

Slovick, Mark

From: Bob & Josette Franck [franckfort@yahoo.com]
Sent: Saturday, July 28, 2012 3:04 PM
To: Slovick, Mark
Subject: Lilac Hills Ranch (EIR)

Mark

I feel the developer has done a very poor job of presenting his plan to both the county and the community of Valley Center.

Two major concerns:

Developer assumes he has the right to take 2 private roads (Mountain Ridge and Covey Lane) for major access to his property and dump thousands of cars on to 2 very small and winding roads (Circle "R" & West Lilac).

Health hazard of grading and blasting 4.4 million cubic yards of granite to all neighbors for miles in all directions.

Thanks

Bob Franck
9767 Megan Terrace
Escondido, Ca. 92026
760 751-5349

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July 29, 2012

Mr. Mark Slovick DPLU Project Manager
Project Processing
5201 Ruffin Rd., Ste B
San Diego, CA 92123

Subject: Public Scoping Inputs Accretive Investments/Lilac Hills Ranch Master Planned Community 3800 12-001 (GPA) 3810 12-001 (SP), 3100 5571 (TM), 3100 5572 (TM), 3600 12-003 (REZ), 3300 12-005 (MUP), 3940 12-001 (VAC), Environmental Log NO.: 3910 12-02-003 (ER); Project Address: 32444 Birdsong Drive South of West Lilac Road; APN numerous Kiva Project 09-0112513;

Overview and Primary Concern

As I stated both in the meeting and in phone calls to you this project is not ready for submittal to the County nor to the communities. The EIR process calls for a complete Specific Plan to which this project is not anywhere near complete as from my understanding several new APN's are being added and two parcels have been deleted. All of the maps initially submitted and the highly discussed map displayed at the public scoping meeting of July 17th were not complete enough to even start processing.

This project does not show legal circulation road network, inadequate definition of commercial use location, size, and essential items such as WATER, FIRE AND SCHOOLS have stated that they will not be able to provide service for five years.

This project does not need to be "created" by staff by assigning the duty of preparing documents by them because the proponent can't seem to complete the project is a conflict of interest or best stated staff can't be unbiased regarding their own work when the review of such documents is necessary. It is not staff's duty to rewrite any documents for proponents staffs duty is to review and make sure the documents submitted meet CEQA and show the impacts that need to be corrected in the associated EIR.

Since staff has had all of the submitted studies and reports, Agriculture Technical Report, Environmental Site Assessments, Evacuation Plan, Fire Protection Plan, Cultural Resources Report, Geotechnical Report Phasing Plan, RPO Slope Analysis, Storm Water Management Plan, Waste Water Report and the communities have not had the opportunity to review such studies it does not appear that this scoping period and rush to EIR is remotely legal. Staff is being directed to proceed with an incomplete submission of a massive project that once the EIR is completed by staff the public will have little or no real opportunity to dispute what is in the ghost reports that we have been denied access to review. Please do not insult me by saying this is the way all large projects are handled as this is not the way any large project submitted in Bonsall has been handled even the major project of Merriam Mountains was not allowed to submit a "piece meal" project.



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The proposed project needs to provide project alternatives with the major issue being NO PROJECT. This is not an alternative but the most reasonable for the use of the land. Impacts on the surrounding farmers during the proposed building process was not discussed and should be considered with a **cumulative impact** on farming/agriculture for a four mile area with an associated study on the silica dust that this project will contribute to the area as it does not only impact humans but farming, horses and agricultural.

Transportation Cumulative Impact

As discussed during the July 17th public scoping meeting how large of an area will be considered in the transportation impacts. The projects in the area should include proximity of Palomar College which will have an 8,500 student body, Campus Park, Campus Park West and Meadow Wood Development projects in the Fallbrook planning area will also add to the total with 1950 dwelling units. Bonsall has West Lilac Farms with 35 dwelling units, Polo Club 156 dwelling units on Gopher Canyon, Golf Green Estates with 94 units surrounding the Bonsall Elementary School and district offices. Camino del Rey will be impacted by the Dai Dang Monastery, the 18 dwelling unit Brisa del Mar and a new project that is proposing 120 dwelling units on the corner of Camino del Rey and Camino de Cielo which is across the street from the Bonsall Elementary School and district offices. The Bonsall Elementary school area has become a highly impacted area in our community with one hour plus traffic jams at the intersection of Camino del Rey and Lilac both in the morning and afternoon that any additional impacts or development approval will be due to the County's lack of planning and in allowing any more residential increases.

Private roads Covey Lane and Mountain Ridge also appear to be used in the circulation element as this is not allowed to meet the Consolidated Fire Code emergency access requirements. In the proposed project area located in Bonsall The County Fire Authority does not support the Cul de sac design of projects without having connective roads into the community.

The project has designed the portion in Bonsall to have one road in to service 85 homes without a secondary access. This is not allowed by the County Fire Authority nor by Valley Center Fire this is not safe and design is not supported by the California Fire Code.

The Bonsall Sponsor Groups Community Plan in the Circulation and Mobility Existing Circulation and Mobility Page 14.

The following Mobility Element roads in Bonsall are unique and are important to be identified them because the aesthetic qualities they possess are and important element contributing to the rural character of Bonsall, they are included in Table COS-1 and C-5 County Scenic Highway system:

1. Camino del Rey from SR-76 to its terminus at Old Highway 395.
2. Old River Road from the Intersection of State Route 76 (Mission Road) to the intersection of Camino del Rey.
3. Olive Hill Road from intersection with State Route 76 (Mission Road) to planning area boundary.
4. West Lilac from Camino del Rey to Old Highway 395.



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Goal CM-5.1 Scenic routes where community character and natural resources are preserved by minimizing the impacts of public or private development along roadways in Bonsall.

Policy CM – 5.1.1 Design, maintain and/or improve scenic areas, road alignments, and realignments to minimize the alteration of the natural landform by following the contours of the existing, natural topography without sacrificing safety or sight distance criteria.

Policy CM-1.1.6 Minimize the use of cul-de-sacs in the Bonsall CPA and require new subdivision to provide local connectivity by providing linkage for long-term circulation improvement.

Policy CM – 1.1.6 Minimize direct access points into Mobility Element roads to produce unimpeded traffic flow in commercial areas. Require new commercial development to provide, where possible, indirect access through the use of existing road access points, loop or frontage roads common driveways or similar means.

Policy CM-1.1.1 Reduce traffic volume on roads recognized as future “poor level of service” with methods such as, but not limited to providing alternate routes and reducing density.

Policy CM-1.1.2 Require development that increases truck traffic to use Interstate – 15, SR 76 and East Vista Way (S13), whenever feasible.

Implementation CM-1.1.1 Review discretionary project review procedures and if necessary modify procedures to require projects proposing and increase in truck traffic to, as a condition of approval, be required, to utilize roads that are determined suitable for the particular type of truck traffic to be generated; (GEN) (T) (CP)

Community Conservation and Protection

Issue LU-5.1 The following policies shall govern all discretionary permit applications involving residential development within the Bonsall Community Plan. The intent of these policies is to set a minimum baseline for residential projects within the Plan area in terms of community character and visual impacts, and these policies. In many cases, requirements in addition to those set forward are necessary and applicable on a site-specific basis.

Each policy addresses a characteristic of slope or soil type which acts as a constraint to development. For each constraint that a particular project site contains, the project must offer a compensating benefit, designed to ameliorate the immediate impacts of the project and provide overall benefits to the community. These benefits are of two types; limitations on grading for residential building pads, and dedications of natural open space easements, agriculture or equestrian easement over certain areas on the site.



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Limitations on pad grading provide benefits in terms of visual impacts, reduced storm runoff, and reduced removal of soil in rocky areas which are difficult to re-vegetate. Dedications of natural open space easement provided benefits in terms of fewer visual impacts, reduced storm runoff, and a reduction in erosion caused by denuding of vegetation.

Goal LU-5.1 A physical environment where degraded riparian areas have been restored and the natural topography retained.

Policy LU-5.1.1 Consider restoration and rehabilitation of former or degraded riparian areas as a form of mitigation.

Policy LU-5.1.2 Require grading to be contoured to blend with natural topography, rather than consist of straight edges.

Policy LU5.1.3 Minimize grading to preserve natural landforms, major rock outcroppings, and areas of existing mature trees. Integrate hillside development with existing topography and landforms.

Policy LU5.1.4 Restrict, to the maximum extent feasible, extensive grading for development projects in areas with slopes that are 20% or greater, in order to preserve and protect the environment, and to lessen grading and erosion.

Policy LU5.1.5 Require development on slopes to be stepped to follow and preserve topography to the maximum extent feasible.

Policy LU 5.1.6 Minimize cut and fill grading for roads and access ways to the absolute minimum necessary.

Goal LU 5.2 The preservation of groundwater resources, community character and protection of Sensitive resources in the Bonsall Community Planning Area.

Policy LU 5.2.1 Require lot sizes, except through planned development lot area averaging or specific plan projects to be no smaller than:

- 50% of the size indicated on the Land Use Map without clustering or lot averaging for Semi Rural 4 and higher densities or
 - Four acres for Semi Rural 10 and lower densities
- Implementation LU 5.2.1 Zoning Ordinance
Example: Semi Rural 2, 1 du/2acres indicates a lot size of 2 acres. 2 acres x 50% = acre minimum lot size.

Commercial, and Accessory Uses

Policy LU 4.1.3 Prohibit commercial development in Bonsall that principally services regional needs, rather than the needs of the local community.



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Land Use/Community Growth Policy'

Goal LU 2.1 Development that center inside the core Village in Bonsall and discouraged spot development outside that area.

Policy LU 1.1.1 Require development in the community to preserve the rural qualities of the area, minimize traffic congestion, and to not adversely affect the natural environment.

Policy LU 1.1.2 Maintain the existing rural lifestyle by continuing the existing pattern of residential, equestrian and agricultural uses within the Bonsall Community Plan area.

The next few pages I will request answers from the SP 12-001 Lilac Hills Ranch document dated July 14, 2012.

Page 2 – Will the two home that remain have their exterior re-designed to be visually compatible with the new development?

As the project would include off-site improvements what does that consist of – not described.

The project would be implemented in phases, with 350 dwelling units occurring in the first phase...where is the secondary road?

What phase will the commercial be development in? Where will phase one residents shop?

How will that impact the roads by the numbers of cars please? How close are alternate grocery stores by time and distance prior to project development of services?

General Plan Conformance: As the project remains inconsistent with the land use map and numerous General Plan policies. How will staff find a way to allow this project to be developed as the Incomplete Specific Plan with listed items 1 – 5 as well as how will all questions submitted on page 4 through page 9 be addressed? Please send your comments to Margarete Morgan Chair Bonsall Community Sponsor Group.

How can the project be determined to be “complete” and defined by CEQA without the studies being submitted for public review prior to the EIR? How can the public possibly know how “complete” it is without submission of all of the studies?

Submittal Requirement

As the list was extensive during the writing of this letter page 11 through page 20 submittal requirements were listed to resubmit how many have been accepted by the County and why has the public not received copies of the information? Chairs should be notified by staff with the link if new documents are now on the web site as I have had nothing but problems with the web site.



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The proposed recycling and Waste Transfer Facility should not be allowed based on the density and unbelievable closeness of the currently designed project. This type of truck traffic within the project as it is listed as a walkable community would not be a balance of use. The Bonsall Community does not have any industrial designation in our plan and we do not want any in Bonsall. Staff agreed while we were in process of creating the plan for the community.

There is no other way to describe this project other than leapfrog development. How will staff be able to consider to be “not significant” ?

Please note that LU 7.1 is very similar to the Bonsall Community Plan and we would appreciate a complete response if the project is allowed to not only impact the agriculture that is part of the maps but the impact of all of the agriculture neighbors. These are not compatible uses with this density and the type of agriculture that is continuous to the proposed project. A major land and landscape buffer must be conditioned with the 100 foot fire set back. Total should be a minimum of 150 feet from the closest building to the property line. Look at the County Guide Lines for buffer.

As LU 2.9 discusses West Lilac Road as a major concern to maintain the rural character please look at page 2 of this document and note that West Lilac is considered a scenic road in our community and is protected in the General Plan and the Bonsall Community Plan.

Please consider our Community Plan in that we do not allow parking on any mobility road and our community Design Review Guidelines support all parking to be in the center of any commercial development.

Bonsall has a trails plan on West Lilac that supports bicycle, pedestrian and horse uses. Not limiting horses does not support our trail/path plan.

Please address and reply to Bonsall Sponsor Group that the circulation patterns for all schools that have been identified in this project are included in the proposed Traffic Impact Study Area. The discussion at the July 14th meeting in Valley Center requested the impact area as listing Fallbrook, Bonsall and Valley Center Schools.



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As the maps do not show any information regarding the proposed senior assisted living area such as number of buildings rooms in buildings this must mean that the county will be submitting this portion of the project as a separate project if not why was this are not described or shown?

This is not a legal map and should not have been submitted and be processed as it currently does not include detailed information on the Commercial, Industrial (transfer station/dump), or the senior section of the map. What is the balance of 100 acres not detailed on any map or document.

This really looks like a project that could be a legal issue for the County the way the project has been submitted and the lack of information the County is allowing the public to see and review.

Page five of this document lists the two commercial locations that are allowed in Bonsall and this Project is trying to include in phase one part of a commercial area as shown on map submitted on July 17th.. Please send comment/description to the Bonsall Sponsor Group regarding inclusion of commercial on either map.

The concern we have on all of the grading is marked by the silica dust that has been proven to be a health danger. We request a special study area of four miles in all directions around this project noting the impact on residential, commercial and agriculture. As silica was part of the Gregory Canyon project review and the county did contribute comments on this issue Lilac Hills Ranch project will also be subject to the same scrutiny. However if the county were to find it “less than significant” legal recourse will be considered. This entire project will be considered by those outside of the communities because of the way it has been submitted and the lack of information prior to the rush to an EIR.

The proponent did not include the construction traffic plan, the noise with a schedule for blasting days of the week hours of the blasting and how the construction water will be provided and removed from the site. Contact person for all of the adjoining neighbors to be informed of any changes in the schedule that is to be provided monthly.

I will make comments on the area that was not submitted as the project proponents did not submit it to me I will do them the same favor. The traffic study for the assisted living and senior section of this project does not have a secondary access that will provide emergency and fire access. This area is clearly cut off from the upper portion of the project for access. The commercial section is very small for the amount of homes suggested in the map and the text causing residents to have to drive to the nearest store. Additional traffic study should be required for green house gas emissions.



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The proposed Alzheimer's location is directly east of the detention basin and separated by property that is not part of the project is the water reclamation facility. The fumes may impact the seniors with respiratory problems and a study should be done on the air quality that may not only impact the seniors but the rural residential community that is just south of the proposed reclamation facility. The lack of Road connectivity in this rural residential area is not shown going through the dentition basin in the area.

What is the minimum cut and fill volume that will be formally evaluated with this area? Will zero dirt cut and fill be seriously evaluated as a reasonable alternative – no development.

Commercial property can't not be developed until the fire district can provide coverage with their Comment letter included in the package they will not be able to provide service for five years the project should not be allowed to go forward without fire service during any part of construction.

With the location of the fire station in relation to the Alzheimer's facility any emergency calls to the fire department will need to go through the entire project to reach the senior area and would exceed the national allowed response time for new projects.

Lilac Hills Ranch does not support Bonsall's design guidelines in architecture nor does it support existing design within the project. As Bonsall is a community of estate lots and very few other projects are part of our design based on our 32.8 square miles and 21,042 acres of land. Any other project that does not support our plan is on the ground because of general plan amendments and changes on the map density by county staff over the years. We do not want to spot zoning with a density that is urban located on the outer boundary of our community not in the community village core as was approved in the Community Plan and the General Plan.

The road that connects the upper portion to the lower eastern section of this project is missing on the July 17th map. This is a new design and not part of the submittal that we were to review.

Now that I have received the map titled Attachment A – July 17, 2012 Accretive Project Map from staff via email with a date, time and staff members name to use at my next Bonsall Sponsor Group meeting with an enlarged legend I am completely confused as we were told that this map was not what we are to submit our comments from.

This continues to be a moving target. The proposed EIR will not be on the same maps and documents that were submitted.

Submitted:

Margarette Morgan, Chair
Bonsall Sponsor Group



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DEPARTMENT OF TRANSPORTATION

DISTRICT 11

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July 30, 2012

11-SD-15

PM 44.29

Lilac Hills Ranch
NOP SCH 2012061100

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

Dear Mr. Slovick:

The California Department of Transportation (Caltrans) appreciates the opportunity to comment on the Notice of Preparation (NOP) for the Lilac Hill Ranch project. Caltrans would like to submit the following comments:

A traffic impact study is necessary to determine this proposed project's near-term and long-term impacts to the State facilities – existing and proposed – and to propose appropriate mitigation measures. The study should use as a guideline the *Caltrans Guide for the Preparation of Traffic Impact Studies*. Minimum contents of the traffic impact study are listed in Appendix "A" of the TIS guide.

For the traffic forecast modeling, it is understood and agreed upon that the project will utilize Year 2050 of the Series 12 Regional Model as adopted along with the 2050 Regional Transportation Plan (RTP) for Caltrans facilities. While this regional model is not calibrated at the arterial and local levels, it is calibrated and approved for use at the state facility level. Caltrans staff feels that this will be the most appropriate model to use for Caltrans facilities. The delta of the trip generation (between the County adopted and proposed land uses) along with the proposed project distribution (from Series 12 Select Zone Assignment) will be used to derive horizon year with proposed project freeway/state highway segment ADTs.

The Level of Service (LOS) for operating State highway facilities is based upon Measures of Effectiveness (MOE) identified in the Highway Capacity Manual (HCM). Caltrans endeavors to maintain a target LOS at the transition between LOS "C" and LOS "D" on State highway facilities; however, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS. If an existing State highway facility is operating at less than this target LOS, the existing MOE should be maintained. In general, the region-wide goal for an acceptable LOS on all freeways, roadway segments, and intersections is "D". For undeveloped or not densely developed locations, the goal may be to achieve LOS "C".

The geographic area examined in the traffic study should include as a minimum all regionally significant arterial system segments and intersections, including State highway facilities where the project will add over 100 peak hour trips. State highway facilities that are experiencing noticeable delays should be analyzed in the scope of the traffic study for projects that add 50 to 100 peak hour trips.

A focused analysis may be required for project trips assigned to a State highway facility that is experiencing significant delay, such as where traffic queues exceed ramp storage capacities. A focused analysis may also be necessary if there is an increased risk of a potential traffic accident.

All freeway entrance and exit ramps where a proposed project will add a significant number of peak-hour trips that may cause any traffic queues to exceed storage capacities should be analyzed. If ramp metering is to occur, a ramp queue analysis for all nearby Caltrans metered on-ramps is required to identify the delay to motorists using the on-ramps and the storage necessary to accommodate the queuing. The effects of ramp metering should be analyzed in the traffic study. For metered freeway ramps, LOS does not apply. However, ramp meter delays above 15 minutes are considered excessive.

The data used in the TIS should not be more than 2 years old.

Caltrans endeavors that any direct and cumulative impacts to the State Highway System be eliminated or reduced to a level of insignificance pursuant to the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) standards.

Mitigation measures to State facilities should be included in the traffic impact analysis. Mitigation identified in the traffic study, subsequent environmental documents, and mitigation monitoring reports, should be coordinated with Caltrans to identify and implement the appropriate mitigation. This includes the actual implementation and collection of any "fair share" monies, as well as the appropriate timing of the mitigation. Mitigation improvements should be compatible with Caltrans concepts.

The lead agency should monitor impacts to insure that roadway segments and intersections remain at an acceptable Level of Service (LOS). Should the LOS reach unacceptable levels, the lead agency should delay the issuance of building permits for any project until the appropriate impact mitigation is implemented.

Mitigation conditioned as part of a local agency's development approval for improvements to State facilities can be implemented either through a Cooperative Agreement between Caltrans and the lead agency, or by the project proponent entering into an agreement directly with Caltrans for the mitigation. When that occurs, Caltrans will negotiate and execute a Traffic Mitigation Agreement.

Mr. Mark Slovik
July 30, 2012
Page 3

If you have any questions or require further information, please contact Marisa Hampton at (619) 688-6954 or email at marisa.hampton@dot.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Armstrong', written in a cursive style.

JACOB M. ARMSTRONG, Chief
Development Review Branch



Department of Toxic Substances Control

Matthew Rodriguez
Secretary for
Environmental Protection

Deborah O. Raphael, Director
5796 Corporate Avenue
Cypress, California 90630

Edmund G. Brown Jr.
Governor

July 19, 2012

Mr. Mark Slovick
San Diego County
5201 Ruffin Road, Suite B
San Diego, California 92123

NOTICE OF PREPARATION (NOP) FOR LILAC HILLS RANCH MASTER PLANNED COMMUNITY (SCH# 2012061100)

Dear Mr. Slovick:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Preparation Report for the above-mentioned project. The following project description is stated in your document: "The Lilac Hills Ranch project is a proposed Master Planned Community in the Valley Center and Bonsall Community Plan areas, within the unincorporated San Diego County. The proposal is for a maximum of 1,746 dwelling units, including multi-family, commercial, parks, trails, a school, aged restricted community, waste recycling and collection facility and other associated civic uses. The project consists of a General Plan Amendment, Specific Plan, Rezone, two Tentative Maps, a Major Use Permit and an Open Space Vacation. The approximate 608 acre project site is located south and west of West Lilac Road, generally east of Old Highway 395 and north of Mountain Ridge Road. The site is subject to the General Plan Regional Category Semi Rural, Land Use Designations Semi-Rural 4 and 10. Zoning for the site is RR, Rural Residential and Limited Agricultural (A70), with a 2 acre-minimum lot size. The applicant proposes a General Plan Amendment to change the Regional Category to Village, the Land Use Designation to Village Residential 2.9 and Village Core Mixed Use (C-5). The applicant also proposes a Rezone to change the Zoning Use Regulations to Urban Residential (RU) and General Commercial/Residential (C34). The site contains existing single family residential structures that would be removed and two that would remain".

