

# SAN DIEGUITO PLANNING GROUP

P.O. Box 2789, Rancho Santa Fe, CA, 92067

## Minutes of Meeting

April 5th, 2018

1. CALL TO ORDER: 7:06 P.M. PLEDGE OF ALLEGIANCE  
Present: D. Dill, T. Parillo, S. Biszantz, M. Hoppenrath, J. Zagara, P. Fisch, N. Christenfeld, S. Williams, J. Arsivaud-Benjamin (arrived at 7:45 pm), D. Willis  
Absent: S. Thomas, L. Lemarie
2. AGENDA REVIEW
3. APPROVAL OF MINUTES [Circulated to members during meeting for initials/comments]
4. OPEN FORUM: D. Dill reported that all SDPG members had turned in their required Form 700 financial disclosures on time.
5. GENERAL PLANNING ITEMS:
  - A. **Bank of America Minor Deviation Request** for branch located at 4S Ranch Towne Centre, 15011 Craftsman Way, San Diego, APN: 678-670-06-00. Re-facing three existing signs and 1 new direction sign on existing Bank of America branch office building. Applicant: Monigle Associates, Tim Seaman, [619-993-8846](tel:619-993-8846); PDS Planner: Mandy Noza, [858-495-5346](tel:858-495-5346); SDPG Member: Phil Fisch, [858-592-6758](tel:858-592-6758).

**Motion:** By P. Fisch, **second** by J. Arsivaud-Benjamin, to approve as presented.

**Vote:** ayes = 10 nos = 0 abstain = 0 absent/vacant = 3

6. MAJOR PROJECTS AND LAND USE ITEMS:
  - A. **Harmony Grove Village South includes a General Plan Amendment (PDS2015-GPA-15-002), a Specific Plan (PDS2015-SP-15-002), a Rezone (PDS2015-REZ-15-003), a Tentative Map (PDS2015-TM-5600), a Major Use Permit (PDS2015-MUP-15-008), and a draft Habitat Loss Permit (PDSXXXX-HLP-XXX).** The GPA proposes to re-designate a portion of the property from Semi-Rural Regional Category to Village Regional Category and to re-designate the land use designation from Semi-Rural Residential 0.5 to Village Residential 10.9 and Neighborhood Commercial. The proposed Rezone would change the zoning designation from A70 (Limited Agriculture) and RR (Rural Residential) to S88 (Specific Plan). In accordance with Section 86.104 of County of San Diego Ordinance No. 8365 (N.S.) and Section 4.2 g of the CSS NCCP Process Guidelines (CDFG, November 1993), a Habitat Loss Permit is required because the project would impact Diegan coastal sage scrub. Project Contact: Ashley Smith [Ashley.Smith2@sdcounty.ca.gov](mailto:Ashley.Smith2@sdcounty.ca.gov) 858-495-5375; SDPG member: Mid Hoppenrath 760-747-1145. DEIR link: [http://www.sandiegocounty.gov/content/sdc/pds/ceqa\\_public\\_review.html](http://www.sandiegocounty.gov/content/sdc/pds/ceqa_public_review.html). Mark Slovick of DPS explained the change from tentative map and tentative site to vesting tentative map and vesting tentative site that was recently requested by the applicant. This new application, while not introducing any changes, does, if the Project is approved, provide a vested right to develop and would insulate the Project from any future County regulations or voter initiatives. Christopher Morrow of Project Design Consultants presented a brief overview of the 453-DU Project on behalf of the applicant. He reviewed his credentials and noted that the HGVS development had won a building industry award for its design.

There were about 150 people in attendance. There were no proponents other than the applicant's representative; 81 people registered their opposition. *JP Theberge*, representing the Elfin Forest Harmony Grove Town Council, gave a presentation illustrating the Project's major adverse impacts. This high-density Project to be located in an exceptionally high-fire hazard zone has no second ingress/egress road (yet had received a waiver from fire safety

