additional 4-feet on both sides of the road, requiring an encroachment upon or condemnation of adjacent properties to accomplish such. The expansion of Mountain Ridge Road will negatively impact the surrounding residential properties, the wildlife habitat and the waterways (creek) along Mountain Ridge Road, which impacts are not adequately or completely addressed in the REIR.</p> <p>The full impact of the expansion is not adequately addressed in the REIR.</p>
<p>16. Slopes and Grading Section 4.9.1.6, Grading, Page 4-179</p>	<p>REIR Statement: The construction of Mountain Ridge Road as a Rural Residential Collector requires that the existing hills and valleys of the roadway be minimized. Under Option 1, grading would involve an additional 4.4-acre area, and would include an additional 3,271 cubic yards of fill and 78,944 cubic yards of cut <i>above</i> that required for the construction of Mountain Ridge Road as a private road under the project. Manufactured slopes would be up to 35 feet high and a portion of the grading would occur within an existing open space easement. (<i>Emphasis added, Page 4-179</i>).</p> <p>Comment: The REIR states in one location that the slopes would be up to 35 feet in height, and in another that the slopes would be up to 50 feet in height (see discussion under "Comparison of the Effects Section below). Regardless of the final outcome, slopes within this rural residential area surrounding Mountain Ridge Road of such great height will negatively impact and unduly burden the residential properties. The end result will be the road towering over residential properties without mitigation for the effect.</p> <p>The slopes for this alternative are between 5 feet and 20 feet above the proposed slopes for Mountain Ridge Road under the standard proposed project. As discussed above, slopes of 30 feet pose a significant impact on the surrounding residential properties; 35 feet or 50 feet slopes pose an even greater negative impact that can not be mitigated. All proposals for Mountain Ridge Road incorporating slopes of 30 to 50 feet are a significant impact and should be rejected outright.</p>

I55-15

I55-15 See response to comment I55-13.

I55-16a

I55-16a See response to comment I55-12f. As discussed in FEIR subchapter 4.9.2.1, there would not be a significant adverse impact to views for residents on Mountain Ridge Road related to this alternative. The existing visual environment includes slopes along the roadway, limited existing views, and paved roadways in the areas (Circle R Drive). The off-site Mountain Ridge Road improvements included in this alternative would not significantly alter the composition of the visual environment and would, therefore, not result in significant adverse visual impacts to views. However, impacts to existing views along West Lilac Road, and surrounding residences under this alternative would remain significant and unavoidable similar to the project.

LETTER

RESPONSE

July 24, 2014
Comments to REIR

	<p>Further, a portion of the grading will need to be done within an existing open space easement which would require such easement to be vacated. The improvements to Mountain Ridge Road will eliminate existing open space and have negative impacts on the surrounding natural environment including loss of habitat and impacts on existing waterways (creek) which are not adequately address or mitigated against.</p>
<p>17. Growth Inducement Section 4.9.1.7, Growth Inducement, Page 4-180</p>	<p>REIR Statement: This proposed alternative would potentially induce growth due to improved fire and emergency services and the expansion of sewer and water infrastructure.</p> <p>Comments: Growth would also be induced by the expansion of Mountain Ridge Road coupled with opening access thereto by removal of gates throughout the project. The expansion of the road, converting it to a public road and removal of the gates would remove barriers to growth and by creating a facility that would promote the development of surrounding properties.</p> <p>Such growth could have a negative impact on the properties to the south of the project along Mountain Ridge Road, which impact can be measured by evaluating the impact of anticipated increase in traffic, noise, debris and loss of environmental habitat including loss of habitat and impacts on existing waterways (creek). The REIR does not address the growth inducement from the expansion of Mountain Ridge Road, the removal of the gates and opening access thereto to the general public.</p>
<p>18. Comparison of the Effects Section 4.9.2, Page 4-182</p>	<p>REIR Statement: The Alternative would improve Mountain Ridge Road to a Rural Residential Collector which would result in widening the roadway to 28 feet of pavement, the addition of sidewalks, curb and gutter, street lighting, additional right-of-way grading, landscaping and vegetation removal along the roadway, flattening the topography along the roadway and increased public traffic. <i>Grading associated with this improvement would be significant substantial and result in slopes up to approximately 50 feet in height. (Page 4-183, Emphasis Added).</i></p> <p>The flattening of the peaks along Mountain Ridge Road, and the changes to the interior views of the project site, the views along Mountain Ridge Road would have increased urbanized character. (Page 4.183).</p> <p>Comment: The REIR does not address the impact of the 50 foot slopes on surrounding residential properties as the road will tower over portions of the community and certain residential properties specifically. The proposed visual buffers such as landscaping the slopes, address partially buffer and screening the project from view, but does not provide any mitigation measures to the residents along Mountain Ridge Road which are not part of the project.</p>