Based on the review of the submitted document DTSC has the following comments:

- 1) The EIR should evaluate whether conditions within the project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:

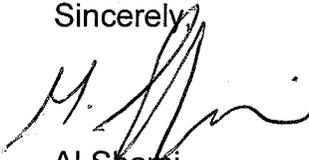
- National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
 - Envirostor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
 - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
 - Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
 - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
 - GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
 - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
 - The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).
- 2) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents.
- 3) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be clearly summarized in a table. All closure, certification or remediation approval reports by regulatory agencies should be included in the EIR.

- 4) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.
- 5) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.
- 6) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overseen and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
- 7) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.
- 8) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

Mr. Mark Slovick
July 19, 2012
Page 4

If you have any questions regarding this letter, please contact me at ashami@dtsc.ca.gov, or by phone at (714) 484-5472.

Sincerely,



Al Shami
Project Manager
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
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nritter@dtsc.ca.gov.

CEQA # 3609

Slovick, Mark

From: patsyfritz@aol.com
Sent: Tuesday, July 24, 2012 6:59 PM
To: Gibson, Eric; Montgomery, Thomas E; Roberts, Ron; Cox, Greg; Jacob, Dianne; Slater, Pam; Horn, Bill
Cc: jacksonmark92026@gmail.com; thomas@westerncactus.com; oliver.smith@philips.com; richrudolf@sbcglobal.net; laelmontgomery@aol.com; kyranlis@yahoo.com; karenjune27@aol.com; fmsannipoli@aol.com; vcite1@aol.com; editor@valleycenter.com; ann.quinley@pomona.edu; hutchisonsm@gmail.com; franckfort@yahoo.com; morgan7070@cox.net; peechnus_jf@yahoo.com; Slovick, Mark; Blackson, Kristin
Subject: Re: Request for Accretive-prepared map presented at EIR Scoping Meeting held 7/17/12 in Valley Center for Lilac Hills Ranch

Dear Eric,

As always and ever, you have provided a prompt, organized and professional response, including the two maps plus the exhibit of both maps together, above/below on the same page.

I thank you for all this.

What I do not see, and what I could not get an affirmative response to last week from Mark, Kristin or Jarrett is this

WHY do we not get other SCOPING opportunities on this "project" as the hidden layer are unfurled?

There is no point in our thinking we, the public, will have the opportunity that CEQA legally provides us (and Scoping Meetings are the public's ONLY opportunity) to require that the EIR address issues - ALL THE ISSUES - when the boundaries of this "project" are expected to grow and grow (as Accretive's cross-litigation against Hunsaker & Associates complains; Accretive is in negotiation with scores of property owners, negotiations which Accretive claims Hunsaker & Associates will damage. Hunsaker was their project planner for approximately a year and sued for payment of its services.)

We get ONE Scoping Meeting - on a project that OMITTS 80% of the dwelling units, and does not, on the map presented at the meeting (which was not the map presented with the Notice) define the Commercial Zoning, acreage, and most important, allowable uses in those Commercial Zones.

Are we going to see a crematorium next to the Senior/Dementia Housing? What is the size of the Senior/Dementia facility? How many rooms/beds/patients/staff? What health care facilities can serve these individuals and does the Commercial Zoning allow for these facilities? Does housing these people in an agricultural sector impact their health and well-being?

You have outlined the many opportunities for the public to comment on a project as it moves forward. But if we are not provided the information about what is forthcoming, we lose ALL OPPORTUNITY to have these hidden issues addressed, if it is not done by the response deadline of the Scoping Meeting -- next Monday.

It is clear that over the past SIX years, Accretive Investments has failed to produce reports requested by Staff and the Planning Commission so that Staff and we, the public, could offer our informed comments.

Now, the County just may not care about the cost of litigation over an incomplete and poorly-prepared EIR that shut the public out at the most important part of the process, because Accretive has agreed to indemnify the County.

But other agencies (particularly the AG) will likely not be this cool toward the County shoving out this minimally-prepared "project" (and I can hardly use the word "prepared" - it's more "thrown together") at this PREMATURE stage, simply because the developer wants it this way, and the developer apparently feels they are calling the shots.

This County spent \$19 million of taxpayer dollars and over 12 years designing its new County General Plan adopted last year. Within months the County has allowed this one developer to excrete a sketchy document for a project that would mock all the cost, all the years and all the effort that the County, and the public, jointly, expended to get a balanced, realistic and safe General Plan.

Accretive proposes to make its first public presentation in AUGUST to the Planning Group (refusing to participate in Subcommittee meetings) -- well after the deadline for submittal of comments on the Scoping Meeting).

We have not been given the information to which we are legally entitled by CEQA in Accretive Investments' project so that we can make reasonable, prudent and informed requests at this critical, early stage.

Why? Because the County is not requiring the developer to provide it.

The County is thus giving its blessing to the developer to withhold the needed information until AFTER the Scoping Meeting, which precludes addressing it in the EIR.

I protest this.

Please include this correspondence in any Scoping Meeting report.

Even better, require the developer to design its Specific Plan and THEN schedule a Scoping Meeting.

Again, Eric, thank you for your prompt response and the maps as requested.

Patsy

-----Original Message-----

From: Gibson, Eric <Eric.Gibson@sdcounty.ca.gov>

To: patsyfritz <patsyfritz@aol.com>

Cc: jacksonmark92026 <jacksonmark92026@gmail.com>; thomas <thomas@westerncactus.com>; oliver.smith <oliver.smith@philips.com>; richrudolf <richrudolf@sbcglobal.net>; laelmontgomery <laelmontgomery@aol.com>; kyanlis <kyanlis@yahoo.com>; karenjune27 <karenjune27@aol.com>; fmsannipoli <fmsannipoli@aol.com>; vcite1 <vcite1@aol.com>; editor <editor@valleycenter.com>; ann.quinley <ann.quinley@pomona.edu>; hutchisonsm <hutchisonsm@gmail.com>; franckfort <franckfort@yahoo.com>; morgan7070 <morgan7070@cox.net>; peechus_jf <peechus_jf@yahoo.com>; Slovick, Mark <Mark.Slovick@sdcounty.ca.gov>; Blackson, Kristin <Kristin.Blackson@sdcounty.ca.gov>

Sent: Tue, Jul 24, 2012 4:26 pm

Subject: RE: Request for Accretive-prepared map presented at EIR Scoping Meeting held 7/17/12 in Valley Center for Lilac Hills Ranch

Patsy,

Attached are the documents you requested. In regard to your concerns, the County identified a number of major project issues in our Scoping Letter for the Lilac Hills Ranch project, including dead end road length and fire access. These issues along with a number of other items will be evaluated through the EIR process and may require redesigns of the project.

The purpose of the NOP is to solicit comments from the public on the scope and content of the EIR. It is only the first time that the public has an opportunity to comment on the project. The deadline for comment on the NOP is July 30 and should focus on the description and information in the NOP document. It is common for projects of this scale to have several significant project changes throughout the processing of the application. When this occurs we solicit comments from the local planning groups on revised project documents when they are resubmitted, including the Specific Plan, Tentative Map, Preliminary Grading Plans and Major Use Permit exhibits. Should such project changes require that new analyses be completed in the EIR, the request can be made at that time. As you know, there will also be other opportunities for public input, including public review of the EIR and other documents and public hearings with the Planning Commission and Board of Supervisors.

Thanks,

Eric

Eric Gibson, Director
County of San Diego, Department of Planning and Land Use
Phone: (858)694-2962

From: patsyfritz@aol.com [<mailto:patsyfritz@aol.com>]

Sent: Thursday, July 19, 2012 11:59 AM

To: Montgomery, Thomas E; Gibson, Eric; Roberts, Ron; Cox, Greg; Jacob, Dianne; Slater, Pam; Horn, Bill

Cc: jacksonmark92026@gmail.com; thomas@westerncactus.com; oliver.smith@philips.com; richrudolf@sbcglobal.net; laelmontgomery@aol.com; kyranlis@yahoo.com; karenjune27@aol.com; fmsannipoli@aol.com; vcite1@aol.com; editor@valleycenter.com; ann.quinley@pomona.edu; hutchisonism@gmail.com; franckfort@yahoo.com; morgan7070@cox.net; peechnus_jf@yahoo.com

Subject: Request for Accretive-prepared map presented at EIR Scoping Meeting held 7/17/12 in Valley Center for Lilac Hills Ranch

To:

Tom Montgomery, County Counsel

Eric Gibson, Director, Department of Planning and Land Use

The Honorable Ron Roberts, Chairman, San Diego County Board of Supervisors

Gentlemen:

This is my formal request for a copy of the "project map" displayed by the County at the EIR Scoping Meeting for Accretive Investment's "Lilac Hills Ranch" held at the Valley Center Library on July 17, 2012.

Additionally, please supply a copy of the project map that was communicated by DPLU's website as an attachment to the County's NOP.

I am requesting that these be sent to me electronically, by:

(a) separate attachments for each map; and

(b) both maps side-by side as a single display, also attached to your response.

Both (a) and (b) should identify each image

If DPLU did not retain the poster-size map that was presented on the easel, they should REQUIRE ITS SUBMISSION by the applicant as a County record and for the purpose of fulfilling this request.

Gentlemen, who is in charge here?

Accretive is applying for a variation of our new, 12-year processed, \$19 million County General Plan.

THEY must comply with the County's requirements.

YOU are not mendicants.

You are OUR government, not simply Accretive's.

I know you know this, and I appreciate your understanding of this.

I am not nit-picking on details. There are real lice on that scalp.

Let me give you just two examples:

The Accretive-prepared map showed a bifurcated project, with the large southern "island" of 200 acres or so (out of 604) ENTIRELY without connection to ANY County Road. It had not only no Secondary Access to County roads, it was without PRIMARY access.

The map on the County website located an "age restricted facility" that specifically stated it was an Alzheimer's facility - a harrowing concept to warehouse the vulnerable elderly, miles and miles from medical access, with no heliport to transport sick/injured patients, and, from a land-use viewpoint, a warehouse of undefined size that could house hundreds of deeply-dependent and frail individuals stuck in the recess of a vast project, without Fire Code-required road access, who would, tragically, be the last to escape an emergency in this fire-prone area.

Have we no compassion for these people?

Competing with, and on top of, 5,000 residents from the 1,746 DU within this GPA/SP application?

In a fire, without adequate roads and priority plans to rescue them, they'd never get out alive.

The Alzheimer's facility was wiped from the exhibit shown Tuesday night.

I want the side-by-side comparisons of these two exhibits - the one published by the County but not shown, and the one shown that was not published for public review.

I want this side-by-side comparison to show our Supervisors.

The purpose of an EIR is to provide our decision-makers with all information needed to make a considered decision, including legally-required public review and comments resulting therefrom.

I simply want the process to be valid from the start.

With great thanks,

Patsy Fritz
33265 Mill Creek Road
Pauma Valley, CA 92061

Patsy Fritz
33265 Mill Creek Road
Pauma Valley, CA 92061
(760) 742-4511
patsyfritz@aol.com

30 July 2012

Mark Slovick, Project Manager
Department of Planning & Land Use
County of San Diego
Project Processing Counter
5201 Ruffin Road, Suite B
San Diego, CA 92123

Subject: Scoping Input
Ref: Meeting, 17 July 2012, Valley Center
For: Accretive Investments "Lilac Hills Ranch" EIS
3800 12-001 (GPA) 3810 12-001 (SP)
3100 5571 (TM) 3100 5572 (TM)
3600 12-003 (REZ) 3300 12-005 (MUP)

Dear Mark:

Please note that my input includes the following protests:

- 1) The meeting contained a last-minute substitute map provided by the applicant that was radically inconsistent with the County's NOP and its map. The Scoping Meeting should be re-noticed and re-heard.
- 2) The Scoping Meeting held 17 July 2012 was deficient in information to enable participants to fully participate in the scoping process, based on the applicant's unwillingness to provide sufficient information – a circumstance the County condoned. Graphics are cartoons. Studies are withheld.

Mark Slovick, Project Manager

30 July 2012

page two

ENVIRONMENTAL ISSUES:

1. The project is being processed and studied piecemeal in violation of CEQA.
2. The County's established policy of "One bite of the apple" precludes the public from raising environmental issue in future that were concealed by the lack of studies, lack of engineering and lack of design documents.
3. The applicant is only willing to attend a public meeting with the Valley Center Community Planning Group, including its appointed subcommittee for this project, AFTER the deadline that closes scoping input.
4. The applicant is on record (in court) that it plans to add much greater acreage and is in negotiations for multiple parcels, for which it has been engineering for almost two years.
5. The community, in reality, is being given "One bite of the pumpkin." How many thousand more houses and residents will be processed?
6. The applicant claims to have held "public meetings" which were in fact private meetings for investors and supporters, with individual members of the Planning Group and the public either "disinvited" or refused the opportunity to attend, publicly and verbally, in advance. There has been no legally-qualified "public participation" to date.
7. The proposed project violates the County's General Plan.
8. The proposed project violates the Valley Center and Bonsall Community Plans.
9. The proposed project cannot qualify as a "LEED Certified Planned Community" because it destroys farmland.
10. The proposed project is in violation of the County Consolidated Fire Code due to lack of County roads or plans therefor, and other violations of the Code and local fire jurisdiction standards.
11. The applicant has issued maps showing roads placed on land they do not own or control.

12. The project plans to use Private Roads to which they have limited and minimal rights. If the County permits this project to process, it is forcing long-time neighboring residents to endure expensive litigation to preserve their Private Road ownership, to be secured from over-burdening, which is the neighbors' legal right. The applicant would swamp private roads even at improved private road standards. The applicant must purchase connecting properties to existing County roads so they can build multi-lane County Public roads to serve the thousands of new residents.
13. The County must require and the applicant must provide topographic maps with topo differential no greater than 10 ft. to accurately map steep slopes.
14. The County must require a full analysis of the air pollution resulting from 4.4 million cubic yards of blasting; the amount of resulting granite and the percentage of silica therein for all sectors and the resulting on-term health hazard (silicosis) from silica "plumes" liberated by blasting and maintained by prevailing wind currents; the land mass that would be affected and population therein.
15. The extent of noise from blasting (db); number of years; hours of operation.
16. The safety hazard of a totally urban commuter community being dropped into a rural area that would then block existing Valley Center residents from evacuating emergencies safely – "the cork in the bottle" effect.
17. The extent that the applicant would be required to widen the West Lilac Bridge (freeway overpass) for the population explosion to reach Old highway 395; the additional freeway lanes the applicant would be required to add, to provide LOS D or better, northbound and southbound
18. The impact of the Waste Recycling and Transfer Station (traffic, noise, odors, lights, noise) and whether it would be permitted to process waste from outside the project.

Respectfully submitted,

Patsy Fritz

Slovick, Mark

From: Florence Griffis [flovango@gmail.com]
Sent: Wednesday, July 25, 2012 5:09 PM
To: Slovic, Mark
Subject: Comment on Lilac Hills Ranch - EIR

Mr. Slovic: RE: Lilac Hills Ranch 3800 12-001 (GPA), 3810 12-001 (SP), 3100 5571 (TM), 3100 5572 (TM), 3600 12-003 (REZ), 3300 12-005 (MUP), 3940 12-001 (VAC): Environmental Log NO. : 3910 12-02-003 (ER)

Comments from Florence Griffis, 9542 Covey Lane, Escondido, CA 92026 Phone: 760-728-3503 July 25, 2012

AESTHETICS - Wrong location for this type of community. Current 2 acre minimum is ideal for this location. Hills, canyons, seasonal streams, agriculture all fit perfectly.

NOW: starry night skies.

with Lilac Hills Ranch (LHR) street lights, house lights, park lights, parking lot lights, store lights, etc

NOW: Peaceful, quiet serenity for human and wild life (which is why both species have come to live here) with LHR: noise from traffic, people, delivery trucks, trash trucks.

NOW: Wild life pathways - free roaming coyotes, rabbits, squirrels, some critters I am not sure what they are. with LHR natural pathways destroyed, wild life will have to relocate, free range areas disappearing. Cities and coyotes do not mix. Rabbits are cute until they consume freshly planted shrubs and flowers - poisoning follows.

AGRICULTURAL RESOURCES - Currently there are avocado, lemon and orange groves, a fig grove, organic vegetables and herbs farming, flower growers and family fruit and vegetables growing on large home lots. One commercial green house farm employs US veterans who are learning to overcome combat stress by farming in a peaceful setting. Plants and trees help clean the air. Traffic pollution adds to it!

AIR QUALITY - Movement of 4,400,000 cubic yards of dirt will create enormous air pollution! Silica in the soil will contaminate ponds and streams, create health hazard (silicosis) to humans and wild life, and destroy farm plants and flowers when coated with the dust.

BIOLOGICAL RESOURCE: Seasonal streams offer haven to frogs with tadpoles hatching, also to toads, birds, rabbits, coyotes. These waters would be destroyed or interrupted. One such stream would be obliterated by a proposed access road between the Sannipoli and Jackson properties. (They have already done some grading for a dirt road which changed the flow of water) behind the Sannipoli property.

GEOLOGY: Moving 4,400,000 cubic yards of soil is ridiculous! Our unique hills and canyons will become a barren flat mesa!

HAZARDS: Adding thousands of cars in fire evacuation onto roads already inadequate for current population.

LAND USE AND PLANNING: No specific plan has been submitted. Changes occur constantly as they continue to ignore comments from groups and residents. HWY 76 and I-15 area already approved for expanded growth (homes, college, large commercial mall) This will create increased traffic ---to add 1746 more DUs is ridiculous.

NOISE: Increased traffic in an area that currently has little (on actual site) Construction, dirt moving noise where there is now the sounds of owls, coyotes, Seasonal workers and weekly trash pick up are about as noisy as we now get! 1746 homes will make noise!!!!

PUBLIC SERVICES: There is no infrastructure in the planned area! Deer Springs Fire Protection District sent a letter on June 12012 to your department stating inadequacy of project roads, response times and lack of specific plans. Police protection furnished by Valley Center branch of Sheriff Department. How many deputies are on duty at night, weekends? Not enough for a "city" of this size!

UTILITIES & SERVICE SYSTEMS: This is bare land. Nothing on it! Valley Center Water Department has no plans to supply services.

VCPUSD - No plan to build new schools in area as they have unused space currently in existing schools in town. This means students would have to be bused or driven to Valley Center, Bonsall and/or Fallbrook High Districts.

TRANSPORTATION & TRAFFIC: No public transportation comes near this area. Not even senior citizen transportation services.

Existing roads are 2 lanes, winding, hilly. Proposed roads not up to fire standards according to Deer Springs Fire Protection District.

Lilac Bridge, which leads to I-15 and the old 395 is 2 lane. Cost to widen a bridge (probably actually need to build a second bridge) is astronomical!

I-15 is already heavily traveled at rush hours - going south in the morning, north in the evening.

Planned construction at Highway 76 and I-15 already approved, will increase this load. Traffic at 4 PM is now backed up from that intersection all the way into Temecula now! What a carbon footprint it will be when we add 1746 more dwelling units!

SUMMATION; How can an Environmental Impact Report be done without a specific, permanent plan? Surely, the haze from smog that will come if this goes through is not as obscure as Accretive's plans!

Respectfully submitted by: Florence A. Griffis

Written Comments on Lilac Hills Ranch Environmental Impact Report Scoping Meeting

From: Steve Hutchison

To: Mark Slovick, Project Manager, Lilac Hills Ranch Project

This is a written follow-up to the comments that I made at the Lilac Hills Ranch EIR Scoping meeting held in Valley Center on 17 July 2012.

I apologize that these comments are in no particular order. I will try to make them as concise as possible:

1. I agree with the county's assessment that the potential damage to the aesthetics of the project site and its environs represents a severely significant negative impact and must be studied thoroughly in the EIR. The development of 1746 dwelling units on the project site is wildly out of place and out of character with the Valley Center Community and its community plan.
2. The proposed project will have a dramatic negative impact on agricultural land at the site and will represent a further erosion of agricultural land within San Diego County. This must be reviewed from both a site-specific and regional perspective. The climate of this project area makes it highly desirable for a variety of agricultural pursuits including floral, container nurseries, avocados, grapes and others.
3. The EIR should report on the potential for such a development to cause, or add to, a cascade of zoning and land use changes from rural agricultural uses to urban village or suburban uses along the I-15 corridor under the guise of locating housing near existing infrastructure. The EIR must take into account the impacts of other nearby projects already in the pipeline [at Hwy 76 and I-15 for example] that will take I-15 to failing levels before Lilac Hills Ranch is built.
4. This project will have serious consequences for the air quality of the region as well. Green House Gas Emissions are a continuing issue both at the project site and in the region. These emissions are largely the result of automobile and truck travel and use. Since the proposed commercial will not provide the jobs necessary to support the population of the development, those people will have to travel to distant employment centers in Temecula, Escondido, San Marcos, and Vista, all over 15 miles distant. Services for those dwelling units will have to be trucked in from those same business centers to provide for the maintenance and upkeep of those 1746 dwelling units and the associated commercial entities. Individual daily trips to schools, whether in Valley Center or Bonsall/Fallbrook, will only worsen the prospects for air quality and congestion. Further, particulates from construction equipment will send pollutant levels that are already in violation of standards even higher. Finally, there are currently no plans to provide public transportation

to this area, which will further exacerbate both congestion and air quality problems.

