

I-36 Allen and Karen Binns

Comment Letter I-36

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RE: Newland Sierra, Log NO. PDS2015-ER-15-08-001; SCH NO. 2015021036. Project Numbers: PDS2015-GPA-15-001, PDS2015-SP-15-001, PDS2015-REZ-15-001, PDS2015-TM-5597, PDSXXXX-HLP-XXX.

Dear Ashley,

Thank you for giving us the opportunity to comment on the DEIR for Newland Sierra.

Due to time constraints and the fact that we were not granted a time extension for comments, I was unable to read the entire DEIR and appendices. There are deficiencies in this DEIR and I will try to list some of the questions which arose as I was reading through it.

My comments are not going to be in any order of importance. They will just be random.

First of all this project makes a mockery of the newly released General Plan that took over 12 years to create and over \$18,000,000.00 to produce.

We are very concerned with our proximity to the project and how it will affect us.

We are an abutter to the project. We have lived here for 30 years. I am retired and my husband is nearing retirement. We have a rural lifestyle of horses and chickens as well as various small animals. We live on a private road, gated with only 3 other families.

We were opposed to the Merriam Mountains project and we are also opposed to the Newland Sierra project.

I-36-1

I-36-2

I-36-3

I-36-4

I-36-5

Comment Letters

I am a cancer survivor of 2 different cancers. Therefore, Air Quality, Crystalline Silica Dust, traffic emissions, etc. are very important to me and of great concern.

I-36-6

However, there are several volumes on Air Quality (over 7 volumes) but they are not decipherable. They have columns of numbers with various headings. The various headings have no legend that states what the headings mean. Also, the headings are only on the first page, but you may have 1,000 pages or more of numbers in that appendix. It is impossible to follow.

I-36-7

Since I am a cancer survivor, the Air Quality Technical Report is very important to me but I basically had to forego reading that section as a layperson cannot decipher it. There is no way to analyze it.

I-36-8

We worry about all the dust that will permeate the air around us and if we will be able to open our windows and doors or will we be forced to keep them shut and run our air conditioner day and night?

I-36-9

We have great concerns as to how this project may affect us. However, reading through the DEIR we were left with many questions and no answers.

I-36-10

We are deeply concerned about the **Project Alternative Newland Sierra Parkway Option C (formerly C-2)** which goes through our entire property. It also goes through several of my neighbors properties yet none of us have been notified by the developer of this possible alternative access. There is confusion as to what the actual names of this alternative is because in the Delane report it is called Alternative C-2 but now that it is in the DEIR as an alternative I believe it is referred to **Newland Sierra Parkway Alternative C**. I believe it to be the most easterly route.

I-36-11

We don't know if the project in general will effect ingress and egress to our property, our water pipes, septic, mail and package delivery. Also, although the actual number of dwelling units must remain the same, I believe the developer may alter the number of units per Neighborhood as long as the number of total units remains the same. Since we are closest to the Valley Neighborhood, the composition or types of homes may change as well as the number of units may also change.

I-36-12

We are concerned that due to our abutment to Sierra Park, (park # 14), that some of our property may be used for fire mitigation. We also have an easement on Deer Springs Place that 2 other properties on our private road have an easement over, to get to and from their properties. We do not want any of this land taken from us or used for fire mitigation, etc.

I-36-13

We also have a security gate at the base of Deer Springs Place. During the widening of Deer Springs Road will we be without this security gate? We participated in the purchase of this

I-36-14

security gate as well as its upkeep. How long could we be without it? This is a real security issue for all of us on this road, especially with all the construction that would be going on, the construction vehicle, the construction workers etc. We would lose any sense of security we may feel now.

I-36-14
Cont.

Will Sierra Park be fenced, or can those using it have access to our property and our private road?

I-36-15

One thing I would like to bring to the County's attention is that Newland Sierra has not gone out to the Community and talked to the various Sponsor Groups as they said they would once the DEIR came out. They said they would go to all the Sponsor Groups and speak and answer any questions. They did not even attend the County meeting last month held after the release of the DEIR.

I-36-16

Now they are saying they will come out once all the comments are in and answered. Is Newland afraid of what we may ask them? Is that why they want to have the comments answered, so that they will have the answers in advance? I would think that is one of their responsibilities and that the County would force them to present to the Communities. Instead the county condones their behavior. Newland has no problem wining and dining the people of Champagne Village and offering them a free BBQ lunch. They have a right to wine and dine, but they should fulfill their obligation and attend the Sponsor Group meetings and not tell us that they presented in March of 2016 (17 months ago) and that nothing has changed with the project so they are not coming to speak to us.

I-36-17

Here are some of the questions which arose as I was reading through the DEIR:

Why is the Deer Springs Road / I – 15 interchange a 3 phase plan?

I-36-18

Why is the DSR/ Mesa Rock reconstruction waiting until the 900 th occupant of the project before they have to provide the various SB, WB, NB, EB lanes? (Traffic section 16.2 mitigation measure 16.2.1, page 192)

I-36-19

The phasing maps have discrepancies. I saw at least 2 that were the same. One of which was the Figure 4 Phasing Plan. Then in looking at the Traffic appendix Figure 15-1 the Project Phasing map some of the Neighborhoods are in 2 phases, etc. Why the discrepancy?

I-36-20

Also, in Figure 15-1 of the traffic section, there is a graph but even with magnification on the computer the date is all blurry. I have found other maps with info that is very blurry and unreadable also.

I-36-21

Comment Letters

Regarding all the blasting, we abut the project. Will there be any pre blasting examination of our home and property before blasting occurs, even if it is off in the distance?	I-36-22
In the Health Risk Assessment, under Conclusions, page 27, the mitigation rate for the Townhouse is only .9 pts below the threshold which is 10. What if they cannot mitigate to that?	I-36-23
What if a Town Center resident also attends the school which they plan to build onsite. Both areas are considered a Cancer Risk zone. Their cancer rate would be elevated, especially if they attended the school for the entire 8 years.	I-36-24
Does this mean that the children living in the Town Center or the Terraces Neighborhoods cannot go out to play, ride their bikes, etc. due to their proximity to the freeway and the poor air quality and traffic emissions?	I-36-25
Are there condominiums or town homes in this project? The grading maps say condominium. The developer's representative said town homes.	I-36-26
Will any of our property which abuts Park # 14 be used as a fire buffer. That seems to be what is shown in some figures in the Sierra Park Fire Report.	I-36-27
I do not want any of my property used as Fuel Mitigation Zone land!	I-36-28
There is wrong info listed: Sarver Lane is in a 100 year flood plain. It is not listed as such in the DEIR. It flooded out prior to 1987. Those people could not use the road. They had to use other roads to access the area. See Figure 3.2-2 100 year flood hazard zone.	I-36-29
I also saw on page 8 of the Preliminary Floodplain Analysis, Feb. 14, 2017, Appendix CC, under Conclusion stated "The proposed roads of Sarver Lane and Deer Springs Road are out of the 100 year floodplain? Sarver Lane is definitely in the "100 year floodplain".	I-36-30
The green waste collection area at Sierra Farms Park will have 30-40 yards of material at a time. How do we not get noxious fumes? See 2.3-42	I-36-31
What about subsurface vibrations that may affect our septic system?	I-36-32
There is no talk about ground borne vibrations.	I-36-33
Why are there no sound attenuation walls for the project?	