I55-16b

I55-17

I55-18a

I55-16b As disclosed in FEIR subchapter 4.9.1.6 and shown in Figures 4-17 and 4-18, a portion of the additional grading required for this alternative would occur within an existing open space easement. The easement is located along a drainage and is held by the County of San Diego to preserve open space and would require an open space easement vacation. But, as explained at FEIR subchapter 4.9.2.5, the subject open space easement was not created to mitigate any biological impacts, so no biological mitigation is required to vacate the easement. Biological impacts associated with the additional grading, and related mitigation, is detailed in FEIR subchapter 4.9.2.5.

I55-17 Growth inducement from the redesignation of Mountain Ridge Road is discussed in FEIR subchapter 4.9.1.7. The FEIR discloses that the alternative would potentially induce growth due to the conversion of Mountain Ridge Road to a public road which could increase assessibility to underdeveloped areas. The area with access from Moutian Ridge Road conatins existing developed parcels; however, additional development could occur. However, the environmental impacts that may result from growth inducement are too speculative to address due to the unknown nature, design, and timing of future projects. In accordance with CEQA Guidelines Section 15145, such impacts are not addressed further herein, but would be required to be addressed at the time future projects are identified and processed. See also the response to comment O3g-7.

I55-18a See response to comment I55-16 above. As there are no significant adverse impacts to views for residents on Mountain Ridge Road related to this alternative, then no mitigation is required.

July 24, 2014
Comments to REIR

	<p>The increase in the urbanized feel to the project and the properties to the south of the project but along Mountain Ridge Road would negatively impact the community as a whole. Residents who purchased in the vicinity, and especially along Mountain Ridge Road, purchased their properties for the ruralness of the community and modifications to the road which would urbanize it are inconsistent with the original development and intended scope of Mountain Ridge Road.</p>
<p>19. Increased Traffic 4.9.2.3, Transportation / Traffic, Page 4-189</p>	<p>REIR Statement: A. "...The Mountain Ridge Road Fire Station Alternative ... would have the same significant mitigated circulation system and congestion impacts as the project..." (Page 4-189 and 4-190). B. The change in trip distribution, removal of gated access in Phases 4 and 5, and the Mountain Ridge road reclassification that occur under this alternative, would not alter the overall transportation/traffic impact conclusions identified for the project. (Page 4-190)</p> <p>Comment: The primary project contemplates gates along Mountain Ridge Road to eliminate public access and restrict use of Mountain Ridge Road to confirm to the existing permissible easement access rights. The Alternative repeatedly states that it will include the elimination of those proposed gates and will provide full public access to Mountain Ridge Road. Any conclusion that the traffic impacts to Mountain Ridge Road are the same between having gates for the specific purpose of limiting and regulating traffic versus elimination such gates is clearly not fully analyzing the access and traffic issues.</p> <p>As discussed in more detail below, the Traffic Study indicates that the project will result in an estimated increase of over 2,000% in ADT for Mountain Ridge Road. Even with the modifications to the road to accommodate such a large flow of traffic, the residential neighborhood abutting and utilizing Mountain Ridge Road will be greatly impacted by the increase, which impact is not properly address in the REIR.</p> <p>Furthermore, while the overall project trip generation does not substantially change under the Alternative, the specific impact on Mountain Ridge Road is significant. Currently, Mountain Ridge Road has 160 ADTs, during the first phases of development of the project, Mountain Ridge Road is anticipated to experience very little, if any, increase in ADTs; however, upon construction of Phase 5, the road will experience an increase of over 2,000%.</p>
<p>20. Air Quality Analysis Appendix V-1</p>	<p>REIR Statement: The Air Quality Analysis, relying on the Traffic Study (Appendix V-2), concludes that the Alternative would have no additional impacts on operational air quality measures; but does state that similar to the project, the Alternative would have a cumulatively considerable significant impact.</p>

155-18b

155-19a

155-19b

155-18b The comment expresses the opinions 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.