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regulations from the RSFFPD). Fire regulations require a secondary road when project is proposed on a dead-end road of more than 800 feet in length., The HGVS project is on a 4,000 ft length dead-end road. Because HGVS lacks a second way out, hundreds of Project residents, area residents, and commuter traffic must share the only safe evacuation route, Country Club Drive. He demonstrated a set of calculations that would enable County residents to evaluate this risk by matching a given Project density (number of DUs) with associated vehicles, to the road infrastructure that can safely support it. This method showed that if HGVS were built as presented, nearly 6 hours would be required to safely evacuate all area residents (previous HG fire conflagrations have been documented to have engulfed the HG community in less than 2 hours), and that up to 25% of the population could become entrapped. In addition, the Project is inconsistent with the Community Plan and does not follow the General Plan Community Development Model by adding multi-family housing to the rural buffer surrounding the original Harmony Grove Village. *M Hoppenrath* read the SDPG motion (full text shown in appendix) and then the discussion was opened to the public.

*Kathy Macon* had to evacuate twice and hopes the County will stick to the agreement to downgrade density around HGV that was made with the community in good faith. *Ken Dubs* noted that developer-funded analyses are often "MAI," made as instructed, and may not be valid. This idea was echoed by *Lisa Black*, who worked in urban planning for 15 years and felt that traffic, sewer, and other reports are more an art form than science. She said numbers can be manipulated. She felt high-density development is better placed in redevelopment areas. *Kamala Slight* moved to Harmony Grove to be in the "last little piece of heaven in San Diego," and she approved of the planning group motion. *Richard Murphy* felt the GHG studies were not done appropriately and that the analyses will not stand up in court, ultimately costing the taxpayer. *Shawn Wirth* commented that she lost value in her property because of the downzone in the GP update that accompanied the HGV CDM. She did this in good faith for the benefit of the community but feels that she is again being taken advantage of if these developments are allowed to ignore the GP CDM and increase density with no benefit to the individual home owner in the community. *Shelley Fontaine* believes the fire department was negligent in granting the waiver and that approving this GPA defies common sense. *Marla Sweet* lives in the HG Spiritualist Center and feels approval of HGVS would increase traffic and make local roads unsafe for residents and bicyclists. *Marilyn Johnson-Kozlow*, another resident of the HG Spiritualist Center, worries about elevated fire entrapment risks and noted that her home was one of the very few that did not burn down in the Cocos fire. She wondered whether it would be safer to just walk out in an evacuation.

*Steve Barker*, co-founder of TECC and recently retired firefighter, reminded the attendees that another resident, David Hammond, died trying to walk out during a wildfire. *Steve* recommended that the developer save their money and sell the property to a conservancy. He noted many would-be developments in the area failed and were now open space. He commented that although he had the greatest respect for the RSFFPD, they "got this one wrong," and never should have granted the waiver. *Vicki Hamilton* moved to this area to raise her children near nature and get away from dense developments, and she supports the motion. *Joseph Manrique* worked with Cal Fire and the Sheriff's Mounted Patrol and remarked on how fast fire can spread. He said that in the Cocos fire, it took only 2 and ½ minutes for the flames to move from the road to his hay barn. He was concerned that as development grows, supporting services won't grow as fast. *Ginger Lamp* said it was terrifying to try to escape the Cocos fire, with fire coming towards her down the hill and both sides of the road blocked; unfortunately no one was directing traffic.

*Jim Cahill* wants the County to honor prior agreements to limit density, and to consider wildlife when building out the valley, that is, to save more valley, not more homes. *Nancy Henderson* feels the citizens have made enough concessions, and that more development will bring more fire entrapment risk. Trying to evacuate the Cocos fire was very frightening for her, she saw 15 cars trapped on Mt Whitney Road because the fire was moving fast, and people panicked. She thinks the BoS should not ignore the fire safety issue and should not approve more high-density development in this fire-prone valley. *Nancy Reed* supported the motion and believes this valley is one of the most magical places in San Diego. She thinks the fires are getting worse and that granting a waiver for the lack of a second exit was unconscionable. *Barbara Isherwood* moved from the north of England and loved it here. She thinks the residents must feel cheated because they were not NIMBYs and did the right thing by negotiating for HGV with the County, but now face high-density development. She thinks HGVS must be stopped.

*Brianna Girod* just moved to HGV, which was advertised as "urban meets rural," and was very concerned about HGVS elevating fire danger and reducing the ability to evacuate. She mentioned it was difficult to get insurance.