5. I have concerns about the wastewater treatment proposal. Initially, wastewater will be collected and trucked offsite. This will add to the air quality problem already discussed. How will the construction schedule for treatment facilities affect air quality, GHG emissions, traffic congestion, and noise? This should be studied.
6. It is important that the EIR carefully examine biological resources on the project site given its proximity to the MSRP and PAMA areas already designated as well as the existence of riparian habitats on-site. These studies should be thorough and impartial since the project site is potential habitat for several threatened or endangered species such as Miriam's Kangaroo Rat and horned lizards.
7. The EIR should analyze traffic impacts in a very broad area around the project. As mentioned, school travel will extend into Bonsall/Fallbrook to the elementary school in Bonsall and the middle and high schools in Fallbrook, or alternatively, into Valley Center to the middle school on N. Lake Wohlford Road, to the high school on Cole Grade Rd. and possibly to the elementary school on either Lilac Rd. or Cole Grade Rd.
8. The EIR must examine the impact of moving 4.4 million cubic yards of earth to accomplish the goals of the project. Such a large movement of dirt will essentially flatten the hills, arroyos and drainages of the area to make building pads. This one aspect of the project affects many other considerations including aesthetics, air quality, cultural artifacts, biological sustainability, ground water, geology, potential liquefaction, surrounding agriculture, etc. It will aggravate the loss of topsoil and could participate in creating landslide hazards, particularly in parts that have steep slopes. Additionally, grading and grinding that much decomposing granitic rocks will create a silica plume around the site that will stretch for miles. Silicosis is a potent disease that can have dramatic long-term health effects. Further, the noise of construction equipment and blasting will be a long-term problem [ten year estimate to complete grading] that neighbors will have to endure. This will lower property values.
9. The EIR must evaluate the effects of the proposed night lighting of project streets and commercial and public areas. Night lighting can deleteriously affect several agricultural pursuits [i.e. moth pollination of plants at night]
10. The EIR must address the cumulative effects of this proposal on the neighboring properties, the Valley Center and Bonsall/Fallbrook communities, and the north San Diego County region. Taken individually, some of these concerns may be mitigated in some way, but when considered together, such a development project can adversely impact an area to such a degree that there is no reasonable mitigation for the damage inflicted.
11. The site map presented at the EIR Scoping meeting differed substantially from the map published by the county to the community. Although we heard assurances from you that the map presented was provided by the applicant and was not the map being considered in the EIR, there is concern that all of

the comments made to date may be made moot by the introduction of this revised map. The EIR must be based on the site map generally made available to the public in the release of the Specific Plan. This process is already in motion, and a changing site map will only confuse and derail consideration of its merits.

In most other respects, I think the DPLU staff is doing a creditable job in analyzing the impacts of this project.

Mark Jackson
9550 Covey Lane
Escondido, CA 92026 (Valley Center)
760-731-7327 – jacksonmark92026@gmail.com

July 27, 2012

Mr. Mark Slovick DPLU Project Manager
Project Processing Counter
5201 Ruffin Rd. Ste B
San Diego, CA 92123

Subject: Public Scoping Inputs resulting from the Accretive Investments July 17, 2012 Accretive Lilac Hills Ranch Environmental Impact Report (EIR) Initial Study Lilac Hills Ranch Master Planned Community, 3800 12-001 (GPA), 3810 12-001 (SP), 3100 5571 (TM), 3100 5572 (TM), 3600 12-003 (REZ), 3300 12-005 (MUP)

Overview and Primary Concern

The County has rushed out this EIR Impact Study that is based on an **incomplete Specific Plan**. The County itself in its June 14, 2012 scoping letter found that “the draft Specific Plan does not meet the requirements of Section 65451 of the Government Code Section.” The Applicant’s Specific Plan has no defined and baselined:

- Legal Circulation Road network
- Inadequate Definition of Commercial Use location, size, timing, or phasing
- No defined location, size, timing, or phasing of water, wastewater, public schools, or other necessary public services

Further, the County has had in its possession many technical studies, such as the Agriculture Technical Report, Environmental Site Assessments, Evacuation Plan, Fire Protection Plan, Cultural Resources Report, Geotechnical Report, Phasing Plan, RPO Slope Analysis, Storm water Management Plan, Waste Water Report and other relevant information that has not been shared with the Public. Factual evidence of this is contained in Attachment A details and related findings contained in the County’s June 14, 2012 Scoping Letter.

Further yet, Accretive Investments presented on July 17, 2012 a significantly different Project Map (attachment A) from the one submitted with the County’s EIR Initial Study (Attachment B). This revised Map changed the Circulation Element Roads, Project Lot Layout, and Commercial Use.

This is piecemeal disclosure of the total Project.

The Applicant's Project submission is incomplete to the point that a Project EIR analysis cannot be reasonably performed.

The EIR process should be stopped, so that the public may make comments on a Project that is complete, baselined, and not subject to certain near-term substantive change.

Scoping Comments on the Initial Study

Objectives – According to CEQA “the EIR must contain a Project Description which includes among other things, a statement of the Project's Objectives.”

The County did not provide the Public the Project Objectives, even though the Objectives were separately requested in writing from the County. Thus, the public is denied any scoping comments on the Project Objectives. Provide the Project Objectives and allow a standard public review and comment period.

Project Alternatives – The County provided no Project Alternatives information. In the absence of any information from the County on this subject area, the following is my proposed Alternative Projects that should be evaluated for Environmental Impact:

1. No Project – This is required by CEQA.
2. A Project that is implemented on the 608 acre site with the Land Use Density and Zoning of the August, 2011 San Diego County General Plan. This would be for an approximate 200 Rural Residential Units with **zero** Commercial content.
3. The Applicant's proposed 1746 residential unit + ill-defined Commercial content, **at a point in time when the land use, bulk, timing, and sequencing is defined in sufficient detail to perform Environmental Impact Analysis.**

A comprehensive and thorough analysis of these three Project Alternatives is necessary to be performed in order to calibrate the comparative Environmental Impact of the Applicant's proposed 1746 unit residential + commercial Project.

Cumulative Impact – Because of the few access ramps to I-15 and the close proximity of the Palomar College, Campus Park, Campus Park West, and Meadowood Development Projects in the Fallbrook planning area, the cumulative impacts of these Projects need to be analyzed for impact in conjunction with the proposed Lilac Hills Ranch. The Fallbrook projects total 1950 residential units plus commercial plus an 8500 student commuter college. All are urban commuter communities with limited or non-existent public transportation and very limited-capacity Circulation Element Roads.

Because of the sudden urbanization of this rural area totally lacking public service infrastructure, a thorough and comprehensive Environmental Impact study of the cumulative impact of the totality of this growth is required.

Accretive's Proposed use of Private Roads- Accretive's July 17, 2012 Project map proposes using Covey Lane and Mountain Ridge as Circulation Element roads for their proposed Project. Both roads are **private roads** that Accretive does not have **legal right of way** to use as Circulation Element roads for their project. Additionally, these private roads cannot be substituted for County Roads to meet Consolidated Fire Code emergency access requirements.

This is an EIR consideration, because different circulation roads will need to be used, and their location will have different Environmental consequences from the road networks proposed.

II. Agriculture and Forestry Resources – The proposed Residential, Schools, and other Public Buildings need to be “set back” the appropriate distance from neighboring agricultural parcels which engage in agricultural spraying and other practices such as controlled burning.

VI. Geology and Soils – The County evaluated that there is no liquefaction potential based on the County Soils Map.

As was discussed in the Scoping Meeting on July 17, the massive “fill” contemplated in the Project's Grading Plan could result in soils that need evaluation to ensure that a liquefaction soil condition won't be created.

VIII. Hazards and Hazardous Material – The massive grading and blasting of granite rock in the area will pose a severe silicosis hazard to my family and our many neighbors extending for miles subject to downrange prevailing winds, as well as the latent lingering effects to future residents of the proposed project. This specific hazard needs detailed study including phasing and timing, disturbed acreage, and environmental safeguards to ensure the health and safety of neighbors and project residents.

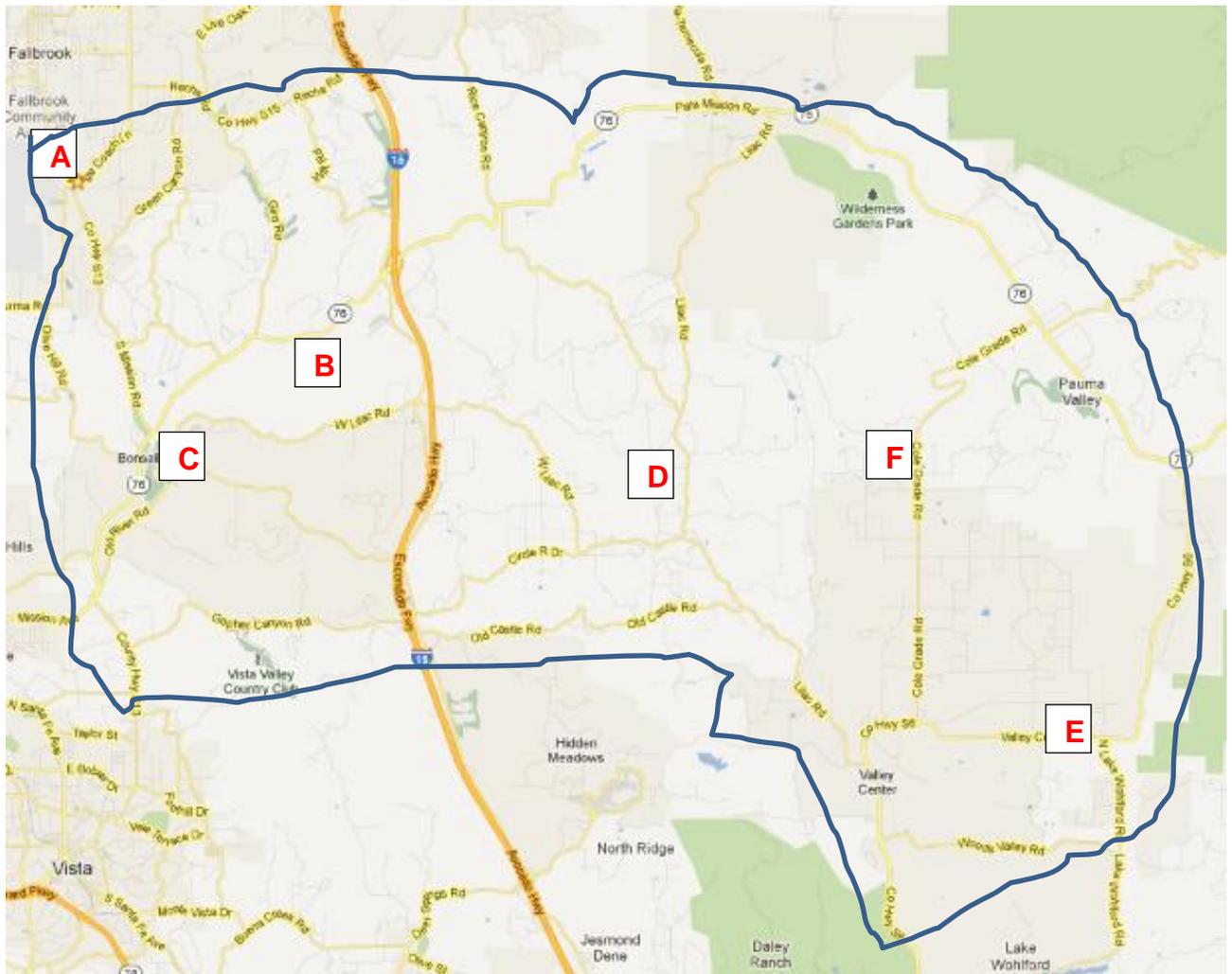
The size and timing of mass grading also needs to be identified. There must be the appropriate short time interval between grading and construction, to avoid siltation and other storm water damage to neighboring parcels and water courses in addition to the environmental hazard of airborne silica.

The proposed Recycling and Waste Transfer Facility needs careful review of to ensure all potential hazardous material does not pose a health and safety issue to residents and neighbors. In addition, will this RTF be allowed to import materials from outside the project, or just be limited to property owners within the project?

The Specific Plan identified that during the first Phase of Development, the Applicant or Builder would truck untreated waste water for offsite treatment. This poses potential Hazmat and traffic issues that need specific detailed analysis. The offsite environmental consequences of transporting human waste to coastal cities, where it may receive lower- level treatment before ocean outfall must also be included in the EIR.

A plan for the controlled removal and offsite disposal of the Hazmat materials identified in the initial Environmental reports evidenced in the June 14, 2012 Scoping Letter needs to be generated and shared with the public.

XVI. Transportation and Traffic – Because of circulation patterns for Valley Center and Bonsall schools and other daily commuting tasks, the Traffic Impact Study Area needs to include an area that covers roughly SR-76 to the north, Valley Center Road and Lake Wohlford Road on the east, Castle Creek/Gopher Canyon to the south, and East Vista Way in Bonsall to the West. The Schools that service the Project and an outline of the proposed Traffic Impact Study Area are below:



Traffic Impact Study Area Zone 

A – Fallbrook High School

B – Bonsall Middle School

C- Bonsall Elementary School

D- Lilac Elementary (VC)

E- VC Middle School

F- VC High School

In closing, I would like to reiterate that this Project is not ready for Environmental Review because as the County has recognized, there is no valid Specific Plan, and the County has not shared with the Public many existing relevant documents.

Sincerely,

Mark Jackson

CC:

Kristen Blackson

Jarret Ramaiya

Margarette Morgan

Oliver Smith

Eric Gibson

County Counsel Thomas Montgomery

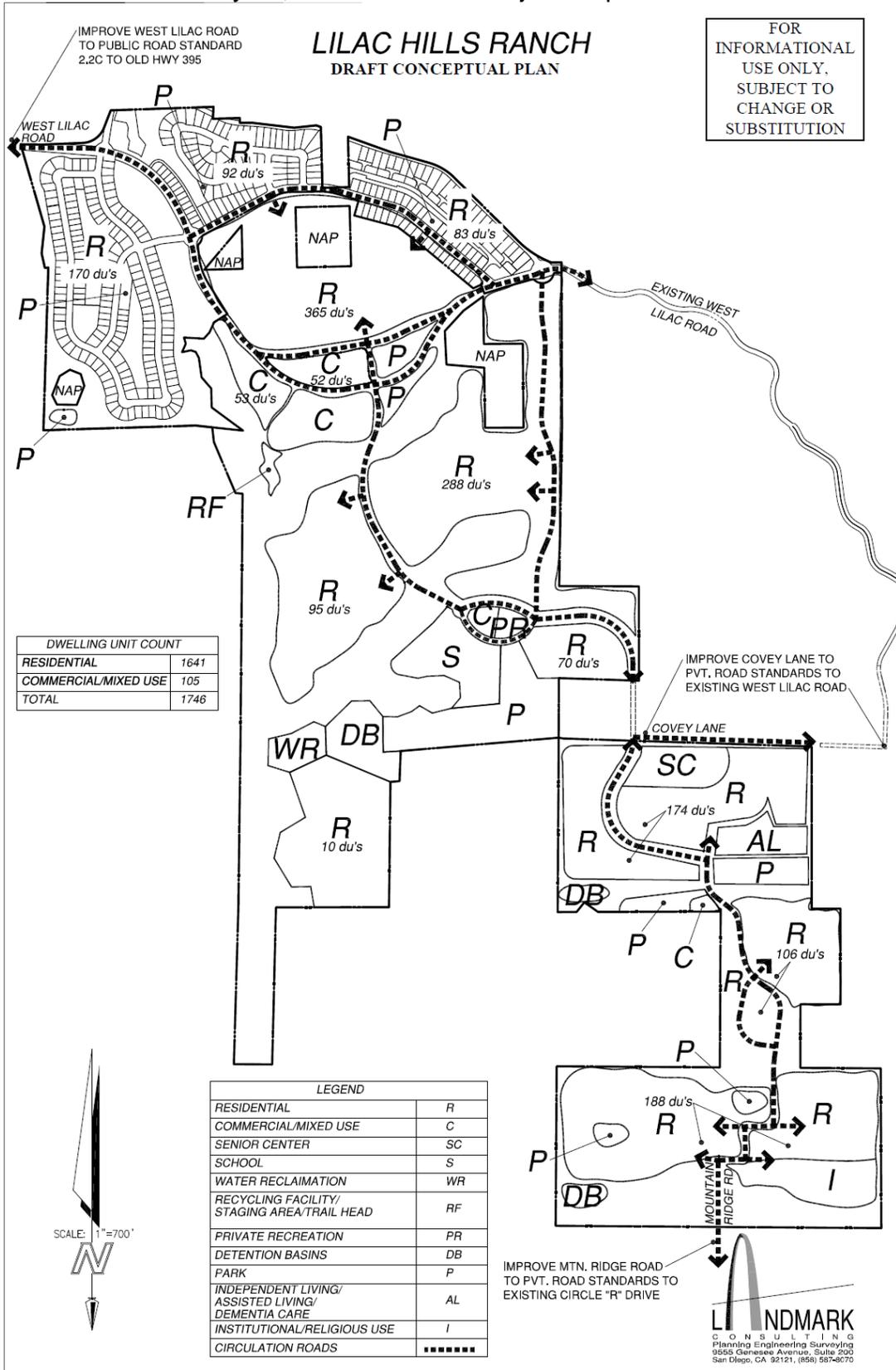
Chairman Ron Roberts

Attachment A – July 17, 2012 Accretive Project Map

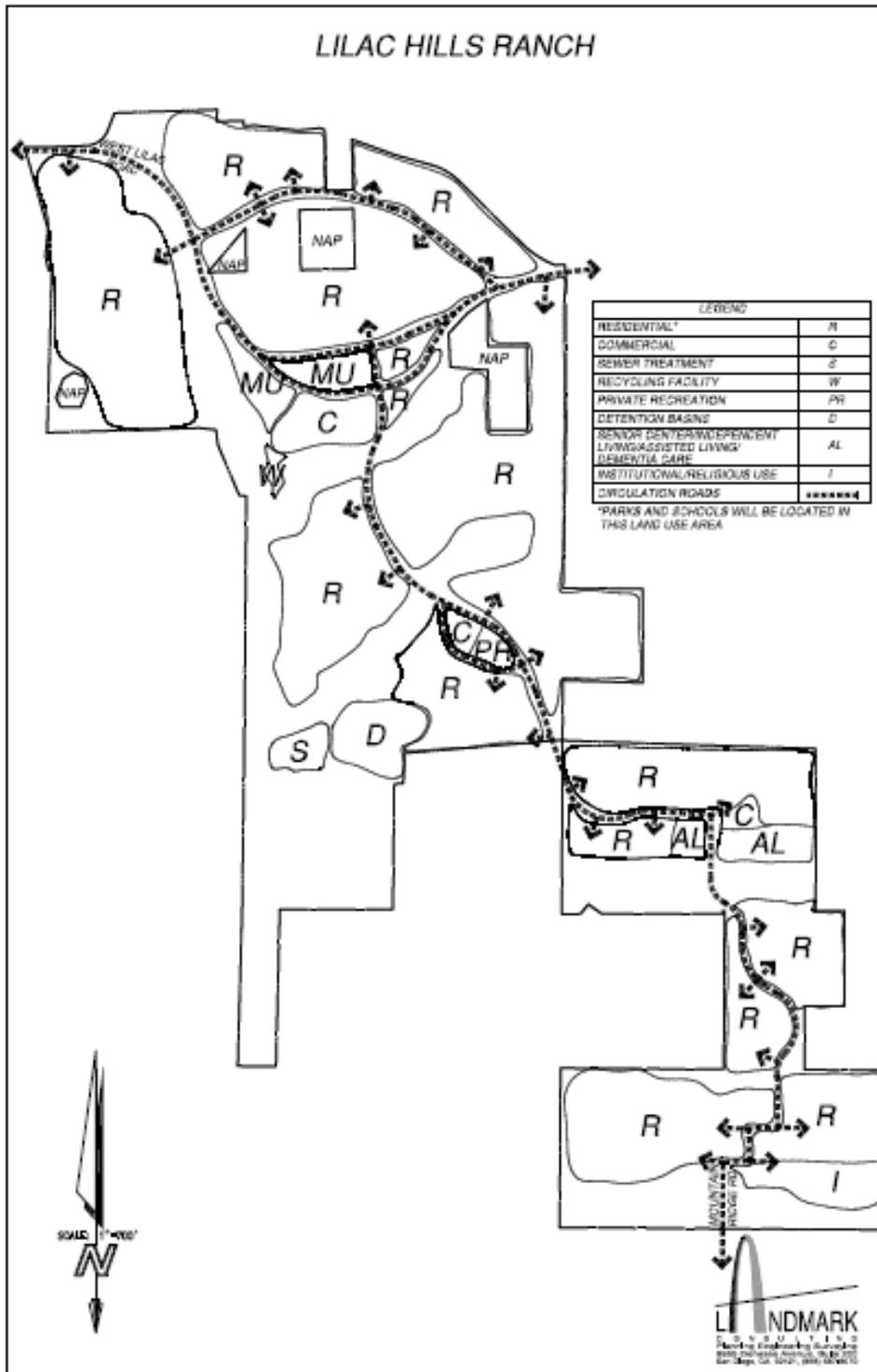
Attachment B – EIR Impact Study Project Map released by the County

June 26, 2012

Attachment A – July 17, 2012 Accretive Project Map



Attachment B – EIR Impact Study Project Map released by the County June 26, 2012



Slovick, Mark

From: Josette Franck [peeclus_jf@yahoo.com]
Sent: Monday, July 30, 2012 12:22 PM
To: Slovick, Mark
Subject: Accretive / Lilac Hills Ranch EIR comments

Hi, Mark:

Thank you for spearheading the Lilac Hills Ranch / Accretive project and for holding the Scoping EIR meeting July 17 with the Bonsall Sponsor and Valley Center Planning groups.

