

I-426 Andrew D. Yancey

Comment Letter I-426

From: [Smith, Ashley](#)
To: [Brian Grover](#)
Subject: FW: Newland Sierra Project Draft EIR: Golden Door Request for Extension of Comment Period
Date: Thursday, August 10, 2017 7:27:31 AM

From: Andrew.Yancey@lw.com [mailto:Andrew.Yancey@lw.com]
Sent: Wednesday, August 09, 2017 6:16 PM
To: Smith, Ashley
Cc: Slovick, Mark; Witt, William; CHRISTOPHER.GARRETT@LW.com
Subject: RE: Newland Sierra Project Draft EIR: Golden Door Request for Extension of Comment Period

Ashley – Thank you for your response. We request that our extension request letter and your response here be included in the CEQA record for this project. Thank you.

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Andrew D. Yancey

LATHAM & WATKINS LLP
12670 High Bluff Drive
San Diego, CA 92130
Direct Dial: +1.858.523.5496
Fax: +1.858.523.5450
Email: andrew.yancey@lw.com
<http://www.lw.com>

From: Smith, Ashley [mailto:Ashley.Smith2@sdcounty.ca.gov]
Sent: Wednesday, August 09, 2017 4:57 PM
To: Yancey, Andrew (SD)
Cc: Slovick, Mark; Witt, William; Garrett, Christopher (SD)
Subject: RE: Newland Sierra Project Draft EIR: Golden Door Request for Extension of Comment Period

Andrew,

The County is in receipt of your request for an additional 45-day extension of the 60-day Newland Sierra Draft EIR (DEIR) public review period which began on June 15, 2017 and will end on August 14, 2017. In accordance with the State CEQA Guidelines (Section 15105(a)), the public review period for a draft EIR shall not be less than 30 days nor should it be longer than 60 days except under unusual circumstances.

Your request for an extension of the public review period is based on your assertion of “unusual circumstances created by the DEIR’s length, confusing organization, over-reliance on appendices for substantive information, and omitted information.” In addition, you claim “the County’s refusal to provide access to technical documents,” and “the developer’s dissemination of inadequate and inconsistent information to the public” also justify extending the public review period. As discussed further below, the County disagrees with your assertions.

DEIR Volume. The body of the DEIR (Chapters 1 through 7) is approximately 1,780 pages which does not vary significantly from other EIRs advertised by the County and other jurisdictions. The

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DEIR follows the County's "Environmental Impact Report Format and General Content Requirements," is consistent with the format used for all other County EIRs, and is in conformance with the requirements set forth in the State CEQA Guidelines.

DEIR Organization and "Inconsistencies." In your letter you incorrectly state that the proposed offsite mitigation parcel is not disclosed until Appendix M attached to Appendix D of the DEIR. In fact, the offsite mitigation is specifically discussed on page 2.4-4 of the DEIR and its location is shown in Figure 2.4-3 of the DEIR. In addition, you incorrectly state that the impacts of crystalline silica are not analyzed until Appendix G of the DEIR. In fact, crystalline silica impacts are analyzed in Chapter 2.3 (Air Quality) of the DEIR.

You also note that page 3.3-9 of the DEIR incorrectly cites Table 3.3-1 of the DEIR. While you are correct that this reference is incorrect, both the Table of Contents of the DEIR and page 3.3-1 clearly specify that the detailed land use consistency analysis referenced in the citation is included in Appendix DD of the DEIR. The DEIR adequately summarizes this analysis and the County disagrees that the details of this analysis should be provided before Appendix DD of the DEIR. The reference to a Table 3.3-1 will be corrected in the Final EIR.

Finally, you assert that the project's grading plans are confusing and inconsistent and that they do not show the eventual plans for a six-lane buildout of Deer Springs Road. The preliminary grading plan prepared for the project contains all of the necessary information to assess the project and is consistent with the level of detail provided in preliminary grading plans for other discretionary projects under review by the County. The proposed project does not include any scenarios in which Deer Springs Road would be built out to six lanes, and therefore the project is not required to analyze those impacts or include a six lane road on the preliminary grading plan. If Deer Springs Road is built out to six lanes at a later date, an appropriate analysis would be conducted at that time.