Comment Letters

Our property is listed as an alternative to the property, Newland Sierra Parkway, Alternate B. Why have we not been spoken to about this option?	I-36-34
Will the utilities on this project be placed underground or above ground?	I-36-35
This project is massive with massive issues. It will have 5 years of grading. 244 weeks is stated using a 6 day work week. Or 1464 work days of grading alone!	I-36-36
Rock crushing will take 319 days. That is usually 8+ hour work days. There will be 2,500 cubic yards of rock crushed per day.	I-36-37
Blasting is stated as 255 days. 17-19 tons of explosives used per day. Page 2.3-31	I-36-38
In the Air Appendix, in Appendix D (Blasting and Rock Crushing Emissions Estimate) there is a rock crushing emissions page per crushing facilities. It states that in Phase 1, there are 4 rock crushing facilities. In phase 2 there are 3 rock crushing facilities. I thought the EIR only pointed to 2 rock crushing locations in the DEIR? Looks like 3 diesel engine generators in phase 1 and 2 diesel generators in phase 2	I-36-39
There will be 721 weeks of construction! That is 14 years!! Since some phases may overlap, we may have 4 years of construction where both phases will be working at the same time, doubling the impacts to our rural community.	I-36-40
The generators on the project site will be operating 8 hours per day. They operate at a very high decibel level.	I-36-41
There will be 7,000 new homes built in San Marcos in the next few years with 30,000 new residents. Why do we need more housing?	I-36-42
This project should not be built until the I-15 / Deer Springs interchange improvements are completed.	I-36-43
How do the current residents of Twin Oaks get out either during a fire or other disaster? It is not analyzed in the DEIR.	I-36-44
Where are the "offsets" for the Carbon Neutral that Newland claims this project will be?	I-36-45
Will our property as abutters to Park # 14 have 'light pollution' from the project?	I-36-46

Comment Letters

Why are the emissions for rock crushing only going to be checked once every 30 days? That is very inadequate. The air monitoring station is all the way down on East Valley Parkway in Escondido.	I-36-47
What will the Community Gardens look like? I abut that park area. I have concerns with aesthetics.	I-36-48
One of our community members asked a question of Caltrans District 11- San Diego, regarding the interchange at Deer Springs and I-15. He stated " <u>Caltrans has no plans at this location to improve the ramps.</u> " Why is the County stating that interchange improvements are in the works?	I-36-49
There needs to be a new interchange at Gopher Canyon Road. If there is a fire at the northern portion of the project for instance and the fire truck is coming from Circle R, they would have to drive all the way down to Deer Springs/Mesa Rock Rd. to access the project. Precious time would be wasted. This is a must!	I-36-50
Newland is proposing 4 lanes to Buena Creek Rd, but then it will become 2 lanes again. It should be 4 lanes all the way to Twin Oaks Valley Road which is 4 lanes. If the entire roadway is not made at least 4 lanes, but has sections that are only 2 lanes then it will only bottleneck.	I-36-51
On page 28 of the Preliminary Geotechnical Report revised on Nov. 6, 2015 the last paragraph under 5.0 Conclusions it speaks of the abandonment of the rock quarry and says" excavation on site however, may provide suitable materials for use as road base and aggregate, thus eliminating the need for importing of these materials. Additional testing and/or processing will be required for use of onsite materials." I thought those mineral rights were to be extinguished?	I-36-52
The ROW documents for Deer Springs Road pertain to our easement rights. We do not front DSR but our private road empties onto DSR. We have easement rights and we do not want to have them affected. Why have we not had any contact with the developer on this issue effecting our ingress and egress? This will affect our security gate, our mail and UPS deliveries, etc.	I-36-53
This DEIR is extremely hard to find things in. This DEIR has its info all scattered all over the entire DEIR making it most difficult to find things in. There was a 2017 CA Supreme Court Case stating that an EIR must be in an orderly fashion making things easy to find and not scattered all over the entire document in various appendices and which also has appendices to the appendix. This DEIR needs to be revised and then re circulated.	I-36-54
Why is there no blasting schedule? There are no maps of the areas that will need blasting.	I-36-55

Why is the mitigation area for habitat all the way over in Ramona? How does that help the animals that will be displaced and affected here on the project site?

↑ I-36-55
Cont.

This project is proposed in R-10 and R-20 zoning. This project will cause "spot zoning". There was a mechanism where the county was trying to circumvent the "spot zoning" by making a "study area" around the project, but for some unknown reason the developer decided to nix the "study area" as well as the NC-42 Property Specific Request.

I-36-56

Why don't the 3 main roads have street names?

I-36-57

What are the main roads called by the Arco station, at Sarver Lane and at Camino Major?

I-36-58

Is Newland Sierra Parkway the name given to the road options proposed by the Golden Door? There was originally a Delane Option C-1 and Option C-2. Now I think they are called Newland Sierra Parkway Option A, Newland Sierra Parkway Option B (formerly Option C-1), and Newland Sierra Parkway Option C (formerly Option C-2), which goes right through my property. That is unacceptable to us.

I-36-59

The old Clark House on Sarver Lane (owned by Newland) is to be demolished to put Park # 14 Sierra Park in. In the old Merriam Mountains DEIR there was remediation measures that needed to be adhered to in order to be demolished, yet there is no mention in this DEIR of that fact.

I-36-60

On the old Kim/ Thornton Nursery grounds, there were greenhouses that were demolished years ago by Merriam Mountain that had remediation measures in the old DEIR for soil contamination by pesticides used during all the years of it being a nursery. Also for lead and asbestos, There was no mention in the DEIR of this need for remediation.

I-36-61

In the DEIR at the San Marcos Library, the hard copy is missing the List of Preparers as well as the List of Mitigation Measures and Environmental Design Considerations (71 pages). Has this been replaced?

I-36-62

In the Biological Resource section Figure 2.4-1 as stated on page 2.4-51, where are the corridors A, B, C, D on the map? They are not listed on the Figures map.

I-36-63

There is not too much mention of rock fall hazards. In the old M Mts. DEIR there was much mention of drilling and bolting the boulders, yet in this DEIR there is just a brief mention of bolting the boulders to prevent a rock fall hazard or using netting of some sort.

I-36-64

Regarding soil types: there is no talk of soil types and their relation to grading, compaction, drainage, during construction.

I-36-65

Comment Letters

Newland states that there are 2,000,000 square feet in this current General Plan that they could have a big box store on the site. They cannot. There is only 4.6 acres of commercial, hardly enough land for a big box store such as a Costco or a Target, etc. There are 53.6 acres zoned Office Professional but no commercial would be allowed on Office Professional land. .

I-36-66

Why weren't the 99 homes allowed in the current General Plan studied as an Alternative to this project?