However, having the applicant provide displays that were **not** part of what the public was given to review for said EIR is like interviewing for a job as a civil engineer and then being told you'll still be "called" a civil engineer but you are "expected to follow" the job description of a domestic engineer—both are engineers but in reality are not quite the same thing at all. Perhaps in future meetings DPLU should provide displays of what the public is to comment on and not allow the applicants to guide your meetings, or do away with having displays at all.

Other than that, my concerns about this project environmental impact include but at this time are not limited to:

1. Mountain Ridge Road is a private, two-lane road, privately maintained and for the traffic it has—which, in its current usage, is pretty close to what the road was intended to have— will not be considered "improved" by becoming a four-lane southern access for 1,746 (an ultra-conservative number) for said project.
2. Mass grading of more than 600 acres, 4.4 million cubic yards of earth will guarantee that, should the outrageous number of dwelling units not be built, any party considering building the appropriate amount of DU (less than 100DU for the area's current zoning), they would be required to use a sewer system and would be prevented from implementing septic service at all.
3. The undefined assisted living, adult daycare, medical, commercial—whatever the applicant's word choices for the day are—usage is a gaping hole that has to be definitively set now, not "whenever."
4. The applicant's desire to shuffle their expenses onto the taxpayers via special assessments should not be allowed. Applicants should be required to foot the bill for ALL of their projects' expenses and not pass them along to taxpayers. It wasn't my neighbors' responsibility to pay for my home, it isn't our responsibility to pay for Lilac Hills Ranch either.
5. The air quality of moving 4.4 million cubic yards of earth, blasting rock, exhaust from construction vehicles and the noise over the years it will take to complete this pipe dream project is detrimental to the existing residents' health and rural lifestyle choices.
6. The agricultural environment would be irreversibly reduced by the applicant's moving and blasting of 4,400,000 cubic yards of land mass. Is the applicant paying for financial losses farmers in the area will sustain by this atrocious, out of line and poorly placed project?
7. The long-endured General Plan Update process was approved by the Board of Supervisors and should be followed. At least 1,746DU, plus undefined other uses, do not belong on 600-ish acres in a

rural, agricultural area that is **not** near already-determined Village areas is considered leap-frog development.

We only have one opportunity to keep the GPU intact and that is **before** any destruction to the land can be done.

Again, thank you for the enlightening Scoping EIR meeting (I had never been to one before and didn't know what to expect), and for tackling this difficult project.

Respectfully opposed to forced suburbia in the Backcountry,

Josette Franck
9767 Megan Terrace
Escondido, CA 92026
760-509-5308

RECEIVED

JUL 03 2012

San Diego County
DEPT. OF PLANNING & LAND USE

OPPOSED!!!

June 29, 2012

Project Name: LILAC HILLS RANCH MASTER PLANNED
COMMUNITY

Project Number: 3810 12-001 (SP)

My name is Ruth Mattes, 29667 Circle R Greens Drive Escondido, a Valley Center home owner and resident. I retired and moved here from New York 9 years ago for an improved way of life. I chose a golf community on the outskirts of Valley Center.

All was peaceful until I learned of a developer's plan to plop 1,746 dwelling units right off I-15. This unsettling proposal steered me to the VCPG. I learned that much of what was planned did not conform to VCPG and DPLU policies.

The developer's arrogance and bullying of his 'project mimic's our own supervisor's handling of this proposed unwanted community.

We do not need to upzone every parcel of land. The FIRE DANGER and I-15 congestion is very scary. Have we learned nothing from Temecula's over crowding and congestion. Is greed the ultimate goal?

The Valley Center Planning Group and DPLU have done their homework and so should the developers. Our rural lifestyle, environment and safety are at stake.

I urge you to honor the findings of the VCPG and DPLU has put into the San Diego General Plan text for the past 12 years. Especially the Staff Recommended Land Use Map, so that the density is at the heart of an existing town, not ripping at it. Consistency with our current population will not destroy the community as we know it.

No one is saying no growth. What we are saying is listen and work with the people that live here, especially; the groups that have volunteered hundreds of hours to formulate a healthy and spacious lifestyle for their community.

Thank you.

Ruth Mattes

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net



July 3, 2012

San Diego County
DEPT. OF PLANNING & LAND USE

Mr. Mark Slovick, Environmental Planner

County of San Diego Planning & Public Works Department

5201 Ruffin Road, Suite B
San Diego, CA 92123-1666

Re: SCH#2012061100; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the "Lilac Hills Ranch Master Planned Community Project;" located in the Valley Center and Bonsall Community Plan areas; San Diego County, California.

Dear Mr. Slovick:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9. This project is also subject to California Government Code Sections 65352.3, *et seq.*

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC did conduct a Sacred Lands File (SLF) search within the 'area of potential effect (APE)' and Native American cultural resources were identified in the project area specified; therefore, careful planning and consultation with tribes is advised.

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you

make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

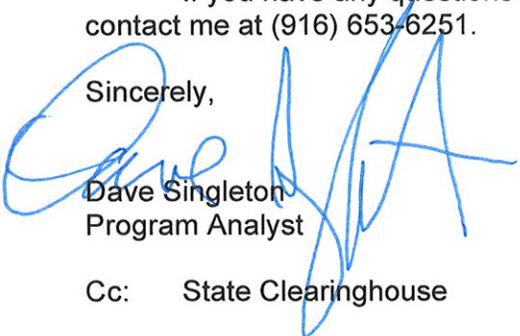
Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contacts

San Diego County

July 3, 2012

Pala Band of Mission Indians
Tribal Historic Preservation Office/Shasta Gaugher
35008 PalaTemecula Road, PMB Luiseno
50 , Cupeno
Pala, CA 92059
(760) 891-3515
sgaughen@palatribe.com
(760) 742-3189 Fax

Pauma & Yuima Reservation
Randall Majel, Chairperson
P.O. Box 369 Luiseno
Pauma Valley CA 92061
paumareservation@aol.com
(760) 742-1289
(760) 742-3422 Fax

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resources Manager
P.O. Box 1477 Luiseno
Temecula , CA 92593
(951) 770-8100
pmacarro@pechanga-nsh.
gov
(951) 506-9491 Fax

Rincon Band of Mission Indians
Vincent Whipple, Tribal Historic Preationv. Officer
P.O. Box 68 Luiseno
Valley Center, CA 92082
twolfe@rincontribe.org
(760) 297-2635
(760) 297-2639 Fax

Soboba Band of Mission Indians
Scott Cozaet, Chairperson; Attn: Carrie Garcia
P.O. Box 487 Luiseno
San Jacinto , CA 92581
carrieg@soboba-nsh.gov
(951) 654-2765
(951) 654-4198 - Fax

Pauma Valley Band of Luiseño Indians
Bennae Calac, Tribal Council Member
P.O. Box 369 Luiseno
Pauma Valley CA 92061
bennaecalac@aol.com
(760) 617-2872
(760) 742-3422 - FAX

Rincon Band of Mission Indians
Bo Mazzetti, Chairperson
P.O. Box 68 Luiseno
Valley Center, CA 92082
bomazzetti@aol.com
(760) 749-1051
(760) 749-8901 Fax

San Luis Rey Band of Mission Indians
Tribal Council
1889 Sunset Drive Luiseno
Vista , CA 92081
760-724-8505
760-724-2172 - fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012061100; CEQA Notice of Preparation (NOP) draft Environmental Impact Report (DEIR) for the Lilac Hills Ranch Master Planned Community; 1,746 Single housing units; located in the Valley Center and Bonsall Community Plan Areas; San Diego County, California.

Native American Contacts

San Diego County

July 3, 2012

San Luis Rey Band of Mission Indians
Cultural Department

1889 Sunset Drive Luiseno
Vista , CA 92081 Cupeno
760-724-8505

760-724-2172 - fax

La Jolla Band of Mission Indians
James Trujillo, Vice Chair

22000 Highway 76 Luiseno
Pauma Valley CA 92061
rob.roy@lajolla-nsn.gov
(760) 742-3796
(760) 742-1704 Fax

SOBOBA BAND OF LUISENO INDIANS
Joseph Ontiveros, Cultural Resource Department

P.O. BOX 487 Luiseno
San Jacinto , CA 92581
jontiveros@soboba-nsn.gov
(951) 663-5279
(951) 654-5544, ext 4137

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012061100; CEQA Notice of Preparation (NOP) draft Environmental Impact Report (DEIR) for the Lilac Hills Ranch Master Planned Community; 1,746 Single housing units; located in the Valley Center and Bonsall Community Plan Areas; San Diego County, California.



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

Notice of Preparation

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JUL 06 2012

San Diego County
DEPT. OF PLANNING & LAND USE

June 29, 2012

To: Reviewing Agencies
Re: Lilac Hills Ranch Master Planned Community
SCH# 2012061100

Attached for your review and comment is the Notice of Preparation (NOP) for the Lilac Hills Ranch Master Planned Community draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Mark Slovick
San Diego County
5201 Ruffin Road, Suite B
San Diego, CA 92123

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2012051100
Project Title Lilac Hills Ranch Master Planned Community
Lead Agency San Diego County

Type NOP Notice of Preparation
Description The proposal is for a maximum of 1,746 dwelling units, including multi-family, commercial, parks, trails, a school, aged restricted community, waste recycling and collection facility and other associated civic uses

Lead Agency Contact

Name Mary E. Clark
Agency San Diego County
Phone 619-438-8172 **Fax**
email
Address 5201 Aulita Road, Suite B
City San Diego **State** CA **Zip** 92123

Project Location

County San Diego
City
Region
Cross Streets West of La Road
Lat / Long 33° 17' 42" N / 117° 8' 7" W
Parcel No. Varies
Township 10S **Range** 3W **Section** 19/24 **Base** SBB&M

Proximity to:

Highways I-15
Airports
Railways
Waterways Kuykendall Creek
Schools North Sullivan MS
Land Use SR-9 and SR-10, RR/A70

Project Issues

Reviewing Agencies Resources Agency; Department of Parks and Recreation; Resources, Recycling and Recovery; Department of Water Resources; Department of Fish and Game, Region 5; Office of Emergency Management Agency, California; Native American Heritage Commission; State Lands Commission; California Highway Patrol; Department of Housing and Community Development; Caltrans, District 11; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 9

Date Received 06/29/2012 **Start of Review** 06/29/2012 **End of Review** 07/30/2012

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # **2012061100**

Project Title: Lilac Hills Ranch Master Planned Community

Lead Agency: County of San Diego

Contact Person: Mark Slovick

Mailing Address: 5201 Ruffin Road, Suite B

Phone: 858-495-5172

City: San Diego

Zip: 92123

County: San Diego

Project Location: County: San Diego

City/Nearest Community: Valley Center/Bonsall

Cross Streets: West Lilac Road

Zip Code: 92026

Lat. / Long.: 33° 17' 42" N/ 117° 8' 7" W

Total Acres: 608

Assessor's Parcel No.: 127-072-14-00, 127-072-20-00, 127-072-38-00, 127-072-40-00, 127-072-41-00, 127-072-46-00,

127-072-47-00, 128-440-01-00, 128-280-42-00, 128-280-46-00, 128-440-21-00, 128-440-20-00, 128-440-17-00,
128-440-18-00, 128-440-19-00, 128-440-03-00, 128-440-22-00, 128-440-14-00, 128-440-15-00, 128-440-06-00, 128-440-05-00, 128-440-23-00,
128-280-27-00, 128-280-10-00, 128-280-37-00, 128-290-74-00, 128-290-69-00, 128-290-70-00, 128-290-71-00, 128-290-72-00,
128-290-07-00, 128-290-09-00, 128-290-10-00, 128-290-11-00, 128-290-51-00, 128-290-54-00, 128-290-55-00, 128-290-56-00, 128-290-57-00,
128-290-58-00, 128-290-59-00, 128-290-60-00, 128-290-61-00, 128-290-75-00, 129-010-62-00, 129-010-68-00, 129-010-69-00, 129-010-70-00,
129-010-71-00, 129-010-72-00, 129-010-73-00, 129-010-74-00, 129-010-75-00, 129-010-76-00, 129-011-15-00, 129-011-16-00, 129-300-09-00,
129-300-10-00

Section: 19/24 Twp.: 10S Range: 03W Base: SBB&M

Within 2 Miles: State Hwy #: I-15 Waterways: Keys Creek

Airports: N/A Railways: N/A

Schools: Norm Sullivan Middle School

Document Type:

- CEQA: NOP Draft EIR Joint Document
 Early Cons Supplement/Subsequent EIR Final Document
 Neg Dec (Prior SCH No.) Other Other
 Mit Neg Dec Other _____

NEPA: NOI FONSI
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 JUN 29 2012

Local Action Type:

- General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other

Development Type:

- Residential: Units 1,746 Acres _____
 Office: Sq.ft. _____ Acres _____ Employees _____
 Commercial: Sq.ft. 70,000 Acres _____ Employees _____
 Industrial: Sq.ft. _____ Acres _____ Employees _____
 Educational K-8 School
 Recreational Parks and Trails
 Water Facilities: Type _____ MGD _____
 Transportation: Type _____
 Mining: Mineral _____
 Power: Type _____ MW _____
 Waste Treatment: Type Sewer Treatment Plant MGD 0.4
 Hazardous Waste: Type _____
 Other: Solar Farm, Senior Housing

Project Issues Discussed in Document:

- Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Wildlife
 Coastal Zone Noise Solid Waste Growth Inducing
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Land Use
 Economic/Jobs Public Services/Facilities Traffic/Circulation Cumulative Effects
 Other _____

Present Land Use/Zoning/General Plan Designation: Semi-Rural 4 (SR-4) and Semi-Rural 10 (SR-10) RR/A70

Project Description: (please use a separate page if necessary)

The proposal is for a maximum of 1,746 dwelling units, including multi-family, commercial, parks, trails, a school, aged restricted community, waste recycling and collection facility and other associated civic uses.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X". If you have already sent your document to the agency please denote that with an "S".

- | | |
|---|---|
| <input checked="" type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Emergency Services |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> California Highway Patrol | <input checked="" type="checkbox"/> Office of Public School Construction |
| <input checked="" type="checkbox"/> CalFire | <input checked="" type="checkbox"/> Parks & Recreation |
| <input checked="" type="checkbox"/> Caltrans District # _____ | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input type="checkbox"/> Public Utilities Commission |
| <input checked="" type="checkbox"/> Caltrans Planning (Headquarters) | <input checked="" type="checkbox"/> Regional WQCB # _____ |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input checked="" type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Coachella Valley Mountains Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Commission |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers and Mtns Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input checked="" type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mountains Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input checked="" type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Fish & Game Region # _____ | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input checked="" type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Housing & Community Development | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Integrated Waste Management Board | |
| <input checked="" type="checkbox"/> Native American Heritage Commission | |

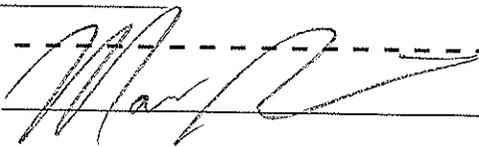
Local Public Review Period (to be filled in by lead agency)

Starting Date June 28, 2012 Ending Date July 30, 2012

Lead Agency (Complete if applicable):

Consulting Firm: <u>Landmark Consulting</u>	Applicant: <u>Accretive Investments, Inc., Attn: John Rilling</u>
Address: <u>9555 Genesee Avenue, Suite 200</u>	Address: <u>12275 El Camino Real, Suite 110</u>
City/State/Zip: <u>San Diego, CA 92121</u>	City/State/Zip: <u>San Diego, CA 92130</u>
Contact: <u>Mark Brencick</u>	Phone: <u>(858) 546-0700</u>
Phone: <u>(858) 587-8070</u>	

Signature of Lead Agency Representative: _____



Date: 6/22/12

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

NOP Distribution List

County: San Diego

SCH# 2012061100

Resources Agency

- Resources Agency
Nadell Gayou
 - Dept. of Boating & Waterways
Nicole Wong
 - California Coastal Commission
Elizabeth A. Fuchs
 - Colorado River Board
Gerald R. Zimmerman
 - Dept. of Conservation
Elizabeth Carpenter
 - California Energy Commission
Eric Knight
 - Cal Fire
Dan Foster
 - Central Valley Flood Protection Board
James Herota
 - Office of Historic Preservation
Ron Parsons
 - Dept of Parks & Recreation
Environmental Stewardship Section
 - California Department of Resources, Recycling & Recovery
Sue O'Leary
 - S.F. Bay Conservation & Dev't. Comm.
Steve McAdam
 - Dept. of Water Resources Resources Agency
Nadell Gayou

Fish and Game

- Dept. of Fish & Game
Scott Flint
Environmental Services Division
- Fish & Game Region 1
Donald Koch

- Fish & Game Region 1E
Laurie Harnsberger
- Fish & Game Region 2
Jeff Drongesen
- Fish & Game Region 3
Charles Armor
- Fish & Game Region 4
Julie Vance
- Fish & Game Region 5
Leslie Newton-Reed
Habitat Conservation Program
- Fish & Game Region 6
Gabrina Gatchel
Habitat Conservation Program
- Fish & Game Region 6 I/M
Brad Henderson
Inyo/Mono, Habitat Conservation Program
- Dept. of Fish & Game M
George Isaac
Marine Region

Other Departments

- Food & Agriculture
Sandra Schubert
Dept. of Food and Agriculture
- Depart. of General Services
Public School Construction
- Dept. of General Services
Anna Garbeff
Environmental Services Section
- Dept. of Public Health
Bridgette Binning
Dept. of Health/Drinking Water
- Delta Stewardship Council
Kevan Samsam

Independent Commissions, Boards

- Delta Protection Commission
Michael Machado
- Cal EMA (Emergency Management Agency)
Dennis Castrillo

- Native American Heritage Comm.
Debbie Treadway
- Public Utilities Commission
Leo Wong
- Santa Monica Bay Restoration
Guangyu Wang
- State Lands Commission
Jennifer Deleong
- Tahoe Regional Planning Agency (TRPA)
Cherry Jacques

Business, Trans & Housing

- Caltrans - Division of Aeronautics
Philip Crimmins
- Caltrans - Planning
Terri Pencovic
- California Highway Patrol
Suzann Ikeuchi
Office of Special Projects
- Housing & Community Development
CEQA Coordinator
Housing Policy Division

Dept. of Transportation

- Caltrans, District 1
Rex Jackman
- Caltrans, District 2
Marcelino Gonzalez
- Caltrans, District 3
Gary Arnold
- Caltrans, District 4
Erik Alm
- Caltrans, District 5
David Murray
- Caltrans, District 6
Michael Navarro
- Caltrans, District 7
Dianna Watson

- Caltrans, District 8
Dan Kopulsky
- Caltrans, District 9
Gayle Rosander
- Caltrans, District 10
Tom Dumas
- Caltrans, District 11
Jacob Armstrong
- Caltrans, District 12
Marion Regisford

Cal EPA

Air Resources Board

- Airport/Energy Projects
Jim Lerner
- Transportation Projects
Douglas Ito
- Industrial Projects
Mike Tollstrup
- State Water Resources Control Board
Regional Programs Unit
Division of Financial Assistance
- State Water Resources Control Board
Student Intern, 401 Water Quality Certification Unit
Division of Water Quality
- State Water Resources Control Board
Phil Crader
Division of Water Rights
- Dept. of Toxic Substances Control
CEQA Tracking Center
- Department of Pesticide Regulation
CEQA Coordinator

Regional Water Quality Control Board (RWQCB)

- RWQCB 1
Cathleen Hudson
North Coast Region (1)
- RWQCB 2
Environmental Document Coordinator
San Francisco Bay Region (2)
- RWQCB 3
Central Coast Region (3)
- RWQCB 4
Teresa Rodgers
Los Angeles Region (4)
- RWQCB 5S
Central Valley Region (5)
- RWQCB 5F
Central Valley Region (5)
Fresno Branch Office
- RWQCB 5R
Central Valley Region (5)
Redding Branch Office
- RWQCB 6
Lahontan Region (6)
- RWQCB 6V
Lahontan Region (6)
Victorville Branch Office
- RWQCB 7
Colorado River Basin Region (7)
- RWQCB 8
Santa Ana Region (8)
- RWQCB 9
San Diego Region (9)

Other _____

 Conservancy



PECHANGA CULTURAL RESOURCES
Temecula Band of Luiseño Mission Indians

Post Office, Box 2183 • Temecula, CA 92593
Telephone (951) 308-9295 • Fax (951) 506-9491

July 30, 2012

VIA E-MAIL and USPS

Mr. Mark Slovick
Project Manager
County of San Diego
Department of Planning and Land Use
5201 Ruffin Road, Ste B
San Diego, CA 92123-166

Re: Pechanga Tribe Comments on the Notice of Preparation for a Draft Environmental Impact Report and a Request for Tribal Consultation Under SB18 for the Lilac Hills Ranch master Planned Community

Dear Mr. Slovick:

This comment letter is written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government in response to a Notice of Preparation (NOP) dated June 28, 2012 and a request for SB18 Consultation dated May 31, 2012. The Tribe formally requests, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project"). Please add the Tribe to your distribution list(s) for public notices and circulation of all documents, including environmental review documents, archeological reports, and all documents pertaining to this Project. The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning this Project. Please also incorporate these comments into the record of approval for this Project.