155-19a While it is correct that the gates that would be installed under the proposed project and would not be installed under the Mountain Ridge Road Fire Station Alternative (MRRFSA), as discussed in the following responses, the resulting redistribution of traffic would not result in significant impacts to Mountain Ridge Road.

155-19b FEIR subchapter 4.9 analyzes the environmental impacts associated with implementation of the Mountain Ridge Road Fire Station alternative. Subchapter 4.9.2.3 addresses traffic specifically, noting that impacts under this alternative would be the same as under the proposed project. As discussed, while the segment of Mountain Ridge Road between the project boundary and Circle Drive is forecast to carry substantially more traffic at project build-out than under existing conditions, the resulting average daily traffic (ADT) on the road would be substantially less than the carrying capacity of the road with the proposed improvements. (Lilac Hills Ranch Traffic Impact Study, Mountain Ridge Fire Station Alternative (May 16, 2014) [FEIR Appendix V-2], Table 5.34 and Table 6.2.) Therefore, Mountain Ridge Road would be able to accommodate the increased traffic that would be generated under this alternative and, accordingly, the alternative would not result in significant impacts relative to traffic levels of service.

LETTER

RESPONSE

July 24, 2014
Comments to REIR

	<p>Comments: As noted below, the Traffic Study conclusions are not supported by the facts outlined in the Study. Increasing ADTs from 160 to 3,250 (at best) is a large increase that will greatly impact the air quality. Although the conclusion that the Alternative, like the project, results in a cumulatively considerable significant impact which mitigation measures will not fully alleviate, such impact is not adequately addressed in the Air Quality Analysis as it is premised on a factual conclusion in the Traffic Study that is not supported by the facts contained therein.</p>
<p>21. Traffic Study Appendix V-2</p>	<p>REIR Statement: The Traffic Study focuses on the Mountain Ridge Road alternative, including improving Mountain Ridge Road to County public road standards Rural Residential Collector and also eliminating the gates included as part of the originally proposed project along Mountain Ridge Road. The general conclusion is that the construction of the fire station within Phase 6, the expansion of Mountain Ridge Road and the removal of the gates does not have a significant impact.</p> <p>Comments: The Traffic Study outlines the project trip distribution by phase along project frontage and access roads. Throughout the early stages of the project development it is proposed that the gates along Mountain Ridge Road will remain in place thereby protecting access and mitigating the impact on residents surrounding Mountain Ridge Road. During the later phases of the project; however, Mountain Ridge Road will be condemned and converted to a public use, substantially improved by leveling and widening the current road and the gates will be removed. Such modifications to Mountain Ridge Road will greatly increase the flow of traffic along Mountain Ridge Road which impacts are not adequately addressed and are improperly classified as not having a material impact.</p> <p>Prior to the development of the project, the Traffic Study states that Mountain Ridge Road has an existing ADP of 160; however, upon full completion of the project, the project will add approximately 3,220 ADT to Mountain Ridge Road for a total of 3,570 ADT (See, <i>Traffic Study, Page 10 and 285, Table 9.3</i>). Alternatively, the project is projected to account for a total of 3,410 ADT on Mountain Ridge Road upon the completion of the project (without taking into considerations of the impact of Road 3, which is used in the worse case scenario numbers) (See, <i>Traffic Study, Page 189, Figure 5-6A</i>). The increase results in an increase of at best 3,250 ADT or at worst of 3,410 (an increase of over 2,000% ADT from the existing ADT).</p> <p>This increase in ADT also impacts the existing habitat and waterways, the residential properties adjacent to Mountain Ridge Road through increases in noise, debris and dust and loss of the rural feel and sightline views.</p>

155-20

155-20 The proposed project would affect local and regional air quality; however, under CEQA, a significant air quality impact occurs when a standard or threshold is exceeded. Based on the analysis of future conditions along Mountain Ridge Road, no air quality standards would be exceeded from the daily operation of 3,250 vehicles on the roadway. Therefore, impacts to air quality would not be considered significant.

155-21a

155-21a As explained in response to comment 155-19b, Mountain Ridge Road can accommodate the traffic that would be generated under this alternative and the alternative would not result in significant impacts relative to traffic levels of service.

155-21b

155-21b Please refer to response to comment 155-19b.