I-36-67

Why is the Town Center going to be built in the 2nd phase and will be the last thing to be built? Newland keeps touting that the community will be able to go shopping on the site and not need to drive into San Marcos or Escondido. By the time it is built, the elderly living in Deer Springs Oaks Mobile Home Park as well as Champagne Village will be dead from old age before the Town Center is built. San Elijo Hills just announced in Sunday's paper, July 20, 2017, that they will be breaking ground on their Town Center after 19 years!

I-36-68

All streets should have 5 foot bike lanes.

I-36-69

Deer Springs Road must be made 6 lanes. As much as I hate to see that happen, it is a necessity! It needs to be paid for by the Developer and not the county taxpayers. They are adding 6,063 people to the area and adding 2,800 ADT to Deer Springs already failing road. Four lanes will not even alleviate the current gridlock on this road, without the influx of the Newland traffic.

I-36-70

Deer Springs Road needs to be widened before they start construction of any other part of the project as it will be needed with all the construction vehicles as well as construction workers.

I-36-71

I did not see any landscape plan nor landscape palate.

I-36-72

The DEIR states that there will be 244 weeks of grading which will be 6 days a week. That equals 1464 days which is quite a burden to the Twin Oaks community.

I-36-73

When the mountain tops over near the I-15 freeway on Deer Springs Road are cut down, that will change the noise factor for those of us in the valley. We will then hear the I-15 freeway noise at our homes.

I-36-74

Also, the cutting of the mountain tops will actually cause its own new weather pattern. I live 1.5 miles from the I-15 in a straight line, down Deer Springs Road. When we leave our home on certain days, it can be foggy at our home, and by the time we travel the 1.5 miles, it will be sunny. This will create a Climate Change pattern. Why is this effect not studied in the DEIR? Studies need to be done on this matter.

I-36-75

Comment Letters

Why wasn't Moon Nursery studied under cumulative projects? They recently took over a business on the opposite side of the freeway from where they currently had a nursery.	I-36-76
Why weren't the 2 applications for gas stations at the I-15 freeway interchange by Mountain Meadow Rd/ Lawrence Welk Road not studied under cumulative projects?	I-36-77
Why isn't there a study of the interchange redesign plans included in the DEIR? The County says it is a Caltrans issue but by not including such vital information the DEIR is incomplete.	I-36-78
The DEIR states that there will be 5,650 tons of rock crushed per day. There are supposedly 2 rock crushing stations. Is the amount of rock crushing per day, per station, or total rock crushed per day?	I-36-79
Since we abut the Public Park # 14 and this park is listed as Public, and it is the largest park, will this park have ballgames?	I-36-80
Will this park have night lighting for ball games or other activities?	I-36-81
Will the Community Clubhouse be open for activities at night?	I-36-82
Will this park be open all night or will it close at dusk and re-open at dawn?	I-36-83
Will this park be like the 4 th of July Park at the Harmony Grove project in the County in Escondido that has numerous activities every weekend throughout the year, that is open to the public?	I-36-84
Will eminent domain be needed for road widening or for utilities such as water pipes, etc.?	I-36-85
Will the construction limit our access to our homes? Will it limit our access for mail delivery and package delivery for the 2 years of road construction?	I-36-86
Will any work on Deer Springs Road be done at night?	I-36-87
Will there be any construction staging areas near our property? I was told by my abutting neighbor who abuts Deer Spring Road, that she was approached by the developer to have her frontage used as a staging area. This would affect our property and if this is the case we need to be notified by the developer. This will absolutely ruin our property value as well as our peace and quiet.	I-36-88

Comment Letters

How will we access Deer Springs Road during and after road widening? Will we have to go right turn only? Will this be permanent?	I-36-89
When were the traffic studies done? We were never told that in the DEIR. Was that during school and college vacations? It seems to be during vacation time.	I-36-90
Will parking be allowed on Sarver Lane?	I-36-91
(SMARA) Where is the Statement of Reasons which is to be circulated for 60 days located in the DEIR?	I-36-92
Why is this project not being built on NC – 2 land?	I-36-93
There are no added law enforcement or firemen, yet they are needed. Who will pay for them?	I-36-94
Are the homes and town homes/condos 2 or 3 stories?	I-36-95
Schools are located in several school jurisdictions. Since there is no longer any school busing, how is this affecting the VMT? Now parents will be taking their children to school and adding to the gridlock on the road.	I-36-96
Why are there no noise walls proposed?	I-36-97
Why not build on the NC-2 land and not build on this Newland parcel of land?	I-36-98
Where are the replies to comments to the 35 NOP letters submitted to the County on this project? I am unable to find them.	I-36-99
There needs to be a new interchange near the Gopher Canyon area to help alleviate traffic from this project. Both the Mesa Rock and Sarver Lane egress and ingress dump onto Deer Springs Road. They could have 3 or 4 roads into the project, but if they all dump onto Deer Springs Road, that is of no help to the traffic situation gridlock.	I-36-100
I saw something about the ROW on Deer Springs Rd. that will be needed if the road is widened to 2 or 4 lanes. I never even realized that that will affect my property even though I do not have frontage on Deer Springs Rd.	I-36-101
My private Rd., Deer Springs Place has an easement onto Deer Springs Rd. That is our ingress and egress. It was not until a few days ago that I even realized that that will affect my ingress and egress for many, many months onto Deer Springs Rd. until road widening is completed.	I-36-102

Comment Letters

That will also affect my mail delivery and UPS, etc. We were never even informed of this by Newland. That is what I am talking about. They have not met with anyone about this ROW road issue, even those who about Deer Springs Rd. Believe me, it is not something that people would even find in looking through the DEIR. I only came across it last week as I have been reading the DEIR page by page.

I-36-103

Why doesn't the Fire Evacuation Plan discuss a route for the existing people of Twin Oaks rather than just the residents of this project?

I-36-104

How will the horse farms with their horse trailers evacuate Twin Oaks Valley during a wildfire or an emergency along with the residents of Newland Sierra?

I-36-105

Where are the "offsets" for this so called "carbon neutral" project?

I-36-106

There will be a compost plant in Park # 14 which abuts my property. How about the noxious odors that will emanate from this plant? How would that exacerbate my severe allergies?

I-36-107

The DEIR calls for minimal traffic increases on both Sarver Lane and Camino Major. There will be more than minimal traffic on these 2 roads. Sarver lane is the second main entrance to this massive project.

I-36-108

How will the children get to the school on site as well as other schools without bussing? There is no bussing to schools. This will only add to the Green House Gas issue.

I-36-109

How will the silica dust be remediated?

I-36-110

Is there a noise analysis for blasting? What are the decibel levels? Will there be noise shielding? Why isn't there a blasting map as there was for the Merriam Mountains project?

I-36-111

Why are there no sound walls proposed for the project?

I-36-112

Why wasn't 6 lanes on Deer Springs Road analyzed? If there is not 6 lanes, then there should be no project!

I-36-113

This area is in a Very High Wildfire Severity Zone. How will the fire issue be mitigated during construction and at buildout?

I-36-114

Why wasn't the 99 home current General Plan allowed analyzed in the DEIR?

