

PALA - PAUMA COMMUNITY SPONSOR GROUP
P.O. Box 1273
Pauma Valley, CA 92061
Phone: 760-742-0426

REGULAR MEETING, OCTOBER, 7 2014
APPROVED MINUTES

Scheduled start time: 7:00 PM

Place: Pauma Valley Community Center
16650 Hwy. 76
Pauma Valley, Ca. 92061

1. CALL TO ORDER: 7:00 PM.

- a. Roll Call and quorum established: 5 members were present. Andy Mathews, Chairman; Brad Smith, Vice Chairman; Fritz Stumpges, Secretary; Stephanie Spencer and Robert Smith. Ron Barbanell and Ben Brooks were absent.

2. APPROVAL OF PREVIOUS MINUTES:

- a. The minutes of September 2, 2014 had been previously submitted to all and corrections incorporated. There was no further discussion and Stephanie moved to approve as presented. Brad gave the second and they were approved 5-0.

3. PUBLIC COMMUNICATION, OPEN FORUM:

- a. Fritz was asked if the code violations at Melvin L. (Corky) Packard's appeared to be resolved. Fritz replied that there were two of the 5 residences which the county found to be illegal and Corky was to remove the kitchen and bathrooms in two. It is hard to see any change in the number of vehicles parked there and Fritz asked if we could inquire of the county if they made any resolution. Fritz was to send Andy the address and parcel APN.

4. ACTION ITEMS:

- a. We then considered the newly released draft EIR for the Shadow Run Ranch project on Hwy 76 and Adams Drive. Andy started by commenting on the immense task necessary to review the large box of documents making up this proposal. He and Ron Deutschendorf, Project Representative for the owner, reviewed just the shear cost up until now. Excluding the purchases of the land they have spent over \$200K working on it and \$340K in county fees so far! This means that they have spent over a half million dollars in code and environmental compliance so far. Mark Thompson and

Andy then began a review of the project. His first question, which wasn't answered in the DEIR, was where is the demand coming from for 44 new homes which are claimed to be needed? We are concerned that this project may join other stalled developments and further drive down the value of homes. Ron replied that the economy was poor back then and that now there will be a demand for 2 acre homes with an agricultural flavor. Andy stated that we would request that it be addressed in the EIR. Fritz asked Andy about the two developments near the country club and he said that one for about 30 units and one for 40 are in the works. Admittedly they are for a little over 1 acre lots but in approximately the same price range. Brad added that there were still approximately 15 older homes for sale at the club and that the 36 unit proposed property next to it has been sold to TY Nursery instead.

Next Andy addressed the issue of water usage and the lack of specifics in the EIR as to whether there was an excess of potable water or just non-potable water and other supply issues. He then questioned the need to annex into Yuima the several parcels outside of the project which front Adams Drive? Specifically, why do this when the piping into the project would be insufficient to supply the needed extra water? We are concerned that this is a growth inducing action which has nothing to do with the project but makes for future growth on these properties which are also owned by the same owner of SRR. These are the same properties which we have been asking to have placed within the proposed development. Also, we want clarification as to how your fire sized piping, capable of handling 2,500 GPM, could not also be used to supply water to these lots.

Andy then asked that some noise level clarification be added to the EIR addressing a concern detailed in his written response.

Next we want the right away for the future Yuima large diameter piping detailed in the EIR and to show that its creation will not adversely affect the residents of the project.

Next Andy asked that the EIR specify how the 50 acres of trees that are projected to be removed in construction of the project, will be disposed of. This is to assure no further environmental impact.

Stephanie then questioned the turn lanes at the entrance and was satisfied with their description and map.

Andy then questioned the relevance of the current traffic study specified as being done in 2009/2010 and that it would be outdated. They showed where there was a newer study done in 2012 but Andy said that the traffic specified was scheduled to expand to beyond 2,500 ADT's when 22,000 is already level F on this highway. Whatever the details there needs to be more thought given to the expanding traffic on failing roads here.

Fritz then questioned their lighting plan and if there would be street lighting. They responded that there would be no street lights because they were in the Zone A light regulation required for Palomar. Fritz responded that right now that whole area up to the next range is totally dark but the other direction is being continually lit up by more street lights.