155-21c

155-21c Please see FEIR subchapter 4.9. As the comment addresses general subject areas, which received extensive analysis in the FEIR, the comment does not raise any specific issue regarding that analysis. Therefore, no more specific response can be provided or is required. 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.

LETTER

RESPONSE

July 24, 2014
 Comments to REIR

	Despite such enormous increases in the ADT for Mountain Ridge Road, the Traffic Study and REIR alleges that there is no direct impact. This conclusion is not supported by the facts.
22. Mountain Ridge Road Noise Report Appendix V-3	<p>REIR Statement: Based on the Traffic Study for the Alternative (Appendix V-2), the Alternative would not result in greater trip generation than the proposed project; however, the Alternative would result in a redistribution of project related traffic. This redistribution could result in increased or decreased noise levels on certain roads.</p> <p>Comments: As discussed above, the Traffic Study for the Alternative reaches a conclusion (that there is minimal increase in traffic along Mountain Ridge Road under the Alternative) that is not supported by the facts. Relying on such faulty conclusion, the Noise Study does not adequately evaluate or address the noise impacts of an increase in ADTs of 160 to at best 3,250 (or at worst, 3,410).</p>

} I55-21d

} I55-22

Attachments:

Exhibit "A" Exemption Request #7

Exhibit "B" Original Design Speed Reduction Request

I55-21d Please see the responses to comments I55-19a through I55-20.

I55-22 The comment expresses the opinions of the commentator only. The traffic noise analysis included in FEIR Appendix V-3 fully analyzes the increase in noise levels from the redistribution of traffic due to access changes along Mountain Ridge Road. However, the increase in noise levels would not result in noise levels exceeding the County's noise level and land use compatibility standards, nor result in a 10 dBA or greater increase in noise levels at these receivers along Mountain Ridge Road as discussed in Appendix V-3. Thus, additional traffic along Mountain Ridge Road for the considered alternative would not result in an off-site direct cumulative noise impact. As such, no new traffic-related significant noise impacts are identified under this alternative and mitigation would not be required.

LETTER

RESPONSE

EXHIBIT "A"
EXEMPTION REQUEST #7

[See Attached]

Exhibit "A" to July 24, 2014 Comment to REIR

MODIFICATION #7
 REDUCED DESIGN SPEED MOUNTAIN RIDGE ROAD
 DEPARTMENT OF PUBLIC WORKS

**Request for a
 Modification to a Road Standard
 and/or to Project Conditions**

Project Number: TM 5571/5572 Date of Request: Sep. 13, 2012

Project Location: East side of Interstate 15, southerly of W. Lilac Road in the County of San Diego,
State of California. 127-072-20, 127-072-14 127-072-38, 127-072-41 127-072-40,

Thos. Bros. Map/Grid: 1049, 1069 APN: 127-072-46 127-072-47, 128-280-42 128-440-01, 128-280-46
128-280-27, 128-280-10, 128-440-23, 128-280-37 128-440-05

Requestor Name: Accretive Investments, Inc Telephone: (658) 646-0700

Address: 12275 El Camino Real, Suite 110, San Diego, CA 92130

Requested Modification (attach engineering sketches showing existing layout, details and notes):

The Private Road standard street section is 24' paved, 28' graded within a 40' easement
(see Attachment 1). Based on the average daily traffic, the minimum design speed is 30
mph for Mountain Ridge Road. The requested modification to the road standard is to allow
for a 15 mph design speed over this existing private road (that was previously built to
15 mph standards as conditioned on an adjacent subdivision).

Reason for requested Modification (provide attachment if additional space is required):

The requested road modification pertains to Mountain Ridge Road (private) north of Circle
R Drive (see Attachment 2). At a 30 mph design speed, the existing road would have to
be completely rebuilt. Existing vertical curves would have to be lengthened considerably
(which would result in significant impacts to existing driveways, biological habitats, RPO wetlands,
existing Biological Open Space, and homes. 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.
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.

List alternatives that could mitigate the requested Modification (attach engineering sketches showing proposed layouts, details and notes): Redesign/reconstruct entire existing road and 6 retaining walls.

Describe the hardship(s) to the property owner(s) and/or neighbor(s) if the request is not approved (see note

3. on reverse): The impact to the existing homes on this road would be tremendous including disruption
of water and electrical service and the need for permission to grade letters from a large number of
neighbors could cause serious delays. Also, the additional costs to reconstruct this entire road and
add either many large slopes and/or large retaining walls would be prohibitive. An existing Bio Open
Space Easement would incur grading impacts.

