

### I-83 Roper Consulting

Comment Letter I-83

**From:** Shelley.Campbell@lw.com  
**To:** [Smith, Ashley](#)  
**Cc:** [Slowick, Mark](#); [Witt, William](#); [CHRISTOPHER.GARRETT@LW.com](#); [Andrew.Yancey@lw.com](#)  
**Subject:** 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, PDSXXX-HLP-XXX) - Roper  
**Date:** Monday, August 14, 2017 12:18:35 PM  
**Attachments:** [Newland Sierra EIR Comments - Roper.pdf](#)

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Ms. Smith,

Please see attached comments on the Newland Sierra Draft EIR from Roper Consulting titled "Newland Sierra EIR Comments," submitted on behalf of the Golden Door. Please let us know if you have any issues opening the document. A hard copy will also be delivered to you via messenger. Thank you.

I-83-1

Regards,

Shelley Campbell

**Shelley R. Campbell**

Legal Secretary to Brett P. Rosenblatt,  
Kelley M. Gale (Partner – Retired),  
Andrew D. Yancey, Lauren Luhmann,  
Karin Sanders

**LATHAM & WATKINS LLP**

12670 High Bluff Drive  
San Diego, CA 92130  
Direct Dial: +1.858.509.8422  
Fax: +1.858.523.5450  
Email: [shelley.campbell@lw.com](mailto:shelley.campbell@lw.com)  
<http://www.lw.com>

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### ROPER Consulting

806 Canada St.  
Ojai, CA 93023  
Phone: (805) 377-0493  
E-Mail: boz806@gmail.com

Subject: Newland Sierra EIR Comments

Date: August 13, 2017

County of San Diego  
Planning & Developmental Services  
5510 Overland Ave, Suite #321  
San Diego, CA 92123

Attn: Ashley Smith, Project Contact

Please accept and consider these comments regarding the proposed Newland Sierra development project. I have been retained by Golden Door Properties, LLC to evaluate this project and provide comments.

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I've been in the fire service for 40 years serving as the Ventura County Fire Chief, from 1998 to 2012, and as the Nevada State Forester, retiring in 2016. I was part of the team that developed California's response to major wildland fire emergencies, which included policy development at the local, State and Federal level. I also helped create the National Wildland Fire Cohesive Strategy. While serving in "all-hazard" emergency response role, I focused on the wildland fire topic.

I-83-3

I have reviewed the Newland Sierra EIR; Dudek authored Fire Protection Plans (FPP), General Plan Safety Element, local ordinances and supporting documents. The goal here should be to design a project that is as fire safe as possible given conditions that present themselves 85% of the time and attempt to address those extreme situations that present the utmost life safety challenges. The goal should be to design a project that can stand-alone without first responders as "multi-fire" events often occur in this geographic area. It must be fully recognized that creating a "Fire-Adapted Community (FAC)" requires a system or chain of proactive actions before, during and following a wildland fire. I respectfully offer these comments to enhance fire safety of this proposed project and request that these issues and topics be addressed in the EIR for the project:

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- **Access (Ingress & Egress - EIR Chapter 2.8)**

- The project's population density must be aligned with a traffic engineer's study for evacuation purposes. This requires a study that reviews daily static

