

**LL-7**  
**Latham & Watkins LLP**  
**on behalf of the Golden Door Properties, LLC**  
**Dated: January 8, 2018**

1. Introduction

The comment letter submitted in the form of an email by Latham & Watkins on behalf of the Golden Door Properties, LLC, dated January 8, 2018, is a late letter that does not require a written response from the County.

Under CEQA Guidelines Section 15105, the County was legally required to provide a 45-day public review period on the Draft EIR. In order to provide additional time, the County instead afforded 60 days for public review and comment. The public comment period for the Draft EIR began on June 15, 2017, and ended on August 14, 2017. All comment letters received after expiration of the public review and comment period ending on August 14, 2017, are considered late comments.

A lead agency is required to consider comments on the Draft EIR and to prepare written responses if a comment is received within the public comment period. (Pub. Resources Code, §21091(d); CEQA Guidelines, §15088.) When a comment letter is received after the close of the public comment period, however, a lead agency does not have an obligation to respond. (Pub. Resources Code, §21091(d)(1); Pub. Resources Code, §21092.5(c).) Accordingly, the County is not required to provide a written response to late comment letters, including the January 8, 2018, letter from Latham & Watkins. (See, CEQA Guidelines, §15088(a)).

Nonetheless, for information purposes, the County has elected to respond to this late letter, but without waiving its position that written responses to late comment letters are not required by law.

2. The email letter does not raise new issues requiring additional analysis or recirculation of the Newland Sierra Project EIR.

The email letter states that the Rancho Lomas Verdes Project in the City of Vista was not included in the Cumulative Projects List (Table 1-10 of the EIR) for the Newland Sierra Project EIR, raises concerns about the cumulative effects of smaller projects on traffic, and raises concerns pertaining to the SR 76 corridor, I-15 corridor, and Gopher Canyon Road. The County refers the commenter to the **Response to Late Comment Letter LL-2** which addresses the potential cumulative effects broadly related to other projects as well as specifically related to this project in Vista.

## Responses to Late Comment Letters

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3. The Rancho Lomas Verdes Project is predominantly in a Moderate Fire Severity Zone and outside of the Draft North County MSCP Pre-Approved Mitigation Area (PAMA).

The email letter raises concerns about wildlife risk and the Draft NC MSCP Plan. The conceptual site plan<sup>1</sup> for this proposed project shows that the development would be limited to those areas of the site that have been subjected to intensive agricultural uses and largely bare ground or active agricultural fields (i.e., lacking biological resources). These areas are outside of PAMA and mapped as a Moderate Fire Severity Zone. The County also refers the commenter to the **Response to Late Comment Letter LL-2** which addresses the potential cumulative effects broadly related to other projects as well as specifically related to this project in Vista.

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<sup>1</sup> Refer to the Notice of Preparation of a Draft Environmental Impact Report for the Rancho Lomas Verdes Specific Plan: <http://www.cityofvista.com/home/showdocument?id=13837>.