Provide Design and Cost Estimate for meeting the Condition (see note 3. on reverse):

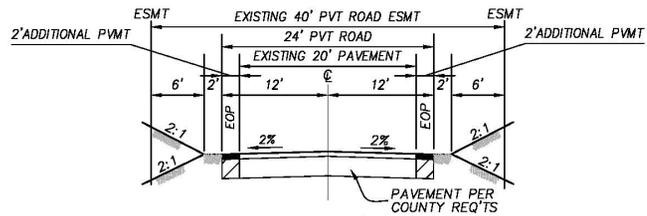
See Attachment 2 for road design with modification.

See Attachment 3 for road design without modification.

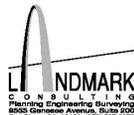
See reverse for directions and important information.

Revised: Aug 30, 2007

ATTACHMENT 1
LILAC HILLS RANCH: REDUCE DESIGN SPEED
MODIFICATION TO ROAD STANDARDS



TYPICAL SECTION
 PRIVATE ROAD – MOUNTAIN RIDGE ROAD
 NO SCALE



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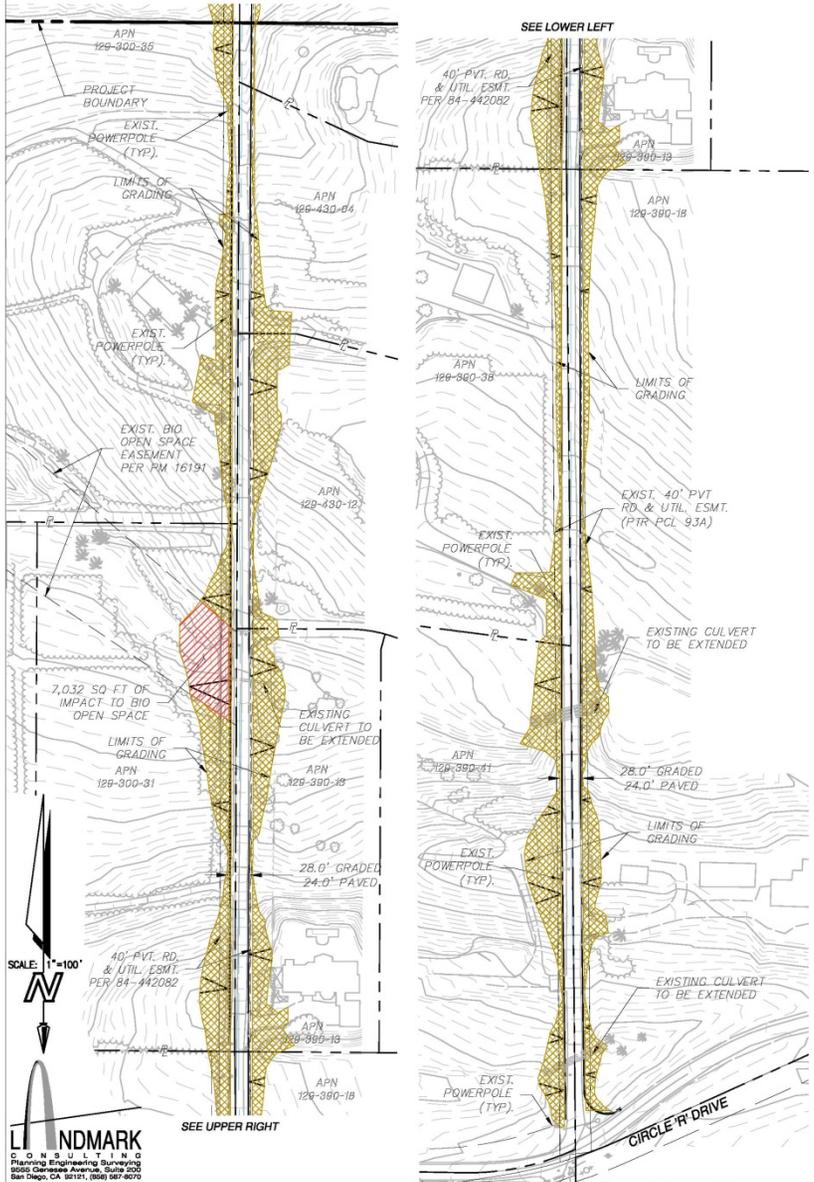
**ATTACHMENT 2
WITH MODIFICATION #7
MOUNTAIN RIDGE ROAD - REDUCE DESIGN SPEED**