I-36-115

Why wasn't the developer forced to present to the Sponsor Groups once the DEIR was released as they had promised us they would do?

I-36-116

The traffic studies were conducted in Nov. 2014 and April 15 & 16, 2015. That is almost 3 years ago. Traffic has been much more severe since then. A current traffic study is needed.

I-36-117

Comment Letters

Wasn't the traffic studies done near or close to school vacation breaks? That is not an accurate traffic count.	I-36-118
Damages to our home were not analyzed in the DEIR during the blasting phase of construction.	I-36-119
How much of an increase in population does this project add to the population of Twin Oaks Valley?	I-36-120
Quarry Trucks have to radio other quarry trucks, at the intersection of North Twin Oaks Valley Rd and Camino Mayor. Will there be road improvements to North Twin Oaks Valley Road as well as removal of the hairpin turns?	I-36-121
This project will consume 154,759,197 gallons of water per year. Sierra Park alone will consume 1,708,685 for a 7.39 acre park, as stated under the GSI Water Solutions, Inc. Technical Memorandum dated December 20, 2016. Do we have enough water <i>without conservation</i> of the existing VWD customers?	I-36-122
On page 4-3 of the Dexter Wilson, Inc. Master Plan of Sewer, they have an analysis date of Oct. 28, 2106. What is the correct date?	I-36-123
This project will use 1,450,160 gallons of water per day. In the Newland Sierra Offsite Water & Sewer Study, Final Technical Memorandum dated October 28, 2016 Page 38 of 39, it states that Water & Sewer Capacity in the Future depends on several factors. What are the factors and how will this ensure that adequate water will be available for this project and for the current residents of the Vallecitos Water District?	I-36-124
How will this be accomplished without conservation?	I-36-124
The DEIR states that Sarver Lane will have 5,040 ADT per day. That seems very low. How did they arrive at this number?	I-36-126
Camino Major has an ADT of 320 trips per day. Extremely low if this roadway will be used on a daily basis and not just in an emergency. There are several conflicting statements as to how this road will be used, emergency access only, regular road, etc.	I-36-127
Do you have easement rights on Camino Major?	I-36-128
I believe I counted 21 Design Exemptions for roads in the project. For the health and safety of everyone, these roads should not be designed to minimum standards, but instead built to the largest size possible.	I-36-129
Where will the construction staging areas be? We abut the project and are extremely concerned that they will abut our property.	I-36-130
Will there be large security lights on all night, glaring onto our property causing "light pollution"?	I-36-131

Comment Letters

What are the hours of construction? Are they 7 am to 7 pm? I know they are 6 days per week.	I-36-132
Will the construction workers be allowed to work on the construction equipment during off hours? Until what time? Will they be allowed to work on them on Sundays?	I-36-133
Will there be a right turn only option for all the current residents that use Deer Springs Road now for ingress and egress?	I-36-134
Per a letter in the DEIR, it states: Schools may exceed capacity. Five policemen will be needed. Who will pay for this additional help?	I-36-135
Deer Springs Road has an ADT in his DEIR of 27,760 ADT. When was this traffic count conducted?	I-36-136
Vallecitos Water letter states: Facilities are not reasonably expected to be available within the next 5 years based on the capacity facilities plan of the district," How will this project have the water and sewer capacity needed?	I-36-137
In the Agricultural Resources Technical Report it states: see attached study. There is no study in this DEIR.	I-36-138
In Appendix A, there are lots of acreage, but it does not explain whose parcels they are or why they are included in the EIR.	I-36-139
The Camino Major Alternative Routes 1&2 are in a different location than the Camino Major proposed alignment. It is very hard to find things in this EIR. Things are all over the place and you always have to keep referring to other sections of this massive document.	I-36-140
Was there any notice of a Golden eagle? I saw one on my property back about 2009 for about 20 minutes while he was eating a rabbit.	I-36-141
Why are they using fly chemicals to deter flies rather than using biological fly larvae/ pupae?	I-36-142
There is no MSCP Plan.	I-36-143
There is no Hardline Agreement.	I-36-144
There is no signoff with the wildlife agencies as well as Fish and Game, etc.	I-36-145
There is no Climate Action Plan, even though the County was given 60 days to complete one by a judge. That time has since expired. What is being done to have a Climate Action Plan by the County? How can they approve projects without one? How is this project allowed to proceed and possibly go to hearings and get approval?	I-36-146

Comment Letters

When Deer Springs Road is widened and we are recommending to 6 lanes, not 4 lanes, the land needs to be taken from both the south as well as the north side of the roadway.	I-36-147
Where are the Statements of Reason for the 650 acres that are classified as MRZ-2 lands?	I-36-148
Is there going to be a golf course onsite? Appendix C, Greenhouse Gas keeps referring to a golf course. There is mention of a 1210 acre golf course. Please clarify.	I-36-149
The DEIR keeps referring to ride sharing, etc. options. There is no guarantee that people will use any of these options therefore you should not rely on these options as mitigation to GHG or VMT figures.	I-36-150
Regarding fire fees: Newland made the Fire District "an offer they could not refuse". They actually are paying the Fire District 100% over their maximum obligation. Fire was such a major problem and concern with the community during the Merriam Mountains hearings that I think that Newland just wanted this problem to go away, so they paid the Fire District over and above what was required just to squash any concerns with the Fire District, so the Fire District approved the plan. Now, we are reading that Newland can form a Mello Roos / CFD District and recoup all the money they are paying in Fire Mitigation Fees and put the burden on the homebuyers!	I-36-151
What are all these references to a roundabout? I keep seeing them in Figures of Sierra Farms Park # 14. At one time Sarver Lane was going to have a roundabout but then Newland changed that. Now, there are several references to a roundabout. What can you tell me about this?	I-36-152
Why is the Geotechnical Boring Log all the way from 10/26/2007? That is a 10 year old document. Is it still relevant? Some of the other studies are very old also. They must be from the rejected Merriam Mountains project.	I-36-153
The Water Availability Notice says that water is not available in the next 5 years.	I-36-154
The VWD Project Facilities Availability (6/5/2014) regarding Sewer states "facilities to serve the project are not reasonably expected to be available within the next 5 years". Where will the sewerage go? Will they have their own water treatment plant? During the Merriam Mts. hearings all the sewer waste had to be pumped all the way to the Encina plant.	I-36-155
Who will be maintaining the Public and Private Parks?	I-36-156
Why are there a total of 173 properties that will need heat deflective walls?	I-36-157
How will this project help the "affordable housing" issue. I was told by the developers representative that this is not called "affordable". It is what the developer is calling "attainable housing" whatever that means.	I-36-158
Will the DEIR have to be re-circulated as among other issues the school site info is incorrect? The DEIR states that it will be a Charter School. Now we were told that it will be a regular school, but that they are still in negotiations with the School Districts.	I-36-159