The Tribe submits these comments concerning the Project's potential impacts to cultural resources in conjunction with the environmental review of the Project and to assist the County in developing appropriate avoidance and preservation standards for portions of the significant Luiseño Village Complex that the Project impact. Furthermore, these comments are intended to initiate SB18 and CEQA consultation and should not be construed as to complete the County's SB18 consultation mandate.

The Tribe is very concerned about the proposed development and believes that unless the Project is designed to avoid and preserve them, sensitive cultural resources will be impacted significantly and likely destroyed. The Tribe informs the County and the Project archaeologist that this Property is located within a Luiseño village and a traditional landscape. While we do

Chairperson:
Germaine Arenas

Vice Chairperson:
Mary Bear Magee

Committee Members:
Evie Gerber
Darlene Miranda
Bridgett Barcello Maxwell
Aurelia Marruffo
Richard B. Scarce, III

Director:
Gary DuBois

Coordinator:
Paul Macarro

Cultural Analyst:
Anna Hoover

not have a Luiseño name for this village at this time, ongoing research will provide us with this information in the future. The Tribe is also aware that at least seven previously recorded cultural sites are located within the Project boundaries and we expect many more cultural sites to be identified during the archaeological survey. Additional information and recommendations are provided below.

**THE COUNTY OF SAN DIEGO MUST INCLUDE INVOLVEMENT OF AND
CONSULTATION WITH THE PECHANGA TRIBE IN ITS ENVIRONMENTAL
REVIEW PROCESS**

It has been the intent of the Federal Government¹ and the State of California² that Indian tribes be consulted with regard to issues which impact cultural and spiritual resources, as well as other governmental concerns. The responsibility to consult with Indian tribes stems from the unique government-to-government relationship between the United States and Indian tribes. This arises when tribal interests are affected by the actions of governmental agencies and departments. In this case, it is undisputed that the project lies within the Pechanga Tribe's traditional territory. Therefore, in order to comply with CEQA and other applicable Federal and California law, it is imperative that the County of San Diego consult with the Tribe in order to guarantee an adequate knowledge base for an appropriate evaluation of the Project effects, as well as generating adequate mitigation measures.

**LEAD AGENCY CONSULTATION WITH THE PECHANGA TRIBE REQUIRED
PURSUANT TO CAL. GOVT. C. §§ 65351, 65352, 65352.3, AND 65352.4
(SENATE BILL 18 – TRADITIONAL TRIBAL CULTURAL PLACES LAW)**

As this Project entails a General Plan Amendment and a Specific Plan, the County of San Diego is required to consult with the Pechanga Tribe pursuant to a State law entitled Traditional Tribal Cultural Places (also known as SB 18; Cal. Govt. C. § 65352.3). The purpose of consultation is to identify any Native American sacred places and any geographical areas which could potentially yield sacred places, identify proper means of treatment and management of such places, and to ensure the protection and preservation of such places through agreed upon mitigation (Cal. Govt. C. 65352.3; SB18, Chapter 905, Section 1(4)(b)(3)). Consultation must be government-to-government, meaning directly between the Tribe and the Lead Agency, seeking agreement where feasible (Cal. Govt. C. § 65352.4; SB18, Chapter 905, Section 1(4)(b)(3)). Lastly, any information conveyed to the Lead Agency concerning Native American sacred places shall be confidential in terms of the specific identity, location, character and use of those places and associated features and objects. This information is not subject to public disclosure pursuant to the California Public Records Act (Cal. Govt. C. 6254(r)).

¹ See e.g., Executive Memorandum of April 29, 1994 on Government-to-Government Relations with Native American Tribal Governments, Executive Order of November 6, 2000 on Consultation and Coordination with Indian Tribal Governments, Executive Memorandum of September 23, 2004 on Government-to-Government Relationships with Tribal Governments, and Executive Memorandum of November 5, 2009 on Tribal Consultation.

² See California Public Resource Code §5097.9 et seq.; California Government Code §§65351, 65352.3 and 65352.4

Please accept this letter as the Tribe's formal request for consultation under SB 18 for this Project. As such, the Tribe hereby invokes its right to consult with the County of San Diego under SB 18. We request that a face-to-face meeting with representatives of the County only be scheduled as soon as possible so that we can begin discussing our concerns regarding the presence of cultural resources in the area and the proposed Project's impact to such resources.

As you know, the SB 18 consultation process is ongoing and continues for the duration of the Project. As such, under both CEQA and SB 18 we look forward to working closely with County on ensuring that a full, comprehensive environmental review of the Project's impacts is completed. Further, we hope to assist the County with ensuring that the Project is designed to avoid impacts to cultural resources, as mandated by CEQA, in addition to developing mitigation measures addressing the culturally appropriate and respectful treatment of human remains, cultural resources and inadvertent discoveries.

PECHANGA CULTURAL AFFILIATION TO PROJECT AREA

The Pechanga Tribe asserts that the Project area is part of Luiseño, and therefore the Tribe's, aboriginal territory as evidenced by the existence of Luiseño place names, *tóota yixélval* (rock art, pictographs, petroglyphs), and an extensive Luiseño artifact record in the vicinity of the Project.

D. L. True, C. W. Meighan, and Harvey Crew³ stated that the California archaeologist is blessed "with the fact that the nineteenth-century Indians of the state were direct descendants of many of the Indians recovered archaeologically, living lives not unlike those of their ancestors." Similarly, the Tribe knows that their ancestors lived in this land and that the Luiseño peoples still live in their traditional lands. While we agree that anthropological and linguistic theories as well as historic accounts are important in determining traditional Luiseño territory, the Pechanga Tribe asserts that the most critical sources of information used to define our traditional territories are our songs, creation accounts and oral traditions. Luiseño history begins with the creation of all things at *'éxva Teméeku (EHK-vah Te-MEH-koo)*, known today as Temecula, which is located less than 10 miles from the Project. The first people or *Káamalam (KAH-mah-lam)* were born at this location and dispersed to all corners of creation (what is today known as Luiseño territory). The last of the *Káamalam* born was *Wuyóot (We-YOUGHT)*. He was innately gifted with *ayélkwish (ah-YELL-kwish)* or knowledge, and he learned how to make the first food, *tóovish (TOH-vish, white clay)*, to feed the *Káamalam*. It is said *Wuyóot* gave the people ceremonial songs when he lived at *'éxva Teméeku*.⁴ While the following creation account is a brief summary, it does demonstrate that the Luiseño people have knowledge of and are affiliated

³ D. L. True, C. W. Meighan, and Harvey Crew. Archaeological Investigations at Molpa, San Diego County, California, *University of California Press* 1974 Vol. 11, 1-176

⁴ Constance DuBois 1908. The Religion of the Luiseño Indians of Southern California. *University of California Publications in American Archaeology and Ethnology* 8(3):69-186.

with the Lilac Hills Ranch Project area. The Tribe has much more information that can assist the County and the Project archaeologist with analysis and evaluation of this traditional landscape.

According to the creation narratives, *Wuyóot* was poisoned at a location less than 2.5 miles from the Project, and in an attempt to be cured, he visited several hot springs within Luiseño territory. The First People followed *Wuyóot* throughout the territory and he named the places as they traveled. Upon *Wuyóot's* death, he was taken to 'éxva *Teméeku* and cremated. *Wuyóot's* passing was the first death of the *Káamalam* and they were frightened by the event. A traditional song recounts the travels of eagle, as he searches for a place where there was no death. His travels begin at Temecula, flying north to San Bernardino and then to the east, south, and west through Julian, Cuyamaca, and Palomar, and returning to Temecula.⁵ After a Grand Council of the *Káamalam*, they dispersed from 'éxva *Teméeku*, establishing villages and marking their territory. The first people also became the mountains, plants, animals and heavenly bodies. Songs called *Monivol* (*moh-NEE-vull*), speak of the places and landmarks that were destinations of the Luiseño ancestors, several of which are located near the Project area. They describe the exact migration route of the Temecula people and the landmarks made by each to claim title to their places.⁶

The Pechanga Tribe has a specific legal and cultural interest in this Project as the Tribe is culturally affiliated with the geographic area. The Tribe has specific knowledge of cultural resources and sacred places near the proposed Project. The Tribe will provide more detailed information regarding cultural affiliation to the County in our SB18 face to face consultation and throughout the CEQA process for this Project.

PROJECT IMPACTS TO CULTURAL RESOURCES AND REQUESTED TRIBAL PARTICIPATION

The proposed Project is on land that is within the traditional territory of the Pechanga Band of Luiseño Indians. The Tribe's primary concerns stem from the Project's proposed impacts on Native American cultural resources. Our concerns lie with the protection of unique and irreplaceable cultural resources, such as Luiseño village sites, sacred sites and archaeological items which would be displaced by ground disturbing work on the Project, and on the proper and lawful treatment of cultural items, Native American human remains and sacred items likely to be discovered in the course of the work.

Not only is the Tribe concerned about direct impacts to cultural resources, which we believe can be avoided with adequate Project design, but with indirect impacts as well. The Tribe requests that the County adequately assess all auditory, visual, cumulative and growth-related impacts to cultural resources in the Draft EIR. Long-term protection for cultural resources is also vital to the Project's planning strategy and to the appropriate protection for

⁵ Ibid.

⁶ Ibid, p.110.

cultural resources. Given the size and anticipated uses of this Project, the Tribe requests to work closely with the County to develop a long-term strategy for better preservation of cultural resources. For example, we have worked on several projects in which prominent rock outcroppings were preserved and avoided during construction activities. However, the Lead Agency did not provide for any long term care and as families and development moved into these areas, the rock outcroppings were subject to graffiti and the *tóota yixélval* was permanently impacted. We ask that the County of San Diego work diligently with the Tribe to preserve and avoid construction related and long-term impacts to cultural resources. We request to also work together to preserve these resources in the future by planting native species, engineering walls or fences, developing community watch groups, or other methods that deter vandals.

The Tribe requests to be involved and participate with the County in assuring that an adequate environmental assessment is completed, and in developing all monitoring and mitigation plans and measures for the duration of the Project. In addition, given the sensitivity of the Project area, it is the position of the Pechanga Tribe that professional Pechanga tribal monitors be required to be present during all ground-disturbing activities conducted in connection with the Project.

The CEQA Guidelines state that lead agencies should make provisions for inadvertent discoveries of cultural resources (CEQA Guidelines §15064.5). To support any conditions of approval/mitigation measures applied to the Project, it is the position of the Pechanga Tribe that an agreement specifying appropriate treatment of inadvertent discoveries of cultural resources be executed between the Project Applicant/Developer and the Pechanga Tribe.

The Tribe believes that adequate cultural resources assessments and management must always include a component which addresses inadvertent discoveries. Every major State and Federal law dealing with cultural resources includes provisions addressing inadvertent discoveries (See e.g.: CEQA (Cal. Pub. Resources Code §21083.2(i); 14 CCR §1506a.5(f)); Section 106 (36 CFR §800.13); NAGPRA (43 CFR §10.4). Moreover, most state and federal agencies have guidelines or provisions for addressing inadvertent discoveries (See e.g.: FHWA, Section 4(f) Regulations - 771.135(g); CALTRANS, Standard Environmental Reference - 5-10.2 and 5-10.3). Because of the extensive presence of the Tribe's ancestors within the Project area, it is not unreasonable to expect to find vestiges of that presence. Such cultural resources and artifacts are significant to the Tribe as they are reminders of their ancestors. Moreover, the Tribe is expected to protect and assure that all cultural sites of its ancestors are appropriately treated in a respectful manner. Therefore, as noted previously, it is crucial to adequately address the potential for inadvertent discoveries.

Further, the Pechanga Tribe believes that if human remains are discovered, State law would apply and the mitigation measures for the permit must account for this. According to the California Public Resources Code, § 5097.98, if Native American human remains are discovered, the Native American Heritage Commission must name a "most likely descendant," who shall be consulted as to the appropriate disposition of the remains. Given the Project's location in

Pechanga Comment Letter to the County of San Diego
Re: Pechanga Tribe Comments on the Lilac Hills Ranch Project
July 30, 2012
Page 6

Pechanga territory, the Pechanga Tribe intends to assert its right pursuant to California law with regard to any remains or items discovered in the course of this Project.

The Tribe reserves the right to fully participate in the environmental review process, as well as to provide further comment on the Project's impacts to cultural resources and potential mitigation for such impacts. We look forward to working proactively with the County to ensure that the potential impacts to cultural resources are assessed not only to the standards required by CEQA, but in a manner that acknowledges and respects traditional tribal world views and concerns. As we progress further in the environmental review of this Project, we may offer additional mitigation measures. Please note that the comments contained within this letter are our initial concerns and do not contain all of the requested mitigation and avoidance measures that may apply to this Project. Once we have additional information, we can work together with the County on such measures.

The Pechanga Tribe looks forward to working together with the County of San Diego in protecting the invaluable Pechanga cultural resources found in the Project area. Please contact me at 951-770-8104 or at ahoover@pechanga-nsn.gov once you have had a chance to review these comments so that we might address the issues concerning the mitigation language. Thank you.

Sincerely,



Anna Hoover
Cultural Analyst

Cc Pechanga Office of the General Counsel
Gail Wright, San Diego County Archaeologist

Slovick, Mark

From: Reyes, Mary [mreyes@qualcomm.com]
Sent: Monday, July 30, 2012 2:22 PM
To: Slovick, Mark
Subject: Lilac Hills Ranch / Accretive project

NAME: Mary Reyes
PHYSICAL ADDRESS: 9750 Adam Court, Escondido, CA 92026
PHONE NUMBER: 760.751.0693
PROJECT INFO: Lilac Hills Ranch / Accretive project

As a homeowner of Circle R Ranch Estates, I purchased my home on 2+ acres with the idea of living and retiring in a quiet, scenic community. The view that we have enjoyed is to be dotted with homes and the dirt road behind my home is to become a 4-lane road? So a developer/builder can make some bucks? If a developer can adjust the lots proposed to put more houses on the area, they will. It is called developer greed. Just drive by Carmel Mountain ranch sometime if you want to see an example. I worked for Civil Engineers when the homes were built in that area.

For the developer: You want to encroach on our views, our land and our quiet scenic community. You want to assess us to fund a project we do not want or support. You create a smokescreen of what you will do for the community without highlighting what you are proposing *to do to and take away from* the existing landowners. What about our natural resources and the impact of our air quality, and the impact to area wildlife? Look around where you want to build. Our areas are not densely populated. You misrepresent Smart Growth, dropping a project in a green field area without the infrastructure to support it and you attempt to defile the preservation of our rural areas, by suggesting movement of 4.4 million cubic yards of earth, which will impact animal and plant life and affect our air quality. Concerns regarding circulation abound. The information is sketchy at best. What about clearly defining information on fire protection, proposed school location, the project's impact on roadways, whether the solar facility is proposed or part of the plan, who is financing the water facilities, how many units are being considered for the senior citizen village, standards for drainage for the project, and clear project phasing details. How can we adequately comment on details when what we have been given has not been complete?

For you: How is it that the applicant was able to provide displays that were **not** part of what the public was given to review for the EIR? DPLU should provide displays of what the public is to comment on and not allow the applicants to guide the meetings. Why did that happen? ***Sleight of hand and deception should not have a place at these meetings or in any meetings or in any documentation associated with the approval process for this project.*** The homeowners being affected by the proposed project have been open and honest in their dealings, as have been the Valley Center Community Planning Group. Have others involved in this process done the same? I think not.

RINCON BAND OF LUISEÑO INDIANS

Culture Committee

Post Office Box 68 · Valley Center, California 92082 ·
(760) 297-2621 or (760) 297-2622 & Fax:(760) 749-8901



July 30, 2012

County of San Diego
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123

Re: Lilac Hills Ranch Master Planned Community – Notice of Preparation of an Environmental Impact Report

Dear County of San Diego,

This letter is written on behalf of the Rincon Band of Luiseño Indians, and we are submitting comments on the above named project. The Rincon Band has concerns for impacts, disturbances, and destruction to historic properties, cultural resources, and findings of significant value that are considered culturally important to the Luiseño people. This is to inform you that the identified location is within the Aboriginal Territory of the Luiseño people, and also within Rincon's historic boundaries.

We express great interest in the cultural significance of the project site and the surrounding area, and we voice the following concerns and recommendations. We are concerned that inadvertent archaeological discoveries will be made as evidenced by the "Potentially Significant Impact" levels indicated under Section V – Cultural Resources at Items a, b, c, d, and e. Considering the tremendous amount of soil that will be impacted as stated in the EIR at 4.4 million cubic yards, we recommend that archaeological and Native American Monitors be present for all ground disturbance activities. We also recommend that avoidance be adopted as a strategy to protect and preserve cultural resources. The report also identifies "Potentially Significant Impact" levels for Section III – Air Quality at Items a, b, c, d, and e, and we have concern that dust dispersion from the large soil disturbance poses a health risk through the spread of fine silica particles to surrounding areas, our Reservation included.

If you have any questions, please contact (760) 297-2635. Thank you for this opportunity to protect and preserve our cultural assets.

Sincerely,

A handwritten signature in cursive script that reads 'Rose Duro'.

Rose Duro
Rincon Culture Committee Chair

Bo Mazzetti
Tribal Chairman

Stephanie Spencer
Vice Chairwoman

Charlie Kolb
Council Member

Steve Stallings
Council Member

Laurie E. Gonzalez
Council Member



July 27, 2012

File Number 3330300

401 B Street, Suite 800
San Diego, CA 92101-4231
(619) 699-1900
Fax (619) 699-1905
www.sandag.org

Mr. Mark Slovick
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123

Dear Mr. Slovick:

SUBJECT: Comments on Lilac Hills Ranch Master Planned Community Notice of Preparation

MEMBER AGENCIES

- Cities of
- Carlsbad
- Chula Vista
- Coronado
- Del Mar
- El Cajon
- Encinitas
- Escondido
- Imperial Beach
- La Mesa
- Lemon Grove
- National City
- Oceanside
- Poway
- San Diego
- San Marcos
- Santee
- Solana Beach
- Vista
- and
- County of San Diego

Thank you for the opportunity to comment on the Lilac Hills Ranch Master Planned Community Notice of Preparation (NOP).

Our comments are based on policies included in the Regional Comprehensive Plan (RCP) and the 2050 Regional Transportation Plan (RTP) and its Sustainable Communities Strategy (SCS), and are submitted from a regional perspective, emphasizing the need for land use and transportation coordination and implementation of smart growth and sustainable development principles. The goal of these regional plans is to focus housing and job growth in urbanized areas where there is existing and planned transportation infrastructure to create a more sustainable region.

The 2050 RTP and its SCS sets forth a multimodal approach to meeting the region's transportation needs. Therefore, it is recommended that traffic analysis consider the needs of motorists, transit riders, pedestrians, bicyclists, and the implementation of a robust Transportation Demand Management (TDM) Program.

SANDAG recommends that the following comments be addressed and analyzed in the Lilac Hills Ranch Master Planned Community Draft Environmental Impact Report:

Population and Housing: Please provide existing conditions and future scenario analysis for multimodal transportation options, including but not limited to transit, bike, pedestrian, telecommute, TDM, etc.

Transportation and Traffic: In the event that there are direct and/or cumulative significant impacts to the transportation network from the project, consider project mitigation, including fair share contributions.

Congestion Management Program: Please note that the San Diego region elected to opt out of the California State Congestion Management Program in October 2009. Please refer to the 2050 RTP, Technical Appendix 20 - SANDAG Federal Congestion Management Process and the Regional Multimodal Transportation Analysis report for guidance related to the congestion management process.

ADVISORY MEMBERS

- Imperial County
- California Department of Transportation
- Metropolitan Transit System
- North County Transit District
- United States Department of Defense
- San Diego Unified Port District
- San Diego County Water Authority
- Southern California Tribal Chairmen's Association
- Mexico

Transportation Demand Management

Currently, North County Transit District (NCTD) Routes 388 and 389 form a loop around the proposed community connecting to the Escondido Transit Center. This route also travels along Interstate 15 to connect the Escondido Transit Center with State Route 76. However, no transit stops currently serve the project area, as it is not yet developed. Is this project being designed so as to incorporate transit service? Please address how the development will connect to the regional transit network. With senior housing being proposed, it will be important to ensure that seniors, many of whom may not have access to vehicles, will have access to transit.

Please consider traffic calming measures and adequate bike and pedestrian facilities around the proposed school given the likelihood that students will walk, bike, or take transit to the school.

Due to the size of this project, consider developing a TDM plan that establishes non single-occupancy vehicle (SOV) mode share goals and a description of how TDM services and programs will be delivered and contribute towards those goals. The proactive integration of TDM programs and features into the development can help to reduce parking demand, provide transportation choices for residents, and mitigate the traffic impacts associated with the intensification of land uses. TDM measures to consider include:

- Subsidized transit passes for tenants
- Shuttle service to commercial areas and to the transit center
- Promotion of iCommute services (Ridematching, Vanpool Program, Guaranteed Road Home, SchoolPool, etc.) for tenants

Please work with the SANDAG iCommute Program to develop and implement a TDM plan that can assist future residents and employees with reducing both commute and non-commute SOV trips. Also, please refer to *Integrating Transportation Demand Management into the Planning and Development Process* for methods of incorporating TDM into the development.

Please also address how the proposed and existing recreational facilities will be fully accessible to community residents and employees by multiple modes so as to reduce the need for a vehicle to access these facilities.