I-83-5

<p>traffic flows and then overlaid with accelerated evacuation traffic flows. This traffic study must account for residents leaving during duress and first responders gaining entry. The EIR should include such a study.</p>	I-83-5 Cont.
<ul style="list-style-type: none"> <li>○ Consideration should also be given to egress roads that dump onto existing public streets and whether these access points cause a “choke point.”</li> </ul>	I-83-6
<ul style="list-style-type: none"> <li>○ Standard planning conditions dictate two public access points designed specifically for evacuation flows on a project of this type/size. Some fire agencies allow Fire Department (FD) restricted access points, but these restricted access points may have design flaws (SDCFA Deputy Fire Marshal’s letter - <b>Appendix A</b>). The EIR should address these potential design flaws.</li> </ul>	I-83-7
<ul style="list-style-type: none"> <li>○ If gates or barriers are used, such devices need to incorporate automatic openers with electric supply backup systems. Usually the actuation device is a “KNOX” lock device, but said device is limited to operation by Deer Springs Fire Protection District (DSFPD) resources, not neighboring fire departments, ambulances or law enforcement. Also, triggering devices (i.e. strobe) must be able to be initiated by any first responder, regardless of discipline.</li> </ul>	I-83-8
<ul style="list-style-type: none"> <li>• <b><u>Emergency Response (EIR Chapter 2.8)</u></b> <ul style="list-style-type: none"> <li>○ Within the past few years, the San Diego County Fire Authority (SDCFA) was formed and the Deer Springs Fire Protection District initiated a contract with Cal Fire. This is referred to as a “Schedule A” contract and has many benefits, most important is the Cal Fire resource depth if needed. Cal Fire also provides “all-hazard” services, which includes Advance Life Support (ALS) via paramedics in addition to fire responses. The County should confirm that Cal Fire can provide the necessary resource depth for this project, including aerial ladder truck capability.</li> </ul> </li> </ul>	I-83-9
<ul style="list-style-type: none"> <li>• <b><u>Emergency Notification (EIR Chapter 2.8)</u></b> <ul style="list-style-type: none"> <li>○ Wildland fire case studies show most fatalities occur as people are trying to escape fast moving fires (Cedar Fire, 2003). Due to the rapid spread of wildland fires, some type of localized emergency notification system should be designed to quickly prompt residents about an emerging fire.</li> </ul> </li> </ul>	I-83-10
<ul style="list-style-type: none"> <li>• <b><u>Water Supply (EIR Chapter 2.14)</u></b> <ul style="list-style-type: none"> <li>○ A water supply system must be designed to meet hillside elevation demands for volume and pressure. If a local elevated gravity fed supply system is not possible, then backup electrical power must be incorporated into the pump-pressurized system. (<u>Backup pressure systems</u> - <a href="https://www.epa.gov/sites/production/files/201503/documents/planning_for_a_n_emergency_drinking_water_supply.pdf">https://www.epa.gov/sites/production/files/201503/documents/planning_for_a_n_emergency_drinking_water_supply.pdf</a> <a href="https://www.awwa.org/portals/0/files/publications/documents/m31lookinside.pdf">https://www.awwa.org/portals/0/files/publications/documents/m31lookinside.pdf</a>)</li> </ul> </li> </ul>	I-83-11

- **Evacuation Plans (EIR Chapter 2.8)**

- During a wildland fire that prompts an evacuation, the fire department works in unison with their law enforcement counterpart at the Incident Command Post (ICP). Fire operations provide the intelligence about fire behavior and provide general areas for evacuation. Law enforcement is charged to actually perform evacuations. The County Sheriff should confirm that they have adequate resources, as this development will dictate increased law enforcement needs for an evacuation.
- Dudek's FPP addressed general evacuation needs for the public to leave the area, but a further review needs to incorporate if the road system can handle residents departing while fire resources are entering the same area (Safety Element S-3.5).
- In addition during the review recommended above, "on-street" parking needs to be addressed regarding road width.

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- **Safe Refuge areas (EIR Chapter 2.8)**

- A wildland fire under high wind situations causes extreme rates of fire spread, thereby dictating that new developments be designed to withstand a fire in the advent no first responders resources are available. The speed with which wildfires can reach the site needs to be more carefully evaluated in this context as fire spread arrival times in a wildland area can easily be shorter than evacuation time requirements. ***"Spread rates range from 4.3 mph (Summer) to 17.3 mph (Peak). Spotting distances, where airborne embers can ignite new fires downwind of the initial fire, range from 1.0 miles (Summer condition) to 2.8 miles (Dudek FPP Chapter 2.2.3)."*** Depending upon the resident's willingness and ability to evacuate early, a community should have designated Safe Refuge area/s in case evacuation routes become blocked. These areas can be large "park" settings with non-combustible landscaping and/or be large public assembly structures that are fire safe and also support firefighting operations if needed. The number and size of Safe Refuge areas are dependent upon the project's size, surrounding fuel loads and evacuation template logistics needs. (Reference to subject in principle - [www.fireadapted.org](http://www.fireadapted.org))