Andy then made a motion that he be allowed to formalize these concerns based on the draft that everyone currently has already have been discussing here. He needs to respond to the county with our EIR comments. Brad gave the second and the vote was 5-0 in favor. We all thanked Andy for his diligence in studying the EIR and formulating these concerns. His formal response to the county is being recorded as Addendum A to these minutes.

5. ADMINISTRATIVE MATTERS:

- a. There were no communications.
- b. There were no operating expenses.
- c. We then discussed our procedure for the forthcoming expiring terms of Andy, Ron, and Chairman Smith. Andy made a motion that we use the detailed outline he had formulated and submitted to us previously for review. Fritz commented that it was very well done and thorough and made the second. It was approved 5-0. This procedure is being recorded as Addendum B.

6. ADJOURNMENT: Stephanie moved to adjourn at 7:50 and Brad 2nd. Unanimously carried.

These minutes with Addendums were approved at the Nov. 4 meeting. Brad moved, Fritz 2nd and vote was 3-1 with Ben abstaining because he was not present at the meeting.

Fritz Stumpges, Secretary PPCSG

Pala Pauma Community Sponsor Group ("PPCSG")

Comments regarding the DEIR for the proposed Shadow Run Ranch¹ project

I. Demand for the Project

As stated at § 4-2² "[t]he NPA is the environmentally preferred project" and at § 4.6 "[t]he LLA is the environmentally superior alternative after the NPA ..." Yet the DEIR discounts these two alternatives on the basis that they do not meet the project objectives set forth at § 1.1 which, among other things, include "providing needed housing for the community." However there is no justification in the DEIR that there is a requirement for housing of the type and at the anticipated initial and subsequent monthly cost level levels indicated by the nature the accommodations proposed in the Project. The Project does nothing to address an apparent need in the community for low cost housing compatible with local income levels. Correspondingly, PPCSG recommends that the Applicant:

- i be required to submit to the decision making process a justification of this demand assumption taking into account projects in the pipeline and clearly demonstrating the source and timing of the demand and the benefits to the community (not just financially to the Applicant) of the demand being fulfilled (neither under- nor over-subscribed).
- ii not be permitted to use the term "enhanced amenities" as a decision factor of the decision making body as proposed at § S.4 as the Project provides no enhanced amenities to the community other than a minimum private park and meeting facility.
- iii be required to include in the DEIR a section addressing how the Project will be maintained in the period between street and infrastructure completion and sell out (estimated by the DEIR to be five years) so that the unsold lots do not become a detriment within the Project or to the community and that before permit issuance there be required a demonstration of financial capacity to so maintain the Project.
- iv as a condition of any approval of the Project be required to contribute meaningfully to the community need for low cost housing.

II. Applicable Pala Pauma Subregional Plan ("SRP")

At § 3.1.5.2 the DEIR quotes what its maintained to be the applicable version of the SRP as calling for "orderly planned growth as need arises and essential services such as water, sewer, are made available." The view of PCSG is that the Project does not meet that requirement because:

- i it is the opportunistic development of an island of residences disconnected from the villages of both Pala and Pauma, far removed from shopping and entertainment facilities, providing few community facilities, and situated such that it is improbable that it can become the nucleus of, or maybe even adjacent to, future development.
- ii as set forth above, it is not clear that the need has yet arisen particularly as significant other housing projects in and adjacent to the Pala Pauma corridor have not progressed as anticipated because of lack of demand for the proposed class of housing.
- iii essential services such as sewer and mains gas are not available; resulting in on-lot provision of those facilities by propane tanks and septic systems that ill represent the concept of an orderly, planned development.