Natural Environment

A key RCP objective is to preserve and maintain natural areas in urban neighborhoods, such as canyons and creeks, and provide access for the enjoyment of the region's residents. Please consider these criteria if applicable to your project.

Consultation with NCTD and Caltrans

SANDAG advises the project applicant to consult with NCTD, the transit service provider within the project area, and Caltrans to coordinate planned transit and/or highway improvements.

Other Considerations

Please consider the following State of California laws and Executive Order when developing the Draft Environmental Impact Report: Assembly Bill 32 (Nunez, 2006), Senate Bill 375 (Steinberg, 2008) (SB 375), SB 97 (Dutton, 2007), and Executive Order S-13-08, which call for analysis of greenhouse gas emissions. Additionally, it is suggested that consideration be given to the policies included in the SANDAG Regional Energy Strategy, which promote the reduction of energy demand and water consumption.

We appreciate the opportunity to comment on the Lilac Hills Ranch Master Planned Community NOP. We also encourage the County of San Diego, where appropriate, to consider the following tools in evaluating this project based on the following SANDAG publications, which can be found on our Web site at www.sandag.org/igr.

- (1) *Designing for Smart Growth, Creating Great Places in the San Diego Region*
- (2) *Planning and Designing for Pedestrians, Model Guidelines for the San Diego Region*
- (3) *Trip Generation for Smart Growth*
- (4) *Parking Strategies for Smart Growth*
- (5) *Regional Multimodal Transportation Analysis: Alternative Approaches for Preparing Multimodal Transportation Analysis in EIRs*
- (6) *Integrating Transportation Demand Management into the Planning and Development Process - A Reference for Cities*
- (7) *Riding to 2050, the San Diego Regional Bike Plan*

If you have any questions or concerns regarding this letter, please contact me at (619) 699-1943 or Susan.Baldwin@sandag.org.

Sincerely,



SUSAN BALDWIN
Senior Regional Planner

SBA/RSA/mmo

Slovick, Mark

From: Floann Sannipoli [fmsannipoli@gmail.com]
Sent: Monday, July 30, 2012 3:47 PM
To: Slovic, Mark
Cc: Florence Griffis; Floann Sannipoli; fred@mywhited.com
Subject: Re: EIR deadline

Mr. Mark Slovic: RE: Lilac Hills Ranch 3800 12-001 (GPA), 3810 5571 (TM), 3100 5572 (TM), 3940 12-001 (VAC): Environmental Log NO. : 3910 12-02-003 (ER)

Comments from Floann M. Sannipoli, 9542 Covey Lane, Escondido, 92026 Phone: 760-731-2116
July 30, 2012

In looking over the sixteen subject areas in the Prep. Doc. dated 6/28/12 I could not find one which should be labeled "less than significant impact" or "not applicable". However, I will try to zoom in on only those which seem to me most troublesome.

1) Aesthetics. We currently reside where a minimum of 2 acre parcels is required for residential. In taking a look at the surrounding area (zoom out on google earth to a 5 ml radius from the center of the proposed development). Unlike some other communities which have done well when a developer of this magnitude comes in (i.e.San Elijo Hills), we are not a centrally located area. This proposed community will not change that. It cannot become the new "center". We are encompassed by valleys, ravines, hillsides, solid granite, streams, and much agriculture. The roads which lead in and out are minimal. Lilac Hills Ranch will take an area which has been set aside by the GPU for farming and a rural lifestyle and change it into a mini village of commercial zoning and high density housing, including apartments. So much for our skyline...

The wildlife will disappear. Or worse yet, cougars and coyotes will find their way into man's habitat only to be terminated by a dart gun and lethal injection through the means of the county's animal control. It's happening in Orange county...it will happen here as well.

I also fear the night skies will be greatly affected. We at present enjoy a totally black night with a few porch lights here and there, giving owls, bats and other wild night life the darkness needed for their search for food.For the last two years I had six owls living in a portion of my roof. They return every year. We now have owl boxes as do many of the neighbors, It is with certainty these will disappear with the lights which will come with Lilac Hills Ranch. There is also the observatory...high up on Palomar Mountain...I can see it from my street just as it will see the blur of electric street lighting and headlights from cars, IF Lilac Hills Ranch is built.

2) Agricultural Resources. It is obvious that Lilac Hills Ranch will decimate our groves...since they own a great portion of them! But they are not the only farmers out here! Many smaller growers of an assortment of fruits and organic vegetables, cactus, rare plants, tropical plants, and flowers speckle the countryside, creating cleaner air and local produce: both good and sustaining things which this development would potentially destroy.

I can't imagine any village homeowner wanting planes and helicopters flying over spraying nearby crops and orchards. When I see those planes I stay inside...but when a whole community of villagers are restricted...well, that's nonsense! This just isn't a place for a village of high density.

3) Air Quality. Well that's a no brainer! With the moving of 4,400,000 cubic yards of dirt I can't wait to see the dust storm! The silica alone will pollute crops, streams, and any lung breathing in it's tiny damaging particles.

4) Geology and Soils. see above statement #3. With much dirt moving topography shift occurs.

5) Hazards. See above reference to silica #3.

6) Greenhouse Gas Emissions & Noise. The two just go together. With more cars comes more emissions comes more noise pollution. We already get some noise from the freeway (I-15). This will tilt the scales! Especially with the Waste and Recycling Center trucks going up and down the determined street slated a few feet from my driveway!

7) Land Use and Planning. We have a GP that has taken years to complete. Was it all for nothing? Tax payers are tired of the County using our \$\$\$ to make new rules which then can be bought off and broken! We are a rural part of North County...just because some guy comes in and buys up land with the HOPES of changing everything about it from its topography, demography, and use (agriculture to high density housing and commercial), with no mind to the lack of infrastructure and roads and employment means, doesn't mean he gets it. We were here first...under the guidelines of the county zoning ordinances, and have followed all the rules...1,746 high density homes? REALLY?

8) Transportation and Traffic. No roads except the ones already in circulation means a huge problem when traffic from 1,746 homes pour onto them in the following occasions: to and from school (Valley Center, Bonsal or Fallbrook), work (north on the 15 to Riverside County or south on the 15 towards San Diego, or the 76 to the coast), and in the event of fire...something we are quite familiar with here in Valley Center. That most people leave for work between the hours of 6 am and 8am and most people leave for school between the hours of 7am and 8am makes it very clear there will be congestion on the Lilac Bridge, which is only two lanes, on Lilac Rd. which is two very twisty and narrow lanes and Circle R which also is only two narrow and twisty lanes. Now add a fire, and you have mayhem.

In summary, Lilac Hills Ranch will be a scar on our back country, robbing the County of San Diego its natural resources and wild life recreation area. It violates every aspect of the environment and is not a sustainable or contributing community, but an unreasonable and lecherous greedy dream.

Floann Sannipoli



San Diego County Archaeological Society, Inc.

Environmental Review Committee

22 July 2012

RECEIVED

JUL 25 2012

San Diego County
DEPT. OF PLANNING & LAND USE

To: Mr. Mark Slovick
Department of Planning and Land Use
County of San Diego
5201 Ruffin Road, Suite B
San Diego, California 92123-1666

Subject: Notice of Preparation of a Draft Environmental Impact Report
Lilac Hills Ranch Master Planned Community
GPA 12-01, SP 12-001, TM 5571, TM 5572, REZ 12-003, MUP 12-001,
VAC 12-001, Log No. 12-02-003

Dear Mr. Slovick:

Thank you for the Notice of Preparation for the subject project, received by this Society last month.

We are pleased to note the inclusion of cultural resources in the list of subject areas to be addressed in the DEIR, and look forward to reviewing it during the upcoming public comment period. To that end, please include us in the distribution of the DEIR, and also provide us with a copy of the cultural resources technical report(s).

SDCAS appreciates being included in the County's environmental review process for this project.

Sincerely,

A handwritten signature in black ink, appearing to read "James W. Royle, Jr.", is written over the typed name.

James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: SDCAS President
File

Slovick, Mark

From: Smith, Oliver [oliver.smith@philips.com]
Sent: Monday, July 30, 2012 2:22 PM
To: Slovick, Mark; Ramaiya, Jarrett; Gibson, Eric
Cc: morgan7070@cox.net; hutchisonsm@gmail.com
Subject: Lilac Hills Ranch EIR NOP comments

Mark,

My personal input on the Lilac Ranch EIR NOP:

- 1) The EIR is premature as there are inadequate specifics upon which to base it on.
- 2) Air quality is significantly affected for a significant period of time over a very large area by silicates put into the atmosphere by moving 4+ million cubic yards of dirt.
- 3) Will zero dirt cut and fill be seriously evaluated as a reasonable alternative? What is the minimum cut and fill volume that will be formally evaluated?
- 4) Soil liquefaction is a significant concern when the developer proposes to cut and fill 4+ million cubic yards of dirt.
- 5) Adequacy of roads is significantly impacted by amount and location of commercial property and the requirements of the fire district. Until a plan takes that into account, no EIR analysis does not have a valid initial assumption.
- 6) A moving target generated by county informal communications with the developer and the community being kept out of the loop results in a mishmash EIR whose inputs have not been properly evaluated by the county and vetted by the public.

Oliver Smith
Chair, VCCPG

The information contained in this message may be confidential and legally protected under applicable law. The message is intended solely for the addressee(s). If you are not the intended recipient, you are hereby notified that any use, forwarding, dissemination, or reproduction of this message is strictly prohibited and may be unlawful. If you are not the intended recipient, please contact the sender by return e-mail and destroy all copies of the original message.

July 26, 2012

Attn: Eric Gibson, Director
San Diego County
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123-1666



Re: Notice of Preparation of Lilac Hills Ranch Master Planned Community Environmental Impact Report; Project Numbers 3810 12-001(SP), 3100 5571(TM), 3100 5572(TM), 3800 12-001(GPA)

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. This project location is in close proximity to known village sites and is a shared use area that was used in ongoing trade between the Luiseno and Cahuilla tribes. Therefore it is regarded as highly sensitive to the people of Soboba.

Soboba Band of Luiseño Indians is requesting the following:

1. **Formal Government to Government** consultation in accordance to SB18. Including the transfer of information to the Soboba Band of Luiseno Indians regarding the progress of this project should be done as soon as new developments occur.
2. Soboba Band of Luiseño Indians continues to act as a consulting tribal entity for this project.
3. Working in and around traditional use areas intensifies the possibility of encountering cultural resources during the construction/excavation phase. For this reason the Soboba Band of Luiseño Indians requests that a Native American monitoring component be included as a mitigation measure for the Environmental Impact Report. The Tribe is requesting that a Treatment and Dispositions Agreement between the developer and The Soboba Band be provided to the County of San Diego prior to the issuance of a grading permit and before conducting any additional archaeological fieldwork
4. Request that proper procedures be taken and requests of the tribe be honored (Please see the attachment)

The Soboba Band of Luiseno Indians is requesting a face-to-face meeting between the County of San Diego and the Soboba Cultural Resource Department. Please contact me at your earliest convenience either by email or phone in order to make arrangements.

Sincerely,

Joseph Ontiveros
Soboba Cultural Resource Department
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

Cultural Items (Artifacts). Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer should agree to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. When appropriate and agreed upon in advance, the Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

The Developer should waive any and all claims to ownership of Native American ceremonial and cultural artifacts that may be found on the Project site. Upon completion of authorized and mandatory archeological analysis, the Developer should return said artifacts to the Soboba Band within a reasonable time period agreed to by the Parties and not to exceed (30) days from the initial recovery of the items.

Treatment and Disposition of Remains.

- A. The Soboba Band shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and grave goods shall be treated and disposed of with appropriate dignity.
- B. The Soboba Band, as MLD, shall complete its inspection within twenty-four (24) hours of receiving notification from either the Developer or the NAHC, as required by California Public Resources Code § 5097.98 (a). The Parties agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes.
- C. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The Soboba Band, as the MLD in consultation with the Developer, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains.
- D. All parties are aware that the Soboba Band may wish to rebury the human remains and associated ceremonial and cultural items (artifacts) on or near, the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The Developer should accommodate on-site reburial in a location mutually agreed upon by the Parties.
- E. The term "human remains" encompasses more than human bones because the Soboba Band's traditions periodically necessitated the ceremonial burning of human remains. Grave goods are those artifacts associated with any human remains. These items, and other funerary remnants and their ashes are to be treated in the same manner as human bone fragments or bones that remain intact.

Coordination with County Coroner's Office. The Lead Agencies and the Developer should immediately contact both the Coroner and the Soboba Band in the event that any human remains are discovered during implementation of the Project. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c).

Non-Disclosure of Location Reburials. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r). Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer agrees to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

SOB

INDIANS

Slovick, Mark

From: Lyn Townsend [lynrtownsend@gmail.com]
Sent: Monday, July 16, 2012 1:52 PM
To: Slovick, Mark
Cc: 'Diana Townsend'
Subject: Lilac Hills Ranch Master Planned Community

Importance: High

TO:
DEPARTMENT OF PLANNING AND LAND USE
5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1666
INFORMATION (858) 694-2960
TOLL FREE (800) 411-0017
www.sdcounty.ca.gov/dplu

RE: [LILAC HILLS RANCH MASTER PLANNED COMMUNITY; 3800 12-001 \(GPA\), 3810 12-001 \(SP\), 3100 5571 \(TM\), 3100 5572 \(TM\), 3600 12-003 \(REZ\), 3300 12-005 \(MUP\), 3940 12-001 \(VAC\), LOG NO. 3910 12-02-003](#)

Mr. Mark Slovick,

In response to the DPLU notice of preparation of an EIR dated June 28, 2012, I am sending the following comments at this time:

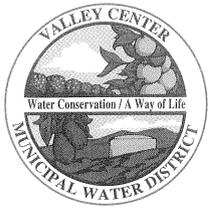
- After looking at the [project exhibit](#) and [USGS map](#) at the DPLU site, I found these boundaries in disagreement with previous maps and maps within the document at <http://www.sdcounty.ca.gov/dplu/docs/PC/2010/101217-5.pdf> (page 5-10). This last document is linked to the final [agenda](#) for the December 17, 2010 meeting which my wife and I attended. So, is the additional acreage a new development? If not, what would keep the developer from buying additional sections of land and just including that into whatever they happen to have on file. This change in the project boundary seems like an odd and improper way to do business. If this approach becomes standardized, the EIR should analyze the approach in its "Land Use and Planning" subject area.
- There is significant coastal scrub habitat within the project area and this habitat represents some of the last available for local indigenous wildlife (there are about 30 species of concerns listed at http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp for the Bonsall, Pala, Valley Center Quadrangles. A detailed T&E/SSC multi-year analysis will have to be completed to properly assess the environmental impact of development on wildlife movement in the corridor between Lancaster Mountain, the proposed Lilac Hills Ranch development and steep, undeveloped areas along and adjacent to US 395 to the south.
- Traffic congestion northbound is snarled every evening beneath the Lilac Bridge overpass on I-15 (and further north) because of the huge number of commuters from the Temecula/Murrieta areas. Commuters grow daily as the Temecula/Murrieta home prices remain low. Interestingly, Temecula in Riverside County appears to be using a policy of infill rather than the 'urban sprawl' type of development by the Lilac Hills Ranch in San Diego County. With the additional influx of cars by the proposed Lilac Hills Ranch development, I-15 traffic congestion will only worsen. The EIR needs to be synchronous with additional analysis by SanDag and I-15/395 corridor impacts.
- Watering of avocados and other traditional horticultural crops surrounding the project area is a high priority to maintain economic livelihoods. Assurances from the Lilac Ranch Hills developer will not suffice for analyzing environmental impact of water usage by up to 1746 residences. A specific, unbiased third-party (with no ties to the developer) needs to be selected to do a comprehensive water usage analysis. Selection of the third-party should be sanctioned by DPLU staff.
- During the December 17, 2012 meeting, a representative from the developer stated that they would provide busing of high school and other students forever if the development comes to fruition. For some reason, this testimony was

not documented in the meeting minutes (<http://www.sdcounty.ca.gov/dplu/docs/PC/2010/101217-MIN.pdf>). This should be included in the EIR – Public Service subject area.

- Use of school buses from the area will impede work hour commuting of existing residents on existing roads and will cause safety hazards for children.
- If the development comes to fruition, it will open the floodgates for further urban-sprawl, leap-frog developments in adjacent areas with it and other new developments being in contradiction to the GPU. These foreseeable future actions need to be included in the CEQA analysis as part of cumulative effects impacts.
- The EIR needs to look at amending the GPU with the urban-sprawl Lilac Hills Ranch and alternatives of: 1) infill within existing urban communities/boundaries such as Escondido and Fallbrook, and 2) the proposed Valley Center development near and around Valley Center Road (between Lilac and Cole Grade roads) which has local support and infrastructure.

Thank you for the opportunity to provide comments.

Lyn Townsend
9430 West Lilac Road, Escondido, CA 92026
lynrtownsend@gmail.com
Cell: (360) 903-8756



VALLEY CENTER MUNICIPAL WATER DISTRICT

A Public Agency Organized July 12, 1954

Board of Directors
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Director
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Director

July 30, 2012

Mark Slovik
County of San Diego
Dept. of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123-1666

Subject: Notice of Preparation of an Environmental Impact Report

Project: Lilac Hills Ranch Master Planned Community; 3800 12-001 (GPA), 3810 12-01 (SP), 3100 5571 (TM), 3100 5572 (TM), 3600 12-003 (REZ), 3300 12-005 (MUP), 3940 12001 (VAC), LOG NO. 3910 12-02-003

Dear Mark:

Thanks for the opportunity to comment on the Notice of Preparation for the Lilac Hills Ranch Project.

The initial study should clarify that multiple wastewater treatment options should be evaluated including, but not limited to, construction of an on-site water reclamation facility and expansion of the District's Lower Moosa Canyon Facility, or a combination of both. This discussion occurs on pages 8, 11 and 39 of the initial study.

To my knowledge new on-site water treatment facilities for potable water supplies would not be required for the project. Discussion in the initial study on pages 21 and 39 implies that new water treatment facilities would be required. Because of the hazards associated with chlorine gas, the District no longer supports its uses for disinfection of wastewater effluent (re: discussion on page 21).

The potential use of recycled water should be included in the discussion of water supplies on page 40 of the initial study. Also clarify that groundwater supplies would be used to supplement a non-potable recycled water distribution system for irrigation demands and not for potable use as implied in the initial study.

Sincerely,

Wally Grabbe, PE
District Engineer



July 25, 2012

RECEIVED
JUL 26 2012

Mr. Eric Gibson
Director, County of San Diego
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123-1666

DEPARTMENT OF PLANNING
AND LAND USE

RE: Valley Center-Pauma Unified School District Response to
Notice of Preparation of an Environmental Impact Report for the Lilac Hills Ranch
Master Planned Community

Dear Mr. Gibson:

In response to the Notice of Preparation of an Environmental Impact Report for the Lilac Hills Ranch Master Planned Community, the Valley Center-Pauma Unified School District, as the education agency responsible for providing K through Grade 12 education, is strongly opposed to the project for the following reasons:

1. The proposal is for a maximum of 1,745 dwelling units.
 $1,745 \times .5$ (factor from California Department of Education-CDE) = **873 Elementary School Students** – potentially 2 elementary schools or one very large campus. Please see the Site Development Guidelines from CDE:
<http://www.cde.ca.gov/ls/fa/sf/guideschoolsite.asp>

At $1,745 \times .2 =$ **349 High School Students** – possibly 1 small high school, or growth and impact mitigation at existing high school campuses, including at least 9 new classrooms, increases to administration, additional physical education space, and other minimum essential facilities and parking mitigation. Growth at the existing high school may require land acquisition. Please see the Site Development Guidelines from CDE:
<http://www.cde.ca.gov/ls/fa/sf/guideschoolsite.asp>

The locations of the sites must be contingent on CDE approval and take into consideration the requirements of Title 5, Code of Regulations:
<http://www.cde.ca.gov/ls/fa/sf/title5regs.asp>

Superintendent
Dr. Lou Obermeyer

Board of Trustees
Karen J. Burstein

Lori A. Johnson
Donald L. Martin

Barbara P. Rohrer
Mavany Calac Verdugo

Mr. Gibson, DPLU

July 25, 2012

Page Two

2. School site development must include all associated onsite and offsite environmental mitigations, storm water compliance, traffic mitigation, and similar development issues. Please note in the Initial Study on:
 - A. Page 6: I. Aesthetics a), b), c), d) all show Potential Significant Impacts
 - B. Page 21: VII. Hazard and Hazardous Materials show a) and b) Potential Significant Impacts
 - C. Page 35: XIV. Public Services shows Potential Significant Impacts

The District wants the EIR to review the impact to be able to bring levels of impact on the above to "less than significant" levels.

We would like to add that the project's land use plan should include a prospective location for the new facilities. The location should be where the District wants it and not the developer.

This project appears to possibly be in the Bonsall Union School District as well. We hope you are also requesting their input.

In addition to our concerns listed above, we are including communications from 2009 to 2011 that the District has had with the Developer and the DPLU in regards to potential impacts and issues.

At this time the District cannot support the project proposal until a comprehensive mitigation agreement can be reached. The district is open to further discussions with the developer so that appropriate school facilities will be available for students as the homes are developed.

Please contact us if you have need for further response.

Sincerely,



Dr. Lou Obermeyer

Superintendent

Valley Center-Pauma Unified School District



WESTERN CACTUS ENTERPRISES, INC.