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*Bruce Schryven*, an experienced investigator, noted that HGV was not shelter in place and that people had only minutes, not hours, to evacuate. He said that people often panic in those situations. *Rev Robert Anderson* lost his home in the Cider fire and Witch fire and then again in the Cocos fire. He watched 19 homes burn in 15 minutes and remarked that most of his neighbors had no insurance. He said people lost their livelihoods and many lost their dreams. *Jim Depolo* thought that HGVS had many problems and that to keep the area rural, the County should follow the General Plan. He thought the motion was very well worded. *John Gottlieb* thought the area was already too congested and believed that the County must consider the families that were moving into the area.

*Chris Dye* was concerned about safety for his family and neighbors and believed that BoS approval of HGVS would show that the County felt the residents' lives were not worth the cost of losing the development. *Patti Newton* lost her home in the Harmony fire and said of the experience that until you have lived it and felt it, you can't know it. She hoped the BoS would try to feel what people were saying. *Chris Dingman*, a new resident, wanted to help keep the community rural. He was surprised that the waiver was approved by RSFFPD and the County Fire Authority. *Daniel Kucharski* was a cyclist who felt the area roads used to be very safe but were already becoming more congested. He believed the narrow rural roads could not handle extra vehicles and that more high-density development would cause this valley to become dangerous for bicyclists. *Jonathan Dummer* thanked the developer for causing the neighbors to consider how important it was to become involved and unite to protect their homes. He said when he moved here many years ago the area next to his home was zoned for 8 homes, now with HGVS it would be 450. He warned the BoS that they would be responsible if people died in fires because of their decision. *Kay Greenwood* felt this was the last land in this area suitable for wildlife and horses. She teaches horseback riding, responsibility, and kindness to kids and believes that the area is too amazing to lose to more high-density development. *Nick* and *Gloria Euarn* have lived in Harmony Grove for 35 years and know that having only one exit will mean the homeowners can't get fire insurance. *Gloria* thought approval of HGVS would result in deaths in the next fire that would be the responsibility of the BoS.

A further 49 people submitted speaker slips in opposition but either felt their concerns had already been mentioned or did not wish to speak: *Dan Anderson, Darlene Stapp, Brenda Hand, Mike and Nancy Sampson, Tom Payne, Leslie Harris, Scott Sutherland, Gig Theberge, Bill Schiefler, Terry Heavens, Linda and James McKim, Eric Neubauer, Susanne and Rohar Desai, Mike Zaparyniuk, Sabrina Zaparyniuk Patterson, John Trainer, Alisha, Virginia Izquierdo, Jerry Patterson, resident on Trail Blazer Lane, Mark Shields, Frautene McLarney, Eric Anderson, Patrick Walter, Karen Nielsen, Juan Lopez, Laura Mitchell, Bill and Merlyn Porter, Hazel Gray-Fornasodoro, Michael Fornasodoro, Ron and Jan Hall, Kevin Barnard, Mathew Nicolas, Karin Hathaway, Debbie O'Neill, Kevin Girod, Nona Barker, Danielle Lopez, Jesus Medrano, Reina Reeves, Kevin Siemens, Lori Vitale, Jim Moore, and Angelique Hartman.*

*D. Dill* opened the discussion to the SDPG members. *M. Hoppenrath* said that approval of HGVS would allow the developer to amend not only the GP, but also the Harmony Grove Community Plan. Proposed amendments significantly altered the community's vision and removed County protections such as the Village limit line and the need to maintain an urban/rural balance in homes. She felt the fact that the developer can freely edit a community plan to serve their own purposes in the face of strong community opposition meant that community plans throughout the County would be made essentially worthless as planning tools, adversely affecting all San Diegans. Members indicated support for the motion.

**Motion:** By M. Hoppenrath, **second** by N. Christenfeld, to deny Project as presented because Project does not meet the criteria for conformance with LU 1.4, nor those for a General Plan Amendment, and is inconsistent with General Plan Guiding Principles. Full text of motion is included in appendix.