"Omissions." In your letter, you state that no design information for the Deer Springs Road interchange is provided although the DEIR's traffic section includes a mitigation measure requiring re-design and re-construction of the interchange at Deer Springs Road. The Deer Springs Road interchange improvements are within the jurisdiction of another lead agency, Caltrans, and the DEIR discusses the environmental effects of the improvements to the extent known at this time, and as required by CEQA, in less detail than the significant effects of the proposed project (See CEQA Guidelines Section 15126.4(a)(1)(D)). In addition, the exact details of the Caltrans interchange improvements are still under review and scoping through the Caltrans process. Nonetheless, the DEIR endeavors to disclose all it reasonably can at this time regarding environmental effects associated with the interchange improvements. The DEIR omits no currently known information about these improvements.

You also state that the schedule and locations of blasting are omitted from the DEIR. However, page 1-20 of the DEIR indicates that all grading activities, blasting, and rock-crushing operations are anticipated to be completed by the end of 2022. Page 2.10-24 of the DEIR also indicates that it is anticipated that blasting would occur at 2- to 3-day intervals, with no more than one blast per day. Mitigation measure M-N-5 requires the preparation of a blast drilling and monitoring plan. Further details of the grading schedule (during which blasting would occur) are located in Appendix G of the

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DEIR (Air Quality Technical Report). Appendix A of the Air Quality Technical Report (Appendix G) specifies that grading associated with Phase 1 and Phase 2 of the project would last for a total of 244 weeks. Assuming a 6-day work week, that would be a total of 1,464 work days during the grading phase, during which drilling, blasting, and rock crushing may occur.

Finally, you state that the DEIR omits information about water pressure for fighting fires. The Fire Protection Plan (Appendix N) discusses the water supplies available to serve the project and concludes that “the project will be served by Vallecitos Municipal Water District and sufficient water supplies will be available to serve the project from existing entitlements and resources”. The Fire Protection Plan has been approved by the Deer Springs Fire Protection District and the County Fire Authority.

“County’s Refusal to Provide Data Underlying the EIR Analysis.” In your letter, you state that the “County has also refused to provide technical data underlying analysis in the DEIR and to provide publically available data in a usable format.” You previously requested this information in a Public Records Act request dated July 14, 2017. Attached is a copy of the County’s July 27, 2017 response letter to that request which explains why this information is exempt from disclosure under the Public Records Act.

“The Developer’s Dissemination of Inconsistent Information.” Finally, you cite instances in which you or members of the public feel that information provided by the project applicant has been confusing or inconsistent. County staff was not in attendance at the recent Twin Oaks Valley or Hidden Meadows Sponsor Group meetings that you reference, but is not aware of any intent by the project applicant to provide confusing or inconsistent information. Nonetheless, it should be noted that the information you claim was inconsistently conveyed at these meetings does not directly relate to the sufficiency of the DEIR or impact the adequacy of the 60-day public review period for the DEIR.

In closing, the County finds that there are no unusual circumstances justifying an extension of the 60-day public review period for the DEIR, which ends on August 14, 2017.

Please let me know if you have any questions.

Thank you,

Ashley

Ashley Smith | Planning Manager | Project Planning
COUNTY OF SAN DIEGO | Planning & Development Services
T. 858.495.5375

From: Andrew.Yancey@lw.com [<mailto:Andrew.Yancey@lw.com>]

Sent: Friday, August 04, 2017 8:18 AM

To: Smith, Ashley

Cc: Slovick, Mark; Witt, William; CHRISTOPHER.GARRETT@LW.com

Subject: Newland Sierra Project Draft EIR: Golden Door Request for Extension of Comment Period

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Ashley – Please find attached a letter from the Golden Door requesting an extension of the comment period for the Newland Sierra draft EIR. Thank you.

Andrew D. Yancey

LATHAM & WATKINS LLP
12670 High Bluff Drive
San Diego, CA 92130
Direct Dial: +1.858.523.5496
Fax: +1.858.523.5450
Email: andrew.yancey@lw.com
<http://www.lw.com>

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