9751 WEST LILAC ROAD

VALLEY CENTER, CA 92082

Date: July 30, 2012

DPLU Director Eric Gibson
DPLU Project Manager Mr. Mark Slovick
County of San Diego Department of Planning and Land Use
5201 Ruffin Rd. Ste B
San Diego, CA 92123

Ref: Public Scoping Inputs resulting from the July 17th, 2012 Accretive Lilac Hills Ranch Environmental Impact Report (EIR) Initial Study Lilac Hills Ranch Master Planned Community, 3800 12-001 (GPA), 3810 12-001 (SP), 3100 5571 (TM), 3100 5572 (TM), 3600 12-003 (REZ), 3300 12-005 (MUP).

Dear Director Gibson and Project Manager Slovick:

We concur with the overall complaint that the EIR Impact Study for the Accretive project is premature due to its lack of detail.

Furthermore, the General Plan says that it will protect agriculture. Historically agriculture and high density uses do not mix well. There are continual problems when trying to ensure compatibility of high density uses with existing and future adjacent agricultural operations.

With regard to Agriculture, the following impacts should be studied.

Specific Effects to the Agricultural operation of Western Cactus

We are an international supplier of rare and endangered cactus and other succulent species. We have a heavy export schedule to our wholesale customers. Countries to which we ship and have shipped include Canada, Mexico, Denmark, Netherlands, Scotland, England, France, Germany, Switzerland, Austria, Spain, Italy, Malta, China,

Taiwan, South Korea, Japan, Thailand, Malaysia, Australia, New Zealand and Saudi Arabia.

We are subject to export controls under CITES, the Convention on International Trade in Endangered Species. 5,000 species of animals and 28,000 species of rare and endangered plants are protected from exploitation by controls on import, export and re-export.

175 countries are ratified members of CITES, with Bosnia and Herzegovina the newest. Since CITES came in force (1975) only one species protected by the Convention has become extinct in the wild as a result of trade, the Spix's Macaw.

CITES protects species in the wild from commercial "collectors" (poachers and smugglers) who will often take *all* rare specimens they find, leaving no native breeding stock.

Both danger and profits were great for smugglers.

For the plants and animals, there was only danger.

Often, they did not survive capture, uprooting and transport, and would be sold on the clandestine market to commercial interests that were incapable of nurturing the stressed, weakened plants and animals, or providing habitat for them to thrive.

Seed collectors are just as destructive. Seeds are easier to hide and smuggle. Often smugglers strip entire habitats of rare seeds, leaving no means for the colony to reproduce.

Attached are CITES certificates, which we prepare for every export shipment. In conformance with CITES, permits are issued by the Division of Management Authority, U.S. Fish and Wildlife Service, Department of the Interior, under the authority of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq).

Every export shipment is certified first by a State and then a Federal inspector.

We produce and sell over 400 species of plants. We are required to report all varieties that are protected by CITES (see pdf attachment pages 1-11). Our approved list has over 280 species from the following plant families: Agaveceae; Apocynaceae; Cactaceae; Euphorbiaceae; Fouquieriaceae; Liliaceae.

The plants listed on our CITES are classified as Appendix II.

Appendix I plants are considered the most endangered of the CITES listed plants. Since these are threatened with total extinction in the wild, CITES prohibits international trade. That is why Aloe susanne, (which is an Appendix I plant), is *not* on our CITES

list. While we cannot ship to international customers, we are permitted to sell it domestically. We have been propagating Aloe susanne from seed for over 20 years and have had it available for sale to our customers during this time.

That is our goal: to successfully reproduce, in the US, rare and endangered plants so they are available to US and international collectors. This thwarts illegal poaching of plants and seeds in the wild.

There is a lengthy process to receive approval to add any new variety to our export list. If we want to add new species, we must contact Fish and Wildlife in Washington D.C. and prove to them that we have mother plants.

Only after we prove that we have the ability to reproduce from our own plant stock, will Fish and Wildlife add the plant to our list. Our collection is a result of over 40 years of work and continued effort to maintain our mother plants. This is the reason our inventory of mature in-ground mother plants is so valuable to us.

Getting plants to the flowering stage takes many years. Pollination by bats, bees, night-flying moths and other insects is a significant factor. This decreases dramatically in urban areas, especially due to widespread night lighting. It is another important reason we bought the land on West Lilac: rural agricultural zoning, with little night illumination.

From seed, most cactus take three years to get to a 2" pot size. Once planted in the field some varieties take **decades** before they flower and produce seed. The work is precise, our employees are expert at this, and have been with us for many years. It is, literally, a hands-on operation.

It is evident that our operation has a lot at stake. It cannot simply pick up and move to another location. It has taken decades to get this location into production and it is impossible to find a location with the same climatic qualities.

The night illumination from the development will disrupt our ability to propagate endangered species. Having high density close by will also affect how we can treat plants for disease and/or fungus if spraying is required (impacts to the ability to use pesticides and fumigants).

Three generations of the Britsch Family have come before you previously asking that you remove road 3A and not let it cut through and destroy our business. The Board of Supervisors unanimously voted to remove the road and we again thank them for their vision to protect agriculture. Similarly, allowing this high density in such proximity to us will choke our operation out of existence.

The simple question is, does the county want to mulch twelve years' work on the Update in North County, just to put an urban, commuter community on productive farmland ... that can never be replaced?

Overall effects to Agriculture in the area:

Historically agriculture and high density uses do not mix well. There are continual problems when trying to ensure compatibility of high density uses with existing and future adjacent agricultural operations. The general plan says that it will protect agriculture. The Agricultural resource statement states that it will: "Minimize land use conflicts, preserve agricultural resources, and support long term presence and viability of the agriculture industry as an important component of the region's economy and open space linkage." The newly adopted General Plan identifies this area as 4 acre; 10 acre and 20 acre parcels. It did not identify this area for high density uses. The new General Plan identified numerous areas to place high density and that is where it should be placed. At one time, Encinitas was the flower capital of the world. It is one of the best places to grow flowers due to its climate. There are no flower growers left due to the fact that the land became too expensive to farm and due to the incompatibility of Ag and high density. Agriculture doesn't have a chance against the profits of high density. Growers have had to move inland. However, they can only move so far before the benefits of the weather are no longer available. The further east you go the less mild the climate gets: the hot and cold extremes limit what can be grown. Therefore it is crucial to protect the areas that are left. The West Lilac area is such an area. The mild climate allows a multitude of crops to be grown.

Allowing for high density in this area will increase the property values and create conflicts between growers and residents to a point where the growers eventually be non-existent in the area. One of our neighbors is a flower grower that is directly adjacent to the project. He does use aerial spraying. If this project is approved there will be a high incentive for him to sell. The value of his land will increase dramatically. The math is simple: 1 home per 4 acres verses 4 homes per acre (or more)...Ag can't compete. Furthermore, if the flower grower wanted to sell to another grower, no grower wants to deal with all of the problems that come with running an operation so close to high density. When the flower grower sells then the development will be adjacent to my property. The domino effect continues and the Ag in the area will be choked out. (use the word "continues" because it has already started: Ag operations have already made deals with Accretive and are within the project area).

Other Ag impacts to study:

Impacts to other Agricultural operations in the area including but not limited to the direct impact to farms; impact to future farms (if this is converted to a high density area, new farmers will not buy land in the area in order to farm); impact to the use of pesticides and fumigants by farmers in the area; Ag/urban conflicts including noise, dust, odors, and pests.

Other impacts to study:

Biological Resources – I concur with the County’s assessment of “Potential Significant Impact” to riparian habitat.

I would like to further emphasize the certainty of the Accretive Project to generate large volumes of non- point source pollution from urban stormwater runoff into the southern sub-basin of the San Luis Rey watershed, which contains vital endangered habitat and three endangered species.

The San Diego Regional Water Quality Board and California Department of Fish and Game in their project review will need detailed design information (as opposed to the vague generalities in Accretive’s current project design) to evaluate the most effective systems for stormwater detention and treatment to avoid key habitat and species impact.

Sincerely,

Hans Britsch

(attachments)

Attachment pages 1-4: List of Species Approved for Export for Western Cactus

Attachment pages 5-6: Sample State Phytosanitary Certificate

Attachment pages 7-8: Sample Federal Phytosanitary Certificate

Attachment pages 9-11: Sample CITES Certificate

1 of 11

Western Cactus Growers, Vista, California

Page 1 of 4

List of Species Approved for Export Under Master file US685416/9
CITES Certificate for Artificially Propagated Plants

The following ARTIFICIALLY PROPAGATED Appendix II species are authorized for export by Western Cactus Growers. For each shipment under this certificate, the permittee is responsible for providing on the designated inventory sheet the complete scientific name of each specimen to be exported, and the quantity and type of goods of each. ONLY THOSE TAXA APPROVED ON THE FOLLOWING LIST (PROVIDED BY THE PERMITTEE) MAY BE EXPORTED UNDER US685416 (blocks B, C, D, and E). Appendix I species and specimens grown from wild seed may NOT be exported under this certificate.

The permittee must provide a copy of this letter to the USDA/APHIS/PPQ officer at the USDA port of export when requesting clearance of shipments. All requirements of the Conditions for Artificially Propagated Plants apply.

BLOCK A. APOCYNACEAE	<i>Pachypodium geayii</i>
<i>Pachypodium lamerei</i> var. <i>ramosum</i>	<i>Pachypodium lealii</i> ssp. <i>saundersii</i>
BLOCK B. CACTACEAE	<i>Astrophytum capricorne</i>
<i>Acanthocalycium spiniflorum</i> (syn <i>Acanthocalycium kimpelianum</i>)	<i>Astrophytum ornatum</i>
<i>Astrophytum myrostrigma</i>	<i>Carnegiea gigantea</i>
<i>Browningia viridis</i> (syn <i>Azureocereus viridis</i>)	<i>Cereus aethiops</i> (syn <i>Cereus azureus</i>)
<i>Cephalocereus senilis</i>	<i>Cereus hybrid</i> "Fairy Castle"
<i>Cereus hildmannianus</i> (syn. <i>Cereus peruvianus</i>)	<i>Chamaecereus hybrid</i>
<i>Cereus validus</i> (syn <i>Cereus forbesii</i>)	<i>Cleistocactus strausii</i>
<i>Cleistocactus brookeae</i> (syn <i>C. wendlandiorum</i>)	<i>Cleistocactus winteri</i> (syn <i>Hildewintera aureispina</i>)
<i>Cleistocactus strausii</i> x <i>hyalacanthus</i>	<i>Coleocephalocereus aureus</i> (syn <i>Buingia aurea</i> , <i>Buingia brevicylindrica</i>)
<i>Cleistocactus</i> x <i>Oreocereus</i>	<i>Coleocephalocereus purpureus</i> (syn <i>Buingia purpurea</i>)
<i>Coleocephalocereus goebelianus</i>	<i>Copiapoa tenuissima</i>
<i>Copiapoa humilis</i>	<i>Denmoza rhodacantha</i>
<i>Coryphantha delaviana</i>	<i>Echinocactus grusonii</i>
<i>Disocactus flagelliformis</i> (syn <i>Aporocactus delaviana</i>)	<i>Echinocereus adustus</i> (syn. <i>Echinocereus rufispinus</i>)
<i>Echinocactus platyacanthus</i> (syn. <i>Echinocactus ingens</i>)	<i>Echinocereus pectinatus</i> var. <i>rigidissimus</i>
<i>Echinocereus dasyacanthus</i>	<i>Echinocereus websterianus</i>
<i>Echinocereus stramineus</i>	<i>Echinopsis bruchii</i> (syn <i>Soehrensia bruchii</i>)
<i>Echinopsis atacamensis</i> ssp. <i>pasacana</i> (syn <i>E. pasacana</i> , syn. <i>Heifanthocereus pasacana</i>)	<i>Echinopsis hybrid</i> (syn <i>Trichocereus hybrid</i>)
<i>Echinopsis hybrid</i> "Schicks"	<i>Echinopsis leucantha</i> (syn <i>Echinopsis melanopotanicus</i>)
<i>Echinopsis leucantha</i>	<i>Echinopsis pentlandii</i> (syn <i>Lobivia laras</i>)
<i>Echinopsis pachanoi</i> (syn <i>Cereus pachanoi</i>)	<i>Eriosyce kunzei</i> (syn <i>Neoporteria nidus</i>)
<i>Eriosyce kunzei</i> (syn <i>Neoporteria nidus senilis</i>)	<i>Eriosyce kunzei</i> (syn <i>Neoporteria nidus</i>)
<i>Eriosyce subgibbosa</i> (syn <i>Neoporteria subgibbosa</i>)	<i>Escobaria laredoi</i>
<i>Escobaria missouriensis</i> (syn <i>Coryphantha missouriensis</i>)	<i>Espositoa blossfeldiorum</i> (syn <i>Thrixanthocereus blossfeldiorum</i>)
<i>Espositoa lanata</i>	<i>Espositoa melanostele</i>
<i>Espositoa nana</i>	<i>Espositoa superta</i>
<i>Espositopsis dybowskii</i> (syn <i>Austrocephalocereus dybowskii</i>)	<i>Eulychnia breviflora</i> (syn <i>Eulychnia spinibarbis</i>)

Western Cactus Growers, Vista, California

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<i>Facheiroa ulei</i>	<i>Ferocactus alamosanus</i>
<i>Ferocactus chrysacanthus</i>	<i>Ferocactus cylindraceus</i> (syn. <i>Ferocactus acanthodes</i>)
<i>Ferocactus emoryi</i> (syn <i>Ferocactus covillei</i>)	<i>Ferocactus emoryi</i> (syn <i>Ferocactus rectispinus</i>)
<i>Ferocactus flavovirens</i>	<i>Ferocactus glaucescens</i>
<i>Ferocactus gracilis</i>	<i>Ferocactus gracilis</i> esp. <i>coloratus</i> (syn <i>Ferocactus viscaninensis</i>)
<i>Ferocactus hamatacanthus</i> (syn <i>Hamatocactus hamatocanthus</i> ; <i>Hamatocactus setispinus</i>)	<i>Ferocactus herrerae</i>
<i>Ferocactus histrix</i> (syn <i>Ferocactus "electracanthus"</i>)	<i>Ferocactus latispinus</i> var. <i>flavispinus</i>
<i>Ferocactus latispinus</i> var. <i>latispinus</i>	<i>Ferocactus latispinus</i> var. <i>spiralis</i> (syn <i>Ferocactus recurvus</i> , misapplied)
<i>Ferocactus macrodiscus</i>	<i>Ferocactus pilosus</i> (syn <i>Ferocactus pringlei</i>)
<i>Ferocactus robustus</i>	<i>Ferocactus stainesii</i>
<i>Ferocactus townsendianus</i> var. <i>townsendianus</i>	<i>Ferocactus townsendianus</i> var. <i>santa maria</i>
<i>Gymnocalycium bruchii</i>	<i>Ferocactus wislizeni</i>
<i>Gymnocalycium delaetii</i>	<i>Gymnocalycium chiquitanum</i>
<i>Gymnocalycium mihanovitchii</i>	<i>Gymnocalycium horstii</i> var. <i>bueneckeri</i>
<i>Gymnocalycium planzii</i> var. <i>albipulpa</i>	<i>Gymnocalycium monvillei</i> (syn <i>Gymnocalycium multiflorum</i>)
<i>Gymnocalycium schickendanzii</i>	<i>Gymnocalycium saglionis</i>
<i>Haageocereus multangularis</i> (syn <i>Haageocereus chrysacanthus</i> , <i>Haageocereus turbidus</i>)	<i>Gymnocalycium spegazzinii</i>
<i>Helianthocereus terscheckii</i>	<i>Hattoria rosea</i> (syn <i>Rhipsalidopsis rosea</i>)
<i>Leuchtenbergia principis</i>	<i>Lemaireocereus euphorbioides</i>
<i>Lobivia leucomalla</i>	<i>Lobivia hybrid</i>
<i>Mammillaria albimanata</i>	<i>Mammillaria albicans</i>
<i>Mammillaria carnea</i> (syn <i>Mammillaria orcuttii</i>)	<i>Mammillaria baumii</i>
<i>Mammillaria compressa</i>	<i>Mammillaria columbiana</i>
<i>Mammillaria decipiens</i>	<i>Mammillaria crinita</i> ssp. <i>wildii</i> (syn <i>Mammillaria wildii</i>)
<i>Mammillaria dolichocentra</i> (=M. <i>polythela</i> ssp. <i>obconella</i>)	<i>Mammillaria decipiens</i> ssp. <i>campotricha</i> (syn <i>Mammillaria campotricha</i>)
<i>Mammillaria elongata</i> "crest"	<i>Mammillaria elongata</i>
<i>Mammillaria formosa</i> ssp. <i>pseudocrucigera</i> (syn <i>Mammillaria pseudocrucigera</i>)	<i>Mammillaria formosa</i> ssp. <i>chionocephala</i> (syn <i>Mammillaria ritteriana</i>)
<i>Mammillaria gigantea</i> (syn <i>Mammillaria ocotiflensis</i>)	<i>Mammillaria geminispina</i>
<i>Mammillaria haageana</i> (syn <i>Mammillaria dealbata</i> , <i>Mammillaria meissneri</i>)	<i>Mammillaria glochidiata</i>
<i>Mammillaria hafniana</i> var. <i>werdermanniana</i> (syn <i>Mammillaria werdermanniana</i>)	<i>Mammillaria haageana</i> (syn <i>Mammillaria vaupelii</i>)
<i>Mammillaria humboldtii</i> var. <i>louisae</i>	<i>Mammillaria heydeni</i>
<i>Mammillaria karwinskiana</i> ssp. <i>nejapensis</i> (syn <i>Mammillaria nejapensis</i>)	<i>Mammillaria karwinskiana</i> ssp. <i>collinsii</i> (syn <i>Mammillaria collinsii</i>)
<i>Mammillaria klissingiana</i>	<i>Mammillaria karwinskiana</i> ssp. <i>beiselii</i> (syn <i>Mammillaria beiselii</i>)
<i>Mammillaria laui</i> ssp. <i>subducta</i>	<i>Mammillaria klissingiana</i> (syn <i>Mammillaria brauneana</i>)
<i>Mammillaria magnifica</i>	<i>Mammillaria longiflora</i> ssp. <i>stampferi</i> (syn <i>Mammillaria stampferi</i>)
<i>Mammillaria marksiana</i>	<i>Mammillaria magnimamma</i>
<i>Mammillaria melanocentra</i>	<i>Mammillaria matudae</i>
<i>Mammillaria miegiana</i>	<i>Mammillaria mercadensis</i> (syn <i>Mammillaria sinistrotiamata</i>)
	<i>Mammillaria moelleriana</i> (syn <i>Mammillaria cowperae</i>)

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Western Cactus Growers, Vista, California

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Mammillaria muehlenpfordtii (syn Mammillaria celsiana)	Mammillaria mystax
Mammillaria nana (syn. Mammillaria duwei)	Mammillaria parkinsonii
Mammillaria petterssonii	Mammillaria rakoi
Mammillaria rekoi ssp. leptacantha	Mammillaria rhodantha
Mammillaria rhodantha ssp. pringlei (syn Mammillaria pringlei)	Mammillaria schumannii
Mammillaria schwarzii	
Mammillaria spinosissima	Mammillaria scrippsiana var. autlanensis
	Mammillaria spinosissima ssp. pilcayensis (syn Mammillaria pilcayensis)
Mammillaria standleyi	Mammillaria tesopacensis var. rubriflora
Mammillaria wildii "crest"	Mammillaria zeilmanniana
Melocactus azureus HU 256	Melocactus bahiensis ssp. amethystinus (syn Melocactus amethystinus, Melocactus griseoleoviridis, Melocactus lenselinkianus HU 381)
	Melocactus concinnus
Melocactus caesius (syn Melocactus curvispinus ssp. caesius)	
Melocactus curvispinus	Melocactus ernestii (syn. Melocactus neomontanus)
Melocactus intortus	Melocactus levitestatus HU 387 (syn Melocactus varasii)
	Melocactus oreas (syn. Melocactus rubrisaetosus, Melocactus "itaberenensis")
Melocactus matanzanus	Melocactus salvadorensis
	Melocactus violaceus subsp. margaritaceus (syn. Melocactus "disciformis" syn)
Melocactus pachyacanthus HU 407	Melocactus zehntneri (syn Melocactus giganteus HU 266)
Melocactus schatzlii	Micranthocereus albicephalus (syn Austrocephalocereus albicephalus)
	Micranthocereus flaviflorus (syn Micranthocereus densiflorus)
Melocactus zehntneri (syn Melocactus giganteus HU 266)	Necobuxbaumia polylopha
Micranthocereus auriazureus	Opuntia gosseliniana var. santa rita
	Opuntia hybrid (syn. Tephrocactus "Pine Cones" syn)
Myrtillocactus geometrizans	Opuntia macrodasys "monstrosa"
Opuntia basilaris var. basilaris	Opuntia robusta var. maxima
Opuntia hybrid "maverick"	Opuntia subulata
Opuntia macrodasys	Oreocereus celsianus
Opuntia monacantha variegata var. monstrosa	Oreocereus trollii
Opuntia rufida "dwarf"	Pachycereus pringlei
Opuntia subulata monstrosa	
Oreocereus magnificus	Parodia alacriportana ssp. buenekeri (syn Notocactus buenekeri)
Pachycereus marginatus (syn. Lemaireocereus marginatus)	Parodia carambelensis (syn Notocactus carambelensis)
Pachycereus schottii (syn Lophocereus schottii) var. monstrosa	Parodia crassigibba (syn Notocactus crassigibbus, Notocactus uebelmannianus)
Parodia buiningii (syn Notocactus buiningii)	Parodia haselbergii ssp. graessneri (syn Notocactus graessneri)
	Parodia horstii (syn Notocactus purpureus var. meugelianus)
Parodia comarepana (syn Parodia mairanana)	Parodia magnifica (syn Notocactus magnificus)
Parodia haselbergii (syn Notocactus haselbergii)	Parodia microsperma (syn Parodia aureispina)
	Parodia nivea
Parodia herteri (syn Notocactus herteri)	
Parodia leninghausii (syn Notocactus leninghausii)	Parodia penicillata
Parodia mammosa (syn Notocactus mammosus)	Parodia scopi (syn Notocactus scopi)
Parodia microsperma ssp. microsperma (syn Parodia herzogii)	
Parodia ottonis (syn Notocactus ottonis)	
Parodia schumanniana ssp. claviceps (syn Parodia)	

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STATE OF CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE PLANT HEALTH AND PEST PREVENTION SERVICES 1220 N STREET SACRAMENTO, CALIFORNIA 95814 PHYTOSANITARY CERTIFICATE	FOR OFFICE USE ONLY		
	PLACE OF ISSUE	NO.	
	DATE INSPECTED		
TO THE PLANT PROTECTION ORGANIZATION(S) OF	San Diego, California		
	Canada		
CERTIFICATION			

This is to certify that the plants or plant products described below have been inspected according to appropriate procedures and are considered to be free from quarantine pests, and practically free from other injurious pests; and that they are considered to conform with the current phytosanitary regulations of the importing country.