Water Facilities Availability dated 6/5/14 (too old) states "Facilities to serve the project are not reasonably expected to be available within the next 5 years". Where will the water for this project come from as well as all the water for the parks and all the construction activities?	I-36-160
Page 2.9-5 of Mineral Resources says that here are several policies regarding siting of development next to mineral resource extraction sites. These policies are San Diego County policies so why is this project sited here?	I-36-161
Pile driving to build the Town Center may be required. The County claims this is less than significant. How can this be less than significant with the elderly living at the Deer Springs Oaks Mobile Home Park. Also by the time that the Town Center is being built, the school would also be built at the same time compounding the noise factor.	I-36-162
Is Sarver lane going to have a roundabout? Figure 2.10-10H and also Figure 2.10-3H.	I-36-163
The traffic mitigation measures such as shared bike, park and ride, subsidies for transit, car share will not work. They are "pie in the sky" that you are using as mitigation with no guarantee that the future homeowners will use these methods of mitigation therefore your figures are not accurate for VMT, etc.	I-36-164
Impact N-7 mentions damage to nearby structures can be potentially significant. What measures are they going to employ if there are damages to the current residences of Twin Oaks?	I-36-165
On page 2.10-36 will there be any nighttime activities on the jobsites such as construction equipment upkeep, etc.?	I-36-166
How will the demolition of the 4 homes on Sarver Lane be conducted? I have had 2 cancers. One of the homes abuts my property. Was there any lead, asbestos, pesticides found on the properties? There was only one home mentioned in the DEIR and it was not the old Clark house which did have issues needing remediation in the old EIR for Merriam Mountains.	I-36-167
In the Population and Housing section the tables are from 2012. This seems very outdated.	I-36-168
Who will be paying for the 2 new water tanks? Will it be the developer, the people buying the homes or the customers such as myself who belong to the Vallecitos Water District? In section 2.14 Utilities and Services section it says that the Deer Springs tank will be abandoned because it is undersized. Who is paying for these new tanks?	I-36-169
Regarding water during the construction phase for dust remediation, silica dust etc., will this be grey water or recycled water, or potable water? How could they use potable water if we go into a drought phase again?	I-36-170
How much water will be used during the construction phase? There are no projections made. This is incomplete.	I-36-171

Comment Letters

Onsite sewer facilities 2.14-58 states “but there are 2 locations where onsite easements would be dedicated to VWD to maintain gravity flow”. Where are the 2 locations in the DEIR?	I-36-173
Is there adequate sewage capacity? I cannot find answers to this in section 2.14-58.	I-36-174
How does a mitigation bank in Ramona help the displaced animals here?	I-36-175
Will a Community Facilities district (CFD) / Mello Roos be needed for fire fees, roads, schools, etc?	I-36-176
In Transportation and Traffic pg. 2.13-32 Policy M-10.3 says to maximize on street parking. There should be no on street parking for safety reasons, especially if there was a fire and mass evacuation was necessary.	I-36-177
Policy M-10.4 shared parking. Neither option should be acceptable.	I-36-178
Why are some mitigation measures going to happen when the 58 th dwelling unit is built before Deer Springs Road is widened??? It should be widened before any homes are built. The construction traffic alone will cause major gridlock.	I-36-179
Statement of Reasons: Where are the 60 day public review for the 60 acres that are classified as MRZ-2 lands?	I-36-180
Why are there no sound attenuation walls either during construction or at buildout for the current residents of Deer Springs Road on their driveways like the old Merriam Mountains had proposed?	I-36-181
PM4 crystalline silica emissions are approximately 5% of the PM 10 emissions or 2.8 lbs. per day (page 102 of air quality appendix).	I-36-182
If there is a cancer risk by the school, why put the school there and endanger the children. Some or most of those children may go to that school for 8 years. Why put them in a cancer risk situation? How will those children go out to play during recess? The DEIR states there will be no playground or benches, etc. It states that they will locate the construction staging areas away from noise sensitive land use (page viii of Noise).	I-36-183
We are within 200 feet of the Park # 14. We abut the park. Will a “vibration monitoring plan” be submitted on our property. (Page 126 of Noise Technical Report)	I-36-184
How can the blasting be Less than Significant with mitigation? (Page 128 of Noise Report).	I-36-185
In the Noise Study it mentions Cumulative Changes in Offsite Traffic Noise Levels. (Page 96). There is reference to 620 Deer Springs Road in a report in the DEIR. It is stated as a residence. It is not a residence. It is actually a Newland owned property and there was never a home on site. There used to be a nursery which was demolished by the owners of Merriam Mountains (Newland was a silent equity partner at the time) without a Demolition Permit.	

Asbestos and lead were found. Pesticides were not found even though the Merriam Mountains Geotechnical Report showed that pesticides were present. Of course pesticides were present in the soil. It was a nursery for years. The construction tractor had already excavated the ground so by that time, no pesticides were found. Abatement had to be done for asbestos and lead and demolition had to stop until the remediation was done. There were no water trucks during the demolition and dust was flying everywhere. This area abutted my home. I have no confidence that things will be done any better this go round even though the developer was contacted prior to demolition and I was told that everything was being done "to the letter of the law". That was a lie.	I-36-186
Under Vector Management it states that trash and garbage will be stored in tight lid containers, until off grounds disposal is possible. Where will it be stored until then?	I-36-187
Regarding insecticides: Why are they going to use Py-Teck or Sybneda products and not a natural "fly predator" product?	I-36-188
Why will the corrals only be cleaned weekly in the Equestrian Staging area? They should be cleaned daily like any equestrian facility is cleaned.	I-36-189
Where is the Deer Springs Fire Evacuation Plan located?	I-36-190
How is the Fire Response time down to 5 minutes now when the old Merriam Mountains project was 7 minutes with a new fire station on site?	I-36-191
Is there a current Water Supply Assessment for the project? There is only a letter dated June 5, 2014.	I-36-192
This property is entirely in a Very High Wildfire Severity Zone.	I-36-193
Will we be required to hook up to sewer as abutters to the project?	I-36-194
Will our access ingress and egress to our property change? Will our easement road Deer Springs Place need to be vacated?	I-36-195
Will we become part of any Mello Roos or Community Facilities District?	I-36-196
How can any of the Neighborhoods in the project be directed to use Camino Major or the Camino Major Alternative? (Page 2 of the Wildland Evacuation Plan).	I-36-197
SHELTER IN PLACE - I thought after the Merriam Mountains fiasco over that term that we would never hear that term regarding this high density project. (Evacuation Plan 3.3.2 page 13).	I-36-198
There is no mention of how the current Twin Oaks Residents with their numerous horse trailers and animals would evacuate along with the new residents of Newland Sierra.	I-36-199
Why are they are relying on Deer Springs Fire Safe Council for fire education?	I-36-200