**Vote:** ayes = 10 nos = 0 abstain = 0 absent/vacant = 3

- B. **Hacienda Santa Fe Senior Facility.** Proposed project is in the City of San Diego on the southeastern corner of Via de la Valle at El Camino Real. The developer will present an overview of the project with Q&A in preparation for the release of a draft EIR sometime in the first quarter of 2018. Project Developer: Milan Capital Management - Bret Bernard, AICP, Director of Planning & Development, [714-687-0000](tel:714-687-0000), [ext119](tel:714-687-1119); SDPG member: Don Willis [\(858\) 481-6922](tel:858-481-6922). **Continued to May 10th**
- C. **PDS2018-AD-18-004 Fortuna Farms Administrative Permit.** Waiver for an additional 5,564 sq ft service

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building. Private residence and equestrian facility on an eight-acre parcel located at the corner of Via De Fortuna and El Camino Del Norte, Rancho Santa Fe; APN 265-160-2500. Property Owners: Caroline LaBarre and Tim Porthouse, [520-390-4470](tel:520-390-4470); Applicant's Contact: Allard Jansen Architects, [619-450-6550](tel:619-450-6550); PDS Planner: John Leavitt, [858-495-5448](tel:858-495-5448); SDPG Member: Laurel Lemarie, [858-756-2835](tel:858-756-2835). **Continued to May 10th**

- D. **PDS2017-TM-5589TE-PDS-PLN.** Time Extension of an existing approved PDS 2014 TM 5589 Tentative Map, located at [18531 Aliso Canyon Road](#) in Rancho Santa Fe. A proposed 8-lot residential subdivision on 29.81 acres with minimum 2-acre parcel, with proposed private street for access and hook up to sewer. APN #265-270-84. Applicant: El Paso One, LLC (c/o Michael Whitney), [858-945-7757](tel:858-945-7757); PDS Planner: Marisa Smith [858-694-2621](tel:858-694-2621); SDPG Member: Laurel Lemarie [858-756-2835](tel:858-756-2835). Mr. Whitney explained that he was considering making this into an equestrian estates project and was developing appropriate CC&Rs to manage horse-related impacts.

**Motion:** By D. Dill, **second** by T. Parillo, to approve as presented.

**Vote:** ayes = 10      nos = 0      abstain = 0      absent/vacant = 3

7. ADMINISTRATIVE MATTERS:

- A. Community Reports
- B. Consideration and comments on circulation mail
- C. Future agenda items and planning
- D. Prospective & returning Planning Group members
- E. Supply orders and reimbursement of expenses

Adjourned 9:35 pm

**NOTE: The San Dieguito Planning Group currently has one vacancy.** If you wish to become a member of the SDPG, please provide the chair with your current resume and plan to attend 2 or 3 meetings in advance of processing your application for membership.

<b>Future Meeting Dates:</b>	5/10/18	6/14/18	7/12/18	8/9/18	9/13/18	10/11/18
Doug Dill, Chair	760-736-4333		FAX 760-736-4333	e-mail: <a href="mailto:theddills@att.net">theddills@att.net</a>		
Tim Parillo, Vice-Chair	415-238-6961			e-mail: <a href="mailto:tparillo@gmail.com">tparillo@gmail.com</a>		
Mid Hoppenrath, Secretary	760-747-1145			e-mail: <a href="mailto:midhop@gmail.com">midhop@gmail.com</a>		

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**San Dieguito Planning Group Meeting April, 5, 2018**

**Item 6A - Harmony Grove Village South** includes a General Plan Amendment (PDS2015-GPA-15-002), a Specific Plan (PDS2015-SP-15-002), a Rezone (PDS2015-REZ-15-003), a Tentative Map (PDS2015-TM-5600), a Major Use Permit (PDS2015-MUP-15-008), and a draft Habitat Loss Permit (PDSXXXX-HLP-XXX).

**Motion: RECOMMEND DENIAL as presented** because Project does not meet the criteria for conformance with LU 1.4 (shown in *italics* below; please note **all** four criteria must be met) nor with those for a General Plan Amendment (GPA) and is inconsistent with General Plan Guiding Principles.