¹ Unless otherwise stated abbreviations, capitalized terms and definitions have the same meaning as in the DEIR document

² Unless otherwise stated paragraph figure and table numbers refer to those of the DEIR

III. Water supply

The DEIR states that the Project will use less water than the present land use. However there is an absence of clarity on many of the statements in the DEIR concerning the supply, use and permitting of potable and non-potable water supply to and in the Project, were it to be approved. Consequently PPCSG recommends that the DEIR be amended to clarify the following apparent issues:

1. Together § 3.1.3.1 and § 3.1.3.2 compare the present 616 AFY to the anticipated 424.AFY implying a reduction in water intensity. This statement masks the facts that potable water demand will increase by 21 AFY while non-potable demand will decrease by 196 AFY. The Project proposes to annex into YMWD for the supply of this potable water, a commodity delivered from SDCWA and already in short supply. PPCSG therefore recommends that the DEIR be modified to:
 - i consider and possibly propose the provision of an on-Project water treatment facility that will convert the excess non-potable water to potable water thereby eliminating the otherwise additional demand on SDCWA, especially since § 3.1.3.1 states that groundwater is currently used for potable water and irrigation.
 - ii otherwise identify a valuable use for the potentially future amount of available groundwater for non-potable use in a community where there is an acute shortage of such affordable groundwater and valuable agricultural assets are being destroyed because of that shortage.
2. § 3.1.3.1 states that wells PV2 thru PV4 on the Project property (which presumably are non-potable wells) are managed and pumped by YMWD. § 3.1.5.2 sates that YMWD purchases groundwater from the Property so the questions arise to be answered in the DEIR:
 - i where and to what extent is water from wells PV2 thru PV4 and the groundwater purchased by YMWD counted in the water analysis for present and projected usage.
 - ii at what point does this purchased water enter the YMWD system which, anecdotally, is a potable system, and how is such non-potable water converted to potable water for delivery by YMWD to its customers.
 - iii whether or not there is a requirement for an encroachment permit from Caltrans for a water line to cross SR-76 to serve potable water to the Project from the point identified as being south of SR-76 adjacent to Adams as in Figure 1-3 as such permit is not clearly included in the matrix of approvals and permits at § 1.5.1.
3. Given that the DEIR states that it will be used by LAFCO in considering annexation and as at § 1.8 the DEIR states the "[p]roposed water line extension will be sized only to serve the Project..." so as to avoid growth inducing impacts, PPCSG recommends that:
 - i the true purpose to the annexation by YMWD of the two additional parcels (111-080-16 and -17 of 10.46 acres) as set forth at § 3.1.3.2 should be identified in the DEIR. Otherwise once the additional parcels, disconnected with the Project, are annexed the reality of avoiding growth inducement will be lost.
 - ii further consideration be given to the previous recommendation of PPCSG that these lots (between the project and Adams Road and across which an easement has to be granted to provide a second access to the Project) be incorporated into the Project.
 - iii the DEIR, which is a Project DEIR, should justify the legal and regulatory basis for including in it proposals that have no direct connection with the Project, presumably so that such can be considered by LAFCO in its use of the DEIR.

4. The DEIR at § 2.6.2.2, and as set forth in the Fire Protection in Appendix E, defines the required fire flow as being 2,500 gpm of water, PPCSG suggests that this be clarified to:
 - i identify whether this requirement will be fulfilled from potable or non-potable water source.
 - ii consider whether this supply from potable would be consistent with the statement set forth in para. 3 above, as potable water supply for domestic use for 44 homes would require only a flow of around a few hundred gpm.
 - iii consider whether this fire flow can be met by gravity feed of non-potable water from the reservoir with the presently existing reservoir piping structure or whether additional supply piping is required.
5. The DEIR sets forth at page 3-52 the YMWD position that "SDWCA and Met annexation is not required" as part of the annexation into YMWD following LAFCO approval, yet the Groundwater Exhibit P shows annexation process and costs. Correspondingly, PPCSG recommends that:
 - i the assertion of YMWD be confirmed, or otherwise, by the inclusion in the DEIR of correspondence from both SDCWA and Met clearly stating their position in this regard.