Why does the county feel that it is ok to bury the ROW info for Deer Springs Road and Twin Oaks Valley Road residents in an 8000 page + document under Additional Items no less? Why has there been no Community outreach?	I-36-201
In the Site Vegetation map Figure 4 of the Fire Protection Plan for Sierra Farms Park # 14 it states that the Clubhouse could be used for Community or Private events. What does that mean? (Page 6 of the Fire Protection Plan for Sierra Farms).	I-36-202
It also states on page 32 of this same report that "The use of the Community Building for a Private event could generate up to 260 visits once a month or 3,120 visitors per year."	I-36-203
"Weekends could generate up to 2,080 visitors per month or 24,960 visitors per year". Since we about the park, how can we enjoy a quiet lifestyle with these activities being open to the Public for Private events? This should not be allowed!	I-36-204
It also states that it "could be a high occupancy building when used for private or public events". (Page 41 Sierra Farms Protection Plan).	I-36-205
Where is the Newland Sierra Master Planned Community Evacuation Plan as stated on page 51 of the Sierra Farms Fire Protection Plan?	I-36-206
The Town center will be built in the 2 nd phase. What if it never gets built? Is there a specific time in the DEIR that it has to be built by? San Elijo Hills Town Center is just about to break ground this fall and that development started way back in 1998 which was almost 20 years ago.	I-36-207
In the Town Center area even the homes have to have special air filters due to the pollution from the freeway. How is it safe from an air quality standard to build there by the freeway? They will not be allowed to open windows in the homes and school that have windows fronting the freeway. The windows will be "locked in place."	I-36-208
In Figure 2.10-6B as well as Figure 2.10-5B why is the project boundary in the wrong area?	I-36-209
There is a School Availability Letter that states that "schools may exceed capacity." What will they do until the school is built on site? Where will the children go? What if there are no spaces at local schools for the children in the interim?	I-36-210
Is there a noise analysis for blasting? What areas will have to be blasted? There is no blasting map with this project.	I-36-211
How does the mitigation in Ramona help the animals that are displaced here on Newland Sierra due to this project?	I-36-212
There are too many issues with this project. There are unmitigable issues with this project. There are deficiencies with this project, some of which we have listed above. For these reasons we feel that this project should be <u>DENIED</u> .	

Comment Letters

We also strongly feel that this DEIR needs to be recirculated due to the fact that the DEIR fails to disclose and analyze the projects potential and significant impacts to air, noise, traffic, etc., as there is just not enough information to make an informed assessment. It has not conformed to the CEQA principles of disclosures and analysis nor did it provide sufficient information to make an informed decision. I have read almost the entire DEIR and yet there are probably a hundred or more questions that I have presented here that were not addressed in the DEIR therefore the DEIR needs to be revised and re-circulated.

I-36-213

Sincerely,

Allen F. Binns
Karen Binns

Ashley, this question was submitted to the Newland representatives at the Hidden Meadows Sponsor Group meeting. This was the response that they got on 4 questions. You would have to search 1687 pages which is 1/5 of the DEIR to get an answer to 4 questions. Why wasn't a page link to those questions supplied rather than having to read through an entire appendix, etc. It just seems like the public was not helped in getting information of any sort.

I-36-214

----- Forwarded Message -----

Subject:Some DEIR links

Date:Mon, 31 Jul 2017 17:27:24 -0700

From:Linda Bailey <linda@communitystrategiesgroup.com>

To:C W Dauber <hmdaub@cox.net>

Wayne - based on some of the questions that needed some clarification. The explanation is in red and then the link is provided. I am waiting for the video link and you should have it tomorrow. If I missed any issues please let me know and I will get that info to you as well.

1) Bret Sealey - what section in the DEIR is the discussion of the current general plan and what are allowable land uses?

· The General Plan is discussed in Section 4.5 of the Draft EIR (http://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/Newland%20Sierra/Newland%20DEIR/4_Protect%20Alternatives_Part1.pdf), Existing General Plan Alternative. This section discusses the allowed land uses of the Existing General Plan, which includes 99 dwelling units and 2,000,000 square feet of office and commercial space.

I-36-215

· The existing Land Use Designations and Zoning for the project Site can also be found in the Specific Plan, which is Appendix C to the Draft EIR (http://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/Newland%20Sierra/Newland%20DEIR/C%20Specific%20Plan_Part1.pdf). Specifically, in Section 1.6.1 Existing Land Use Designations, and calculations shown in Table 1 of the Specific Plan.

2) Where is the condition regarding # of DU's that trigger interchange upgrade?

· Mitigation Measure M-TR-1 in Section 2.13 of the Draft EIR (http://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/Newland%20Sierra/Newland%20DEIR/2.13_Transportation%20and%20Traffic.pdf) identifies the required mitigation for the project's impacts to the interchange.

· Table 16-11 of the Traffic Impact Analysis (Appendix R1 to the Draft EIR: <http://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/Newland%20Sierra/Newland%20DEIR/R1a%20Traffic%20Impact%20Analysis.pdf>) identified the EDU threshold for when the project's impact would be significant. The project results in a significant impact to the Deer Springs Road/I-15 SB Ramps intersection at the 370th EDU and to the Deer Springs Road/I-15 NB Ramps intersection at the 640th EDU. As the interchange would need to be constructed as a single set of improvements, the earlier of the EDU thresholds would trigger the need for the improvements to the interchange.

3) Where is the Health Risk Assessment located in the DEIR?

· The Health Risk Assessment can be found in Appendix G of the Draft EIR (Air Quality Technical Report, Part I): http://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/Newland%20Sierra/Newland%20DEIR/G%20Air%20Quality%20Technical%20Report_Part1.pdf

4) Allen Rings - From the June meeting - Where are the visual simulations located in the DEIR?

· The visual simulations are located in Section 2.1, Aesthetics, of the Draft EIR, Figures 2.1-4a through 2.1-13: http://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/Newland%20Sierra/Newland%20DEIR/2.1_Aesthetics.pdf

I hope this helps. I have copied in Scott Molloy in case you have any further questions.

Linda

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I-36-215
Cont.


Comment Letters

Ashley, This hardly answers a question to the above e mail.

1st link = 96 pages
2nd link=15 pages
3rd link =190 pages
4th link =235 pages
5th link = 1,047 pages
6th link = 104 pages.

Other than the 15 pages in the 2nd link, you have to dig through 1687 pages to find your answers.
That is 1/5 of the total EIR.

You would have to read 1687 pages to get 4 questions answered. Information was not forthcoming
from the developer or its agents. Karen Binns



I-36-215
Cont.

Comment Letters

7/19/17

Hi Ashley, I would like this to be a comment to the official record of the EIR

I have had several people tell me that they have gone to the San Marcos Library and that only the EIR is in hard copy. None of the appendices or maps are. One of the Twin Oaks Sponsor Group members mentioned that fact last night at the Newland County meeting also.

This is a real problem. Why weren't they made in hard copy form? Appendices are in DVD format.

When I asked for months and months to have a hard copy sent to me (since I am an abutter to the project) when the EIR was released I was continuously told that the San Marcos Library would have a full hard copy. Now, I find out that they do not have a full copy in hard copy format.

Also, Did you know that there was a mix up at the San Marcos Library and that the EIR was originally sent to the Vista Law Library on Melrose St. in Vista??? One of the Twin Oaks residents brought this to my attention after the library had to track it down. There was a several day delay due to this mix up. She had to return to the San Marcos Library several days later to view the documents. I know there were maps that she wanted to view but was unable to find them.