*“Potential Village development would be compatible with environmental conditions and constraints, such as topography and flooding.”*

■ **NOT COMPATIBLE.** The Harmony Grove Village South (HGVS or Project) property lies within an area statutorily designated State Responsibility Area “Very High Fire Hazard Severity Zone,” by CAL FIRE and recognized by the County of San Diego and RSFFPD (From the Dudek 2016 Fire Protection Plan for HGVS). The expansion area is constrained by a 3-sided topographic “bowl” formation surrounded by steep slopes in a floodplain traversed by Escondido Creek. Although this is a very high fire risk area there is only one possible ingress/egress road, necessitating a waiver in **Fire Safety Regulations** for an expansion. Country Club Drive, the only safe evacuation route, regularly floods, with two recorded deaths from storm water surges. A main arterial, Harmony Grove Road, is narrowly constrained by Escondido Creek tributaries, rocky slopes, and unmaintained fuels/vegetation, making it nearly impossible to widen. Thus, the expansion is inconsistent with **General Plan Goals** that include avoiding development in areas susceptible to geologic, wildfire, or flooding risks, and **Guiding Principle 5**, which states that “In high risk areas, development should be prohibited or reduced in type and/or density.”

*“Potential Village development would be accommodated by the General Plan road network.”*

■ **NO IMPROVEMENTS TO ROAD NETWORK.** The expansion will create significant and unmitigable impacts to area roadways and intersections. The existing road infrastructure consists of 2-lane rural roads without shoulders, subject to flooding, mud slides and closures during the winter months and surrounded by high fuel sources. The unclassified road, Country Club Drive, was originally a private quarry utility road and some segments do not have County easements. According to the Wildland Urban Interface Fire Emergency Plan recently commissioned by CAL FIRE, Country Club Drive is the only safe evacuation route without caveats for the entire area, and that would be reduced from a Level of Service A to a Level of Service F by a village expansion. The proposed mitigation for the lack of a secondary access and for the excessive dead-end road length in this expansion provides no off-site improvements that would facilitate evacuation for area residents, which will increase risk of fatal entrapment should the single safe evacuation route be obstructed. This is inconsistent with the **General Plan** that requires that a GPA must not be detrimental to public health, safety, and welfare.

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*“Public facilities and services can support the expansion without a reduction of services to other County residents.”*

■ **INCREASED BURDEN ON EXISTING INFRASTRUCTURE WILL REDUCE QUALITY OF SERVICES.** Because this village expansion is not adequately served by the General Plan road network and there are no public transportation services, the resulting increase in traffic congestion to levels of service F will result in other County residents experiencing excessive wait times for public facilities or services. Because the Project’s excessive greenhouse gas emissions will be mitigated by purchasing distant, off-site carbon credits, local air quality will be decreased and local environmental impacts will be increased, burdening other County residents. The expansion will strain the area’s public school system (San Pascual HS is already over capacity) requiring area schoolchildren to use mobile classrooms. It will require the creation of growth-inducing sewage treatment facilities that will increase the risk of more high-density urban sprawl. The increased density will require a greater portion of the area’s dwindling water reserves and will require more intense water restrictions in times of drought for other County residents, who are not allowed to use the project’s recycled water.

*“The expansion is consistent with community character, the scale, and the orderly and contiguous growth of a Village area.”*

■ **INCONSISTENT WITH COMMUNITY CHARACTER.** The project proposes amendments to the **Community Plan** that significantly alter the development objectives incorporated therein to manage growth. One amendment eliminates the reference to the unique consensus agreement that was reached between the community and the County that allowed the creation of Harmony Grove Village. This negotiated Village was designed to accept population growth while using the Community Development Model to establish rural buffers to prevent urban sprawl. However, the amendment removes the word “negotiated” from the following excerpt that specifically addresses the possibility of expansion: *“In addition, non-resident land speculators have purchased local undeveloped land in the hopes that General Plan Amendments allowing higher density will be adopted by the Board of Supervisors. Residents will continue to work to preserve this historic 100-year-old community by implementing the Village Development Pattern that was negotiated.”* The phrase “consistent with General Plan policies” was substituted. There is no justification for eliminating this unique compromise from the historical record in the Community Plan, especially when residents are hoping that the County will remember that the very scenario embodied in the HGVS project is exactly what the residents have most feared, and why they entered into this negotiation with the County. This negotiated development pattern resulted in the original **Community Plan Map** and is protected by County planning tools such as the Village Limit line, the restriction on expansion of the HGV sewage treatment plant, and **CP Policy LU-2.2.1** *Ensure that the number of urban residences does not greatly exceed that of the rural residences in the greater unincorporated communities of Harmony Grove and Eden Valley.* Because the Community Plan *specifically prohibits* this expansion, the Project’s

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attempts to amend the Community Plan are simply an avoidance of its own inconsistencies. This is incompatible with **GP LU 2.4**, which requires projects to reflect the development objectives for a community plan area.