15 MPH DESIGN SPEED OVER
EXISTING PRIVATE ROAD

NOTE:
SEE MASTER PGP SHEET 6
FOR ADDITIONAL INFORMATION

**ATTACHMENT 3
WITHOUT MODIFICATION #7
MOUNTAIN RIDGE ROAD - 30MPH DESIGN SPEED**



LETTER

RESPONSE

EXHIBIT "B"
ORIGINAL DESIGN SPEED REDUCTION REQUEST

[See Attached]

Exhibit "B" to July 24, 2014 Comment to REIR

REDUCED DESIGN SPEED MOUNTAIN RIDGE ROAD

DEPARTMENT OF PUBLIC WORKS

Request for a Modification to a Road Standard and/or to Project Conditions

Project Number: TM 5571/5572 Date of Request: Sep. 13, 2012

Project Location: East side of Interstate 15, southerly of W. Lilac Road in the County of San Diego, State of California.

Thos. Bros. Map/Grid: 1049, 1069 APN: 127-072-20, 127-072-14, 127-072-38, 127-072-41, 127-072-40, 127-072-46, 127-072-47, 128-280-42, 128-440-01, 128-280-46, 128-280-27, 128-280-10, 128-440-23, 128-280-37, 128-440-05

Requestor Name: Accretive Investments, Inc Telephone: (858) 546-0700

Address: 12275 El Camino Real, Suite 110, San Diego, CA 92130

Requested Modification (attach engineering sketches showing existing layout, details and notes): The Private Road standard street section is 24' paved, 28' graded within a 40' easement (see Attachment 1). Based on the average daily traffic, the minimum design speed is 25 mph for Mountain Ridge Road. The requested modification to the road standard is to allow for a 15 mph design speed over this existing private road (that was previously built to 15 mph standards as conditioned on an adjacent subdivision).

Reason for requested Modification (provide attachment if additional space is required): The requested road modification pertains to Mountain Ridge Road (private) north of Circle K Drive (see Attachment 2). At a 25 mph design speed, the existing road would have to be completely rebuilt. 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). These driveways would need to be redesigned and rebuilt, while still access is maintained. Lastly, the newly designed road would require permission to grade from multiple neighbors. The cost and time to acquire these approvals would be considerable (if they would even be given from adjacent hostile neighbors).

List alternatives that could mitigate the requested Modification (attach engineering sketches showing proposed layouts, details and notes): Redesign/reconstruct entire existing road and retaining walls.

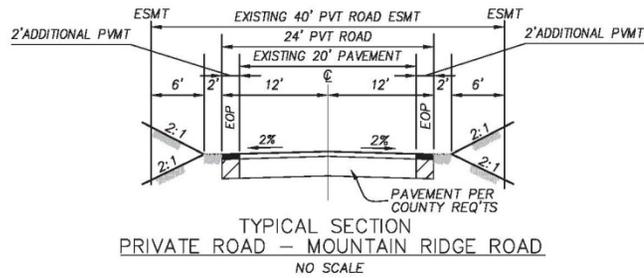
Describe the hardship(s) to the property owner(s) and/or neighbor(s) if the request is not approved (see note 3, on reverse): The impact to the existing homes on this road would be tremendous and the need for permission to grade letters from a large number of neighbors could cause serious delays (and/or kill this project). Also, the additional costs to reconstruct this entire road and add many large retaining walls would be prohibitive. Access to some of the existing driveways (on the sags or peaks) may not even be possible. Finally, the existing Bio Open Space Easement would be impacted if the 25mph design was constructed.

Provide Design and Cost Estimate for meeting the Condition (see note 3, on reverse):

See reverse for directions and important information.

Revised: Aug 30, 2007

ATTACHMENT 1
LILAC HILLS RANCH: REDUCE DESIGN SPEED
MODIFICATION TO ROAD STANDARDS



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**ATTACHMENT 2
LILAC HILLS RANCH: REDUCE DESIGN SPEED
MODIFICATION TO ROAD STANDARDS**