Can you please reply to me at this time. Thank you. Karen Binns

I-36-216

Comment Letters

7/26/17

Ashley, I am formally requesting a 30 day time extension on the Newland Sierra EIR.

Sixty days to read 8,000 pages, digest it and then write comments on is not sufficient time.

Abbutters have no idea if their property will be taken by eminent domain. There is no mention in the EIR and there has been no personal meetings with the surrounding neighbors.

Newland has refused to make any presentations to the Sponsor Groups. Twin Oaks Sponsor Group has asked Newland numerous times and has even asked the County to attend an additional meeting and was told that was not possible.

We were told that when the EIR was released they would go around to all the Sponsor Groups and make presentations. Now, last week we were told that they will make a presentation when all the comments are responded to. That is too late. By that time it is ready to go to the Planning Commission. The horse will already be out of the barn, so to speak.

Why on earth would they do a presentation after the EIR is released and comments are sent in and answered? It is no benefit to the community at that time.

We were told that they presented to the community in *April of 2016* and nothing has changed with the project.

As I have stated to you earlier, this DEIR is very hard to find things in. There are appendices to appendices.

When the Merriam Mts. EIR was released Brice Bossler was at all the Sponsor Group meeting in Twin Oaks, Hidden Meadows, and Bonsall and would answer peoples questions and tell them exactly where to locate the answers in the EIR. In big meetings, even locally, June Collins would attend also. All we are getting is dead silence.

Representatives attend our meetings but when a question is asked they tell us they do not know the answer. This is a very strange, concerning tactic.

Even at last weeks County meeting, no questions were answered. Why have a meeting? Just so the developer can see what the mood of the attendees are? Newland wasn't even there. Just two representatives.

Even when I ask you a question by e mail it takes several days to get a reply. I know this is a busy time for you but I also cc Mark and Darin and nobody else replies to my questions. If I need to know something, I kind of need to know it now.

For these reasons I am requesting a 30 day time extension. I know that Harmony Grove South had 2 time extensions as I was noticed by mail on both extensions since I

I-36-217

I-36-218

I-36-219

I-36-220

I-36-221

I-36-222

I-36-223

Comment Letters

had commented on their NOP. It had a release date of April 20, 2017 for a 45 day review. Then I was noticed by mail of an additional extension of 8 days and finally another time extension of 7 days bringing the grand total to 60 days for a project that is smaller in size and scope. Their project is 453 dwelling units on 111 acres.

I-36-223
Cont.

My previous e mail to you:

I have had several people tell me that they have gone to the San Marcos Library and that only the EIR is in hard copy. None of the appendices or maps are. One of the Twin Oaks Sponsor Group Board members mentioned that fact last week at the Newland County meeting also.

This is a real problem. Why weren't they made in hard copy form? Appendices are in DVD format.

I-36-224

When I asked for months and months to have a hard copy sent to me (since I am an abutter to the project) when the EIR was released I was continuously told that the San Marcos Library would have a full hard copy. Now, I find out that they do not have a full copy in hard copy format.

Also, Today I sent you this:

Ashley, I went down to the San Marcos Library today to get clarification on this EIR mixup issue. (That it had gone to the Vista Law Library in error). I found the hard copy of the EIR. I saw the 2 DVD's but I was unable to view them as they were working on all the computers in their library. None were available for use. She said the laptops were down and the computers in the computer lab were down also.

That is why a hard copy of the EIR in its entirety is necessary.

I-36-225

I was there before 11 am today and she told me she was hoping the computers would be back online in a couple of hours. I called the library back and spoke to Amita the branch manager and she put me on hold and then came back and stated that the computers were still down and she was not sure when they would be available. That was at 2 pm today. That is a big inconvenience.

I noticed that **all of the Harmony Grove South EIR was there in it's entirety in hard copy form.** All the appendices were there, so I don't know why the County is interested in saving paper on some projects but not others. I am sure that is a Developers opinion as to whether they want to release a full copy in hard copy format or not, and obviously Newland did not.

As it was, in looking at the hard copy of the Newland Sierra EIR parts were missing. The List of Preparers was not there, (not a big deal) nor was the section entitled List of Mitigation Measures and Environmental Design Considerations, 71 pages, which is the last section of the main EIR. That is a very important section and of course with the computers not working I was not even able to see if it was available on DVD.

I-36-226

I will be awaiting your reply regarding my request for a time extension. Thank you.
Karen Binns

I-36-227

Comment Letters

Sent 8/2/2017:

Ashley, Thank you for your reply. However, I still stand by my request for all the reason previously stated.

I-36-228

At the very least maybe the County should compromise and grant a 14 day extension.

Also, regarding this reply to my questions regarding eminent domain you wrote:

You cite in your email that abutters have no idea if their property will be taken by eminent domain. The public review page contains two documents which disclose the required right of way that will need to be acquired for Twin Oaks Valley Road and Deer Springs Road. Those documents can be found at <http://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/Newland%20Sierra/Newland%20DEIR/ROW%20Exhibits%20-%20Twin%20Oaks%20Valley%20Road.pdf> and <http://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/Newland%20Sierra/Newland%20DEIR/ROW%20Exhibits%20-%20Deer%20Springs%20Road.pdf>.

I-36-229

People (abutters) should not have to read through 8,000 pages to see if anything is written in the DEIR regarding eminent domain for **their** property. The DEIR does not state that eminent domain is going to happen but it only states that a certain amount of land will be needed to widen Deer Springs Rd, Sarver Lane, etc. That is why the developer should be meeting with the abutters and others effected by the project.

I do not have frontage on Deer Springs Rd. but my private road uses ingress and egress from Deer Springs Road. I happened to see these 2 documents about a week ago as I have been reading the EIR pretty much page for page. Most people won't do that, and most people will not be aware that their property will be effected.

I-36-230

I-36-231

This will effect our ingress and egress to and from our home as well as our security gate. The other families on my private road will be effected in this same way also.

I-36-232

Also, I do not agree with the County that Newlands meetings held 16- 17 months ago is adequate. They should be meeting, as they had said they would, with the various sponsor groups when the EIR was released.

I-36-233

You also wrote:

"While there was some mix up with the location of the documents prior to the start of public review,..."
Are you stating that the EIR went to the Vista Law Library in error or not? I am confused. Thank you.

I-36-234

Karen Binns

Comment Letters

March 14, 2015

Karen & Allen F. Binns
2637 Deer Springs Place
San Marcos, CA 92069-9761
royalviewranch@aol.com

RE: NEWLAND SIERRA, PDS2015-GPA-15-001, PDS2015-SP-15-001, PDS2015-REZ-15-001, PDS2015-TM-5597, LOG NO. PDS2015-ER-08-001 NOP Comments

Dear Mr. Slovick,

Thank you for giving us the opportunity to comment on the NOP for Newland Sierra.

At the Scoping Meeting I brought to your attention the fact that there is a 5.40 Public Park (Park 14b) abutting our property. We have Ag property A-70 and have had horses on our property since we moved here 28 years ago. We also have chickens as well as a rooster.