IV. Traffic

The statement at § 2.10.8 that "adherence to the forgoing mitigation [the payment of TIF] will reduce project traffic impacts to below significance" is misleading. It is not the payment of a TIF amount that mitigates, but rather the construction of a highway having capacity to handle the projected traffic. Within that framework::

1. The data of Existing Conditions included in the Traffic Study Appendix L at page 16 was collected in June 2009, October 2009 and November 2010 between the hours of 7:00 and 9:00 in the morning and from 4:00 to 6:00 in the afternoon. Over the past five years traffic on SR-76 has grown significantly, largely as an outcome of the expansion of casinos on Indian lands, and the configuration of SR-76 has changed with improvements at the interchange with I-15, the signalization at Pauma Reservation Road, etc. Consequently, PPCSG recommends that:
 - i the basis for the Traffic Study be reestablished with a present day data collection including the examination of other EIRs, and similar documents, recently published on SR-76 traffic.
 - ii that the revised Traffic Study reflects that the busy hour on SR-76 is not that of traditional timing but one that reflects weekend casino traffic and weekend desert related traffic.
2. The Traffic Study projects traffic passing the proposed Project at the rate of 9,456 ADT existing and 25,326 ADT with Cumulative Effects. The stated capacity of SR-76 at that point is 22,900 at LOS E (itself undesirable congestion) resulting in a LOS F. (extreme congestion). Figure 4.7 of Appendix L projects a Cumulative Effect 950 vehicle one way busy hour (one vehicle every 3.5 seconds). According to the ADT San Diego County LOS table set forth in Appendix L, steady to stable flow of 25,000+ could be provided by a 4-lane collector road configuration. In that light PPCSG recommends that steps be taken now to ensure that projected traffic flow can be eventually satisfactorily accommodated by:
 - i initially providing a deceleration lane for westbound traffic entering, and an acceleration lane for eastbound traffic exiting, the Project so as to maximize safety and minimize the

- impact of Project on steady flow on SR-76, especially in the busy hour, as traffic builds toward the eventual Cumulative Effect level³.
- ii including in the DEIR a review of the Project frontage design along SR-76 to ensure that there can be a future provision of pavement and intersection design adequate to carry the Cumulative Effect traffic at steady to stable flow as and when the 25,000+ ADT becomes reality.
3. Road segments of SR-76 to the west of the Project are set forth in Table 8-1 of Appendix L generally indicate a deterioration from LOS C to LOS F from Horse Ranch Creek Road to Lilac Road. Indeed, the LOS deterioration is likely to occur well before the totality of the Cumulative Effects because the theoretical capacity of the road type grossly overstates the actual capacity of the road segments as the sharp radius curves and restricted sight lines result in traffic speeds inconsistent with the theoretical capacity of the road category. While this Project plays a small cumulative effect the totality of the impact would be significant upon residents of the Project, if it were to be approved, people accessing other projects in development and contemplation, and existing road segment users. Consequently, PPCSG recommends that:
- i the DEIR should consider the impact of public safety in the event of a need for an emergency evacuation along SR-76 including the effect of traffic from Valley Center traversing Cole Grade Road as the emergency exits for Valley Center may well have insufficient capacity for emergency conditions. the
 - ii the County of San Diego should immediately consider placing a moratorium on approving further development projects that will develop traffic volumes on SR-76 until such time as a plan has been formulated and funding sources committed and in place that would provide for at least a LOS D on SR-76 from its intersection with I-15 to Valley Center Road.

V. Fire Protection Plan

§ 4.2 of the Fire Protection Plan Appendix E of the DEIR postulates the availability of three Project access roads whereas the Tentative Map at Figure 1-1 clearly shows only two Project access points. Accordingly PPCSG recommends that:

- i the Fire Protection Plan be reviewed and rewritten to both ensure that it aligns with the Tentative Map and that the plan of only two access points has no effect on fire safety.

VI. Noise

The conclusion on page 16 of Noise Assessment Appendix J that "the exterior noise levels will meet the County of San Diego 60 dBA CNEL standard" is not consistent with the data set forth in Table 2-4 of that Exhibit nor with Figure 2-8-2. That figure clearly shows that shows a projected 60 dba CNEL at first floor level at lots 5,6,15 and 16 abutting and covering building pads and within the 100' visual buffer. Such noise level will most probably adversely impact the quiet enjoyment of their property by future homeowners. Therefore PPCSG recommends:

³ PPCSG has repeatedly made this recommendation and has yet to receive a full response to reconcile the statement of the representatives of the Applicant at the July 1 PPCSG meeting that Caltrans would not permit the provision of such lanes with the statement of Caltrans, by Ms. Berman the Director of District 11, in its letter dated March 7 to PPCSD noting that "Caltrans made a recommendation for the inclusion of a westbound deceleration lane and an eastbound acceleration lane."