The scale of the expansion is inconsistent because it will eliminate the carefully constructed urban-rural balance documented in the Community Plan that was created to manage Village development. This is contradictory to **General Plan Guiding Principle 10**, which recognizes that unincorporated rural communities “contribute to a high quality of life distinct from the urbanized environment of coastal San Diego” and stipulates that “as growth continues, development must be managed to protect these assets.”

Finally, the expansion does not create an orderly and contiguous growth of the Village area because it introduces multifamily units that are far denser than the single-family units of the Harmony Grove Village core area, and does so beyond the largest, horse-keeping lots that form the rural buffer area of the original village. Thus, the expansion is not in conformance with the gradually decreasing density required in the **General Plan Community Development Model**.

#### *Requested Analyses*

The County should not allow additional residential density beyond that allowed by right in the General Plan without first ensuring that the impact of the change would not impede the safe evacuation of existing and future residents in areas like this prone to major fire events. As such, we request additional analysis prior to staff formulating a recommendation on the project, to match a given recommended project density (number of DUs) to the road infrastructure that can safely support it. This additional analysis is necessary because a) information crucial to evaluating public safety risk is missing from the data presented so far, namely, project impact on evacuation scenarios, b) the extreme 2017 wildfires in California and their consequences have demonstrated the need for sound planning to avoid loss of life, and c) new data from the HGVS WUIFERP point to “a historic fire corridor with a history of loss of life & extensive structural loss”, with the entire area evacuating on Country Club Drive in an emergency.

Specifically, we request staff/applicant to analyze the following:

- a) Calculate the maximum current vehicle carrying capacity of Country Club Drive (CCD) in a mass evacuation scenario, taking into account the number of existing large animals to be evacuated using the same road infrastructure;
- b) Conduct the same analysis adding a secondary Project egress through to Del Dios Highway, which would relieve congestion on CCD;

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- c) From the vehicle capacity analysis in a) and b) above, derive the maximum number of evacuating dwelling units (DUs) that can safely travel on CCD and access roads. For example, if each du is assumed 2 evacuating cars, maximum number of homes that can safely evacuate would be half the capacity that the infrastructure can carry;
- d) From the result of the analysis in c) (total number of DUs evacuating safely), calculate how many additional residential units can safely be added to the area by deducting the existing and currently approved DUs in Harmony Grove, Eden Valley, Del Dios, and Elfin Forest.
- e) The remaining available density should be the maximum additional density from a planning perspective that can be approved outside the General Plan and not compromise safe evacuation.

In addition,

- The waivers from California Fire Code granted by the Rancho Santa Fe Fire District should be re-examined in light of new fire behavior data from the recent 2017 fires throughout California, and the Rahn Study and the MRO traffic analysis data that were not available when the FPP was published;
- Because critical cumulative impact to emergency evacuation was not considered in the original DEIR, consider recirculating the DEIR with the data requested so the public has the opportunity to review and comment on this vital analysis.

The following conditions of approval should be incorporated to preserve public safety for all area residents including HGVS's:

- Applicant should be required to perform a full analysis of evacuation risks and scenarios that include risks to the current Harmony Grove residents, which was not included in the 2016 FPP, prior to going to Planning Commission;
- Applicant should be required to provide a true secondary exit (not leading to Country Club Drive) such as through to Del Dios Highway.
- Any livestock showing distress from blasting activity at any distance should be removed at the applicant's expense to a remote location for the duration of blasting operations. Initial planning shall consider livestock within 300 feet of a minor blast or 600 feet of a major blast to be removed to these minimum distances for the appropriate blast size prior to the commencement of blasting.

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