I-36-235

We do not feel that this Public Park should abut our property. It is the largest of the parks and it is the only one of its size. I would say that 95% of the 28 parks are under 1 acre and about 5% are over 1 acre. This park is well over 2 acres larger than all other parks in the development.

Their entire school site is only 6 acres!

Parks should be in the neighborhood it serves so as to eliminate driving as the Applicant has stated that this is a walkable development. We strongly disagree.

I-36-236

In briefly looking over the Tentative Maps the sizes of the parks are 2.00, .54, .08, .20, 1.81, .37, .12, .12, 3.23, .52, .11, 2.01, .87, 2.84, .55, .98, .12, .30, 2.18, .69, .61. Park 14a is .55 acres, Park 14c is .98 acres, and Park 14d is .12 acres.

With the size of the park abutting our property we can only assume that seeing that it is a Public Park it could have softball fields or some other games and could have the potential for bright lighting until 10:30 pm or longer so as to accommodate the games as well as concession stands and loud speakers, etc.

If you watch the news you will see that parks can be a haven for drug deals as well as gang violence. We do not want this by our rural, agricultural property. We are not fenced and having a Public Park or any park for that matter abutting our property could very well open us up to litigation as our horse would become an "attractive nuisance".

I-36-237

Comment Letters

This Public Park is also going to have a large dog park, a Community Building, and 65 parking spaces. Why so massive? There has to be a reason for all of the parking etc.

I-36-238

Also what differentiates a Public vs a Private Park? Once you invite the Public into your development, how are you going to prevent them from entering, either by car or on foot, a Private Park especially when it abuts a Public Park?

I-36-239

Another reason why this Park needs to be inside the development and not on the outskirts is because there are numerous avocado groves in the area that require aerial spraying as well as topical spraying (my neighbor has a 40 acre avocado grove) and how can they do the aerial spraying when people are in the park?

I-36-240

Thank you for your time in consideration of these matters.

Sincerely,

Allen F. Binns
Karen Binns

I also want to include a letter I sent to Kevin Johnson regarding the NC 42 Study Area in this Newland Sierra NOP comment letter.

I-36-241

March 12, 2015

Allen F. & Karen Binns
2637 Deer Springs Place
San Marcos, CA 92069-9761
royalviewranch@aol.com

RE: NC 42 Study Area Proposed Property Changes

I-36-242

Hello Kevin,

I am writing in regards to our phone conversation on Friday March 6, 2015 regarding the NC 42 Study Area (formerly Merriam Mountains, now called Newland Sierra). Our property abuts NC 42.

We are opposed to having our property rezoned in order to make a project that is 4,000% over the General Plan allowed density, and does not conform to the General Plan, and needs a rezone, and a General Plan Amendment, as well as a Specific Plan, more palatable by changing our zoning so as to not cause "spot zoning" for the Newland Sierra project.

I-36-243

Our property was rezoned when the new General Plan was approved in August 2011. It was all rezoned for a reason. The reason is that it is all "steep slope". Now the County wishes to change it back to its original zoning to help the Newland Sierra project.

I-36-244

We are actually opposed to the possible reclassification back to our previous designation of 1 home per 4 acres. This really is not going to benefit us in any way as we only have 5.20 acres, and we feel it may cause more "*unintended consequences*" to our zoning and Land Use designation.

I-36-245

We are zoned A 70 and we have had this zoning since before we moved here more than 28 years ago in March of 1987.

I-36-246

We have had horses on our property since 1987 and have one horse here now. We also have chickens and even a rooster on our property.

What if they try to change our Land Use Designation and then we cannot have livestock. Don't say it cannot happen. There are always "*unintended consequences*" to an action. I recall how we were going to be able to keep our health plan and keep our doctors. Let me tell you that did not work out for us. We

I-36-247

Comment Letters

lost our plan and lost 99% of our doctors. I only had 1 doctor left. *"Unintended consequences"* of an action. So no, we do not trust the system to protect our interests!

↑ I-36-247
Cont.

We are opposed to the NC 42 Study Area.

I I-36-248

Sincerely,

Allen F. Binns
Karen Binns

Comment Letters

March 14, 2015

Allen F. Binns
2637 Deer Springs Place
San Marcos, CA 92069-9761
royalviewranch@aol.com

**RE: NEWLAND SIERRA, PDS2015-GPA-15-001, PDS2015-SP-15-001, PDS2015-REZ-15-001,
PDS2015-TM-5597, LOG NO. PDS2015-ER-08-001 NOP Comments**

Dear Mr. Slovick,

If the developers built to the General Plan they would not have these issues to consider. There should be no more than a 10% increase in density from what the General Plan allows. It is all about the money. The Developers want to make a killing, the County wants the taxes and they want the Developer application fees and building fees. That is why the County even entertains these large proposals.

I-36-249

Fire:

If the County is considering an increase of 4,000% in density in what is called a **“very severe wildfire area”**. I don’t think it is too much to ask that the developer “red curbs” every street in the entire development. **There should be no street parking.** The developer should provide enough parking for each home as well as visitor parking. All parking should be either in their garages or in their driveway, so that when there is a fire we won’t be hearing that the firemen where unable to fight the fire because they could not get access through the congested streets and that several people died.

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All roads should be wider than the “minimum standard” throughout the entire development.

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We are talking about adding about 8,000 – 10,000 more people in a **“very severe wildfire area”**.

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There is also going to be people fleeing their homes during an evacuation, so we don’t need more congestion on the streets by allowing street parking.

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Water:

Once again, If the County is going to allow a 4,000% increase in density over the General Plan then since we are in a severe drought and have been in a severe drought for several years now

I-36-254

with no end in sight, each home should be equipped with a hot water recycling pump, so that people do not turn on the shower or faucet and wait several minutes for the water to get hot.

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Cont.

Recycled Water:

Since we are in a severe drought with no end in sight, the developer should be required to have recycled water to be used during the grading, blasting, crushing and hauling periods. Also, there should be recycled water used for planting of vegetation as well as the watering upkeep of the green areas.

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In the last iteration of the Merriam Mountains project there was no purple pipe availability. That is a prime example of why these large developments should not be urbanizing the back country where there is no purple pipe infrastructure.

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When you allow development on the sides of mountains you need to increase the amount of water used due to the erosion factor on these sites. They should not be using our drinking water.

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When a developer buys a piece of property they know what the zoning is. They know how many homes there are allowed to build on the land. How does the County even consider a 4,000% increase in zoning?? I know it is all about the tax money, but there are many consequences from these massive developments.

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How is it fair for people like myself who purchased a large parcel at a premium price, intending to have animals on their property and have a rural lifestyle? We knew what our zoning was, we knew what activities we wanted to pursue, and that is why we chose this home in this location. We didn't move to an area that was not zoned for horses and expect the neighbors to just put up with us!

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What does this do to the Community Character of an area, just so a developer can make money?

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Parks:

One more thing. How do you differentiate between a Public Park and a Private Park? Aren't all parks public?

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Parks should be centralized in the neighborhoods they serve in this development so that people do not have to get in to their cars and drive to the park.

I-36-262

Sincerely,

Allen F. Binns