- i the DEIR should be revised to contemplate the initial mitigation of noise at ground level on lots immediately adjacent to SR-76 either by the provision of denser screening or the erection of an aesthetically acceptable sound barrier, so as to make the rear parts of such lots desirable and safe from the point of view of a homeowner.

VII. Cumulative Projects

It appears that TM 5545 Pauma Estates, a development of residential units adjacent to Pauma Village, has been omitted from the list of Cumulative Projects considered as set forth in Figure 1-6 and Table 1-1. Consequently PPCSG recommends:

- i The DEIR be amended to incorporate TM 5545 and its effects.

VIII. Potentially Unaddressed Environmental Issues

1. Proposed Yuima Pipeline

§ 1.2.2.2 briefly mentions the potential of the construction of a large water pipeline through and across the Project referring to the associated EIR. Other than that mention, it is not clear that the DEIR considers the implications of such a pipeline being constructed subsequent to the start of Project grading. In that context, PPCSG suggests that the DEIR should be modified to include:

- i an analysis of the environmental impacts should construction of the at pipeline begin subsequent to Project grading and, in particular, subsequent to the construction of streets and homes within the Project,
- ii an assessment of the impact of the Project contemplated by the DEIR on the assumptions and findings of the EIR certified for the pipeline, especially with regard to rights of way.

2. Tree removal

Referenced is made throughout the DEIR regarding the intent to reduce agricultural activity by the removal of existing crop bearing tree. However it is not clear that the DEIR has analyzed the environmental impact of the removal and destruction of such trees. Therefore PPCSG recommends that:

- i the DEIR be modified to include a discussion of the method of removal and disposal of the crop bearing trees and environmental impacts therefore arising, if any.

Charles Mathews

From: Charles Mathews [mathews.charles@gmail.com]
Sent: Saturday, August 09, 2014 12:54 PM
To: 'Ben Brooks (bhbrooks2000@yahoo.com)'; 'Bradley Smith (bms0345@gmail.com)'; 'Fritz Stumpges (fritzstumpges@gmail.com)'; 'Ron Barbanell (rbarbanell@gmail.com)'; Tribal Chairman Robert Smith (rsmith@palatribe.com); 'Vice Chairwoman Stephanie Spencer (kuutpat@aol.com)'
Cc: Lisa Fitzpatrick (Lisa.Fitzpatrick@sdcounty.ca.gov); Sheri McPherson (Sheri.McPherson@sdcounty.ca.gov); 'Ramirez, Joshua'
Subject: Pala Pauma CSG Appointments

January 2 of 2015 is a two-year cycle date upon which the appointments to PPCSG by the Board of Supervisors lapse for those then having served their appointed four-year term and is the date upon which the appointment of each of Barbanell, Mathews and Smith (because he was appointed to a part of a term) will lapse. Here I propose for adoption at our September meeting the procedure by which PPCSG will recommend to Supervisor Horn hopefully for his nomination for appointment by the Board of Supervisors of the successor appointees (which can be reappointed present members).

September 2 adopt procedure for new recommendations and formally announce vacancies

September 8 - 25 post vacancy announcements, including in local paper, inviting applications prior to September 30.

October 7 consider applications and form short list of recommendations.

October 10 - 20 obtain RoV certification

November 4 meeting additional consideration of short list if necessary and finalization of recommendations

November 7 advise County Staff and Supervisor Horn of recommendations with the anticipation that such appointments will be made by the Board of Supervisors in a December meeting to provide for continuity of PPCSG operations subsequent to January 2.

Regards,

Charles Mathews.
Chairman, Pala Pauma Valley Community Sponsor Group
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