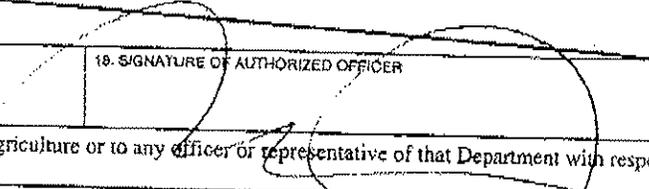
DISINFESTATION AND/OR DISINFECTION TREATMENT	
1. DATE	2. TREATMENT
3. CHEMICAL (active ingredient)	4. DURATION AND TEMPERATURE
5. CONCENTRATION	6. ADDITIONAL INFORMATION

DESCRIPTION OF THE CONSIGNMENT	
7. NAME AND ADDRESS OF THE EXPORTER	8. DECLARED NAME AND ADDRESS OF THE CONSIGNEE
Western cactus Growers 1840 Monte Vista Drive Vista, California 92083	Rainbow Greenhouses 43830 South Sumas Road Chilliwack, British Columbia Canada V2R 4L6
9. NAME OF PRODUCE AND QUANTITY DECLARED	10. BOTANICAL NAME OF PLANTS
6,540 - assorted cactus plants, 3,552 assorted Succulents. All plants artificially propagated in soil-less medium. " See attachment. "	" See attachment. "
11. NUMBER AND DESCRIPTION OF PACKAGES	12. DISTINGUISHING MARKS
408 cardboard cartons and 180 loose plants.	None
13. PLACE OF ORIGIN	14. DECLARED MEANS OF CONVEYANCE
Vista, San Diego County, California.	Truck Freight
	15. DECLARED POINT OF ENTRY
	Canada

It shall be unlawful for any person to alter, deface or wrongfully use a certificate (Section 5208, Food and Agricultural Code) issued under the provisions of Section 5102 of the Food and Agricultural Code.

ADDITIONAL DECLARATION

Attachment included for additional declaration, quantities (Box 9), and botanical names of plants (Box 10). Federal Phytosanitary certificate required.

18. DATE ISSUED	17. NAME OF AUTHORIZED OFFICER (Type or Print)	19. SIGNATURE OF AUTHORIZED OFFICER
June 2, 2010	Manigé Parhoemand	
No liability shall attach to the State of California, Department of Food and Agriculture or to any officer or representative of that Department with respect to this certificate.		

No Phytosanitary Certificate can be issued until an application is completed (7 CFR 353)

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FORM APPROVED OMB NO. 5010-0022

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
PLANT PROTECTION AND QUARANTINE

FOR OFFICIAL USE ONLY



ATTACHMENT SHEET FOR
PHYTOSANITARY CERTIFICATE OR
PHYTOSANITARY CERTIFICATE FOR REEXPORT

1. ADDENDUM TO NO:

SPC A249867

2. DATE

June 2, 2010

3. PAGE NO.

2 of 2

This attachment is issued by Authorized Certifying Officials under authority of the United States Department of Agriculture (USDA). The USDA Phytosanitary Certificate (PPQ 577) or Phytosanitary Certificate for Reexport (PPQ 579) must reference its use. This attachment sheet may only contain information that would normally be included on a PPQ 577 or PPQ 579, and its use is only authorized in instances in which necessary information could not be included on a PPQ 577 or PPQ 579.

4. ADDITIONAL INFORMATION:

BOTANICAL NAMES AND QUANTITY DECLARED:

380	ASTROPHYTUM ORNATUM	180	AGAVE SPECIES
340	CEREUS VALIDUS	140	AEONIUM ARBOREUM
480	ECHINOCACTUS GRUSONII	1,740	ALOE VERA
320	ESPOSTOA LANATA	272	ECHEVERIA SPECIES
320	ESPOSTOA MELANOSTELE	140	GRAPTOSEDUM
360	FEROCACTUS GLAUDESCENS	200	HAWORTHIA FASCIATA
360	FEROCACTUS GRACILIS	140	KALANCHOE MARMORATA
480	GYMNOCALYCIUM SAGLIONIS	140	KALANCHOE PUMILA
400	MAMMILLARIA COMPRESSA	140	KALANCHOE TOMENTOSA
400	MAMMILLARIA GEMINISPINA	80	PORTULACARIA AFRA VARIEGATA
400	MAMMILLARIA MYSTAX	120	SEMPERVIVUM ARACHNOIDEUM
400	MAMMILLARIA NANA	120	SEMPERVIVUM CALCAREUM
400	MAMMILLARIA PARKINSONII	140	STAPELIA VARIEGATA
360	OPUNTIA SUBULATA	3,552	TOTAL SUCCULENTS
400	PARODIA LENINGHAUSII		
400	PARODIA MAGNIFICA		
340	STETSONIA CORYNE		
6,540	TOTAL CACTUS		

ADDITIONAL DECLARATIONS:

The rooted plants in this consignment originate from an approved snail-free nursery, greenhouse, or holding area AND were inspected and found to be free of European Brown Garden Snail (*Helix aspersa/Cornu aspersum*). The soil originated in an area in which, on the basis of official surveys, *Meloidogyne chitwoodi* does not occur. This shipment conforms to 7 CFR 301.92 which regulates the movement of nursery stock for *Phytophthora ramorum* from the states of California, Oregon and Washington.

5. NAME OF AUTHORIZED OFFICER: (Type or Print)

Manigé Farquhar

6. SIGNATURE OF AUTHORIZED OFFICER:

[Handwritten Signature]

No liability shall attach to the United States Department of Agriculture or to any officer or representative of the Department with respect to this certificate.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0052. The time required to complete this information collection is estimated to average 1.20 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

No phytosanitary certificate can be issued until an application is completed (7 CFR 353)

FORM APPROVED
OMB NO. 0579-0052

7511



UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE PLANT PROTECTION AND QUARANTINE PHYTOSANITARY CERTIFICATE	FOR OFFICIAL USE ONLY
	PLACE OF ISSUE San Diego, California
	NO. R-P-06073-01092449-7-N
	DATE INSPECTED June 02, 2010 - June 02, 2010
TO: THE PLANT PROTECTION ORGANIZATION(S) OF Canada	

CERTIFICATION

This is to certify that the plants, plant product or other regulated articles described herein have been inspected and/or tested according to appropriate official procedures and are considered to be free from the quarantine pests, specified by the importing contracting party and to conform with the current phytosanitary requirements of the importing contracting party including those for regulated non-quarantine pests.

DISINFESTATION AND/OR DISINFECTION TREATMENT

1. DATE *****	2. TREATMENT *****
3. CHEMICAL (active ingredient) *****	4. DURATION AND TEMPERATURE *****
5. CONCENTRATION *****	6. ADDITIONAL INFORMATION *****

DESCRIPTION OF THE CONSIGNMENT

7. NAME AND ADDRESS OF THE EXPORTER Western Cactus Growers, Incorporated 1860 Monte Vista Drive Visita, California 92084	8. DECLARED NAME AND ADDRESS OF THE CONSIGNEE Rainbow Greenhouses 43830 South Sumas Road Chilliwack, BC V2R 4L6 Canada
9. NAME OF PRODUCE AND QUANTITY DECLARED (1) 140 Each Tree anemum (Plants) (2) 180 Each Agave (Plants) (3) 1740 Each Barbados aloe (Plants) (4) 380 Each Aacrophytum ornatum (Plants) (5) 340 Each Cereus validus (Plants) (see attached commodities)	10. BOTANICAL NAME OF PLANTS (1) Aeonium arboreum (2) Agave sp. (3) Aloe vera (4) Aacrophytum ornatum (5) Cereus validus (see attached commodities)
11. NUMBER AND DESCRIPTION OF PACKAGES (1-30) 408 cardboard cartons and 180 loose plants ***** ***** ***** *****	12. DISTINGUISHING MARKS (1-30) None ***** ***** ***** *****
13. PLACE OF ORIGIN (1-30) San Diego County, California, USA ***** ***** ***** *****	14. DECLARED MEANS OF CONVEYANCE Truck Line
	15. DECLARED POINT OF ENTRY unknown

WARNING: Any alteration, forgery, or unauthorized use of this phytosanitary certificate is subject to civil penalties of up to \$250,000 (7 U.S.C. Section 7734(b)) or punishable by a fine of not more than \$10,000, or imprisonment of not more than 5 years, or both (18 U.S.C. Section 1001).

ADDITIONAL DECLARATION

"The rooted plants in this consignment originate from an approved snail-free nursery, greenhouse or holding area, and were inspected and found to be free of European brown garden snail (*Helix aspersa* / *Cornu aspersum*)."
"The snail originated in an area in which, on the basis of official surveys, *Meloidogyne chitwoodi* does not occur."
(see attached additional declaration)



NAIPPO

16. DATE ISSUED June 03, 2010	17. NAME OF AUTHORIZED OFFICER (Type or Print) Stephanie Dinh	18. SIGNATURE OF AUTHORIZED OFFICER <i>[Signature]</i>
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No fee shall attach to the United States Department of Agriculture or to any officer or representative of the Department with respect to this certificate.

9011

<p>FORM 3-201A (1/97)</p>  <p>CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA</p>		<input type="checkbox"/> EXPORT PERMIT <input type="checkbox"/> RE-EXPORT CERTIFICATE <input checked="" type="checkbox"/> OTHER CERTIFICATE (see block 9)		<p>Page 1 of 3</p> <p>1. Original Permit/Certificate No. 10US01719A/9</p> <p>2. Valid until 07/25/2010</p>							
<p>3. Permittee (name and address, country) WESTERN CACTUS GROWERS, INC. 1860 MONTE VISTA DRIVE VISTA, CA 92084 U.S.A.</p>			<p>4. Consignor/Consignee (name and address, country) RAINBOW GREENHOUSES 43830 S. SUMAS ROAD CHILLIWACK BC CANADA V2R4L6</p>								
<p>5. Special Conditions</p> <ul style="list-style-type: none"> MUST COMPLY WITH ATTACHED CONDITIONS FOR CITES CERTIFICATE FOR ARTIFICIALLY PROPAGATED PLANTS. ON CERTIFICATE, PERMITTEE MUST: <ul style="list-style-type: none"> a) COMPLETE BLOCK 4 (CONSIGNEE), BLOCK 11 (QUANTITY), AND ATTACHED INVENTORY. b) HAVE COMPLETED CERTIFICATE VALIDATED BY USDA/APHIS/PPQ PRIOR TO SHIPMENT. MUST EXPORT THROUGH A USDA DESIGNATED PORT. MUST PRESENT FWS-APPROVED PLANT LIST TO INSPECTOR AT TIME OF SHIPMENT; ONLY THOSE SPECIES ON APPROVED FWS LIST DATED 10/17/2006 ARE AUTHORIZED. <p><i>For live animals, only valid if the transport conditions comply with the CITES Guidelines for Transport of Live Animals or, in the case of air transport, with IATA Live Animals Regulations.</i></p>			<p>5a. Purpose of Transaction T</p> <p>6. U.S. Management Authority DIVISION OF MANAGEMENT AUTHORITY U.S. FISH AND WILDLIFE SERVICE DEPARTMENT OF THE INTERIOR WASHINGTON, D.C. 20240 UNITED STATES OF AMERICA</p> <p>U.S. CITES Management Authority</p> <p>01/26/2010 Issuing Date United States Management Authority AUTHORITY: Endangered Species Act of 1973 (16 USC 1531 et. seq.)</p>								
<p>7/B. Common Name and Scientific name (genus and species) of Animal or Plant</p> <p>A. Common Name ELEPHANT TRUNK DOGBANE</p> <p>Scientific Name PACHYPODIUM SPECIES</p>		<p>9. Description of Part or Derivative, including Identifying marks or numbers (age/sex if live)</p> <p>9. ARTIFICIALLY PROPAGATED PLANTS: LIVE WHOLE PLANTS, PARTS, AND DERIVATIVES AS DESCRIBED ON ATTACHED INVENTORY.</p>		<p>10. Appendix No. and Source 2: A</p> <p>11. Quantity (including units) NO</p> <p>11a. Total Exported/Quota</p>							
<p>12. Country of Origin U.S.A</p>		<p>Permit/Certificate No. 10US01719A/9</p>		<p>Date of Issue 01/26/2010</p>							
<p>12a. Country of Last Re-export</p>		<p>Re-export Certificate No.</p>		<p>Date of Issue</p>							
<p>12b. Breeding Operation No.</p>		<p>12c. Pre-Convention Date of Acquisition</p>									
<p>B. Common Name CACTUS</p> <p>Scientific Name CACTACEAE</p>		<p>9. ARTIFICIALLY PROPAGATED PLANTS: LIVE WHOLE PLANTS (SPECIES AND HYBRIDS); PARTS AND DERIVATIVES AS DESCRIBED ON ATTACHED INVENTORY.</p>		<p>10. 2: A</p> <p>11. Quantity (including units) NO</p> <p>11a. Total Exported/Quota 6,540</p>							
<p>12. Country of Origin U.S.A</p>		<p>Permit/Certificate No. 10US01719A/9</p>		<p>Date of Issue 01/26/2010</p>							
<p>12a. Country of Last Re-export</p>		<p>Re-export Certificate No.</p>		<p>Date of Issue</p>							
<p>12b. Breeding Operation No.</p>		<p>12c. Pre-Convention Date of Acquisition</p>									
<p>13. Export / Re-export Endorsement The official who inspects shipment upon exportation / re-exportation must enter the total quantities of specimens being exported / re-exported in this block.</p> <table border="1"> <tr> <th>See Block 7</th> <th>Quantity</th> </tr> <tr> <td>A</td> <td>0</td> </tr> <tr> <td>B</td> <td>6,540</td> </tr> </table>		See Block 7	Quantity	A	0	B	6,540	<p>14. Bill of Lading/Air Way-Bill Number SAN DIEGO, CA</p> <p>Port of Exportation / Re-exportation SAN DIEGO, CA</p> <p>Total No. of Shipping Containers 408 Cool World Cactus</p>		<p>15. This document valid only with inspecting official's ORIGINAL stamp, signature and date in this block.</p> <p>SAN DIEGO, CA</p> <p>U.S. DEPARTMENT OF AGRICULTURE PLANT PROTECTION AND QUARANTINE PROGRAM ANIMAL AND PLANT HEALTH INSPECTION SERVICE</p> <p>06/10/2010 Inspecting Official's Stamp, Signature and Date</p>	
See Block 7	Quantity										
A	0										
B	6,540										

127958

10 of 11



EXPORT / RE-EXPORT CONTINUATION SHEET

DIVISION OF MANAGEMENT AUTHORITY U.S. FISH AND WILDLIFE SERVICE DEPARTMENT OF THE INTERIOR WASHINGTON, D.C. 20240 UNITED STATES OF AMERICA

1. Original Permit/Certificate No. 10US01719A/9

6. U.S. Management Authority WASHINGTON, D.C. PLACE

01/26/2010 Issuing Date

U.S. WILDLIFE Management Authority

7/8. Common Name and Scientific name (genus and species) of Animal or Plant

9. Description of Part or Derivative, including identifying marks or numbers (age/sex if live)

10. Appendix No. and Source

C. Common Name

9. ARTIFICIALLY PROPAGATED PLANTS: LIVE WHOLE PLANTS (SPECIES AND HYBRIDS), PARTS AND DERIVATIVES AS DESCRIBED ON ATTACHED INVENTORY.

10. 2 A

EUPHORBIA

11. Quantity (including units) NO

Scientific Name EUPHORBIA SPECIES

11a. Total Exported/Quota

12. Country of Origin U.S.A

Permit/Certificate No. 10US01719A/9

Date of Issue 01/26/2010

12b. Breeding Operation No.

12a. Country of Last Re-export

Re-export Certificate No.

Date of Issue

12c. Pre-Convention Date of Acquisition

D. Common Name

9. ARTIFICIALLY PROPAGATED PLANTS: LIVE WHOLE PLANTS (SPECIES AND HYBRIDS), PARTS, AND DERIVATIVES AS DESCRIBED ON ATTACHED INVENTORY.

10. 2 A

ALOE

11. Quantity (including units) NO

Scientific Name ALOE SPECIES

11a. Total Exported/Quota

12. Country of Origin U.S.A

Permit/Certificate No. 10US01719A/9

Date of Issue 01/26/2010

12b. Breeding Operation No.

12a. Country of Last Re-export

Re-export Certificate No.

Date of Issue

12c. Pre-Convention Date of Acquisition

E. Common Name

9. ARTIFICIALLY PROPAGATED PLANTS: (=A. fernandii-regis); LIVE WHOLE PLANTS, PARTS AND DERIVATIVES.

10. 2 A

QUEEN VICTORIA AGAVE

11. Quantity (including units) NO

Scientific Name AGAVE VICTORIAE-REGINAE

11a. Total Exported/Quota

12. Country of Origin U.S.A

Permit/Certificate No. 10US01719A/9

Date of Issue 01/26/2010

12b. Breeding Operation No.

12a. Country of Last Re-export

Re-export Certificate No.

Date of Issue

12c. Pre-Convention Date of Acquisition

F. Common Name

9. ARTIFICIALLY PROPAGATED PLANTS: LIVE WHOLE PLANTS, PARTS AND DERIVATIVES.

10. 2 A

BOOJUM TREE

11. Quantity (including units) NO

Scientific Name FOUQUIERIA COLUMNARIS

11a. Total Exported/Quota

12. Country of Origin U.S.A

Permit/Certificate No. 10US01719A/9

Date of Issue 01/26/2010

12b. Breeding Operation No.

12a. Country of Last Re-export

Re-export Certificate No.

Date of Issue

12c. Pre-Convention Date of Acquisition

RELEASED

13. Export / Re-export Endorsement: The official who inspects shipment upon exportation / re-exportation must enter the total quantities of specimens being exported / re-exported in this block.

See Block 7	Quantity
C	1
D	1
E	1
F	1

14. Bill of Lading/Air Way-Bill Number

Port of Exportation / Re-exportation SAN DIEGO, CA

Total No. of Shipping Containers

408 Carl... ..

15. This document is the inspecting official's ORIGINAL stamp, signature and date in this block.

U.S. DEPARTMENT OF AGRICULTURE PROTECTION AND QUARANTINE PROGRAM AND PLANT HEALTH INSPECTION SERVICE

San Diego, CA 06/03/2010 Inspecting Official's Stamp, Signature and Date

127918



INVENTORY SHEET

Division of Management Authority
U.S. Fish and Wildlife Service
Department of the Interior
Washington, D.C. 20240
UNITED STATES OF AMERICA

(11 of 11)

1. Original Permit/Certificate No.

10US01719A/9

5/6. THIS PERMIT IS ISSUED UNDER AUTHORITY OF THE ENDANGERED SPECIES ACT OF 1973 (16 U.S.C. 1531 et seq.) BY:

WASHINGTON, D.C.
Place

01/20/2010
Issuing Date

U.S. CITES
Management Authority
United States Management Authority

PERMITTEE: Western Cactus Growers

BLOCK 7/8 A-D

Block	Quantity	Scientific name (Genus and species)
B	380	ASTROPHYTUM ORNATUM
B	340	CEREUS VALIDUS
B	480	ECHINOCACTUS GRUSONII
B	320	ESPOSTOA LANATA
B	320	ESPOSTOA MELANOSTELE
B	360	FEROCACTUS GLAUDESCENS
B	360	FEROCACTUS GRACILIS
B	480	GYMNOCALYCIUM SAGLIONIS
B	400	MAMMILLARIA COMPRESSA
B	400	MAMMILLARIA GEMINISPINA
B	400	MAMMILLARIA MYSTAX
B	400	MAMMILLARIA NANA
B	400	MAMMILLARIA PARKINSONII
B	360	OPUNTIA SUBULATA
B	400	PARODIA LENINGHAUSII
B	400	PARODIA MAGNIFICA
B	340	STETSONIA CORYNE
	6,540	TOTAL CACTUS

RELEASED

SAN DIEGO, CA

15. EXPORT/RE-EXPORT/IMPORT ENDORSEMENT: I, the inspecting official, certify that the information provided above is accurate. This document is valid only with inspecting official's ORIGINAL stamp, signature and date in this block.

PLANT PROTECTION AND QUARANTINE PROGRAM
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
U.S. DEPARTMENT OF AGRICULTURE

[Signature] 06/03/2010
Inspecting Official's Stamp, Signature and Date