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- **Public Education (EIR Chapter 2.8)**

- Every resident living in this development must be made aware of the serious wildland fire threat and fire history. They need to receive and understand the tenets of the Ready, Set, GO! (RSG) program. This program teaches residents about wildland fire basics, how to harden your home, situational awareness, what to do when a fire starts, evacuation and what to do if you cannot escape. Residents must learn and accept their personal responsibility for living in a dangerous wildland environment. Residents must be educated and perform

I-83-16



annual home maintenance to ensure a safe “ember zone” around their structures. This is a program that Cal Fire/DSFPD has adopted and it must be taught annually as residents often relocate in/out of hazard areas. The project should incorporate these training programs and requirements and detail how these programs will be incorporated into the project’s fire protection plans.	I-83-16 Cont.
<ul style="list-style-type: none"> <li>○ This development and future HOA needs to become an active partner with the DSFSC <a href="http://deerspringsfiresafecouncil.com">http://deerspringsfiresafecouncil.com</a> to foster an on-going public education medium.</li> </ul>	I-83-17
<ul style="list-style-type: none"> <li>• <b><u>Building Codes (EIR Chapter 2.8)</u></b> <ul style="list-style-type: none"> <li>○ The use of the General Plan Safety Element, Consolidated Fire Code and local ordinances should be applauded as a model that builds consistency. The use of modern building/fire codes and local ordinances are a requirement of any new development designed to “harden” structures and reduce life loss. The FPPs and final project need to be consistent with such codes/ordinances.</li> </ul> </li> </ul>	I-83-18
<ul style="list-style-type: none"> <li>○ The County of San Diego Code of Regulatory Ordinances Sections 68.401-68.406, Defensible Space for Fire Protection Ordinance and the County of San Diego Code of Regulatory Ordinances Sections 96.1.005 and 96.1.202, Removal of Fire Hazards are excellent models to reduce fuel loads and create defensible space. The performance metric for these models needs to be identified to determine at what percentage they obtain program compliance? If the result is in the 90<sup>th</sup> percentile, success is near. Less than 90%, these requirements lose their value in the chain of success. The EIR should describe the County’s annual success rate for program compliance.</li> </ul>	I-83-19
<ul style="list-style-type: none"> <li>○ Setbacks are addressed in the design criteria, but landscape design requirements appear to be silent (EIR Chapter 2.8.1 - M-HZ-1-3). Some type of landscape design criteria should be required to ensure that fire-resistive plants and proper placement of biomass is addressed.</li> </ul>	I-83-20
<ul style="list-style-type: none"> <li>○ The “heat deflector” walls are designed to alter the path of convective heat travel vertically to uphill exposures. While recognized in codes and standards, they are not widely used, nor widely proven for success. In addition to their success rate question, heat deflector walls do not minimize the ember spotting potential in wildland fires. This is identified in the EIR, Chapter 2.8.1 <b><i>“Spotting (where airborne embers can ignite new fires downwind of the initial fire) is projected to occur up to nearly 1 mile during a summer fire and nearly 2.8 miles during a fall fire.”</i></b> The EIR needs to provide information to justify the use and potential success for the “heat deflector” walls.</li> </ul>	I-83-21

- **Home Owner's Association (HOA) "Common Area" (EIR Chapter 2.8)**

- This project will be putting a substantial new population of persons (over 6,000) into the wildland fuel zone; therefore a "defensible space zone" must be created and maintained by the HOA. These zones may be irrigated landscapes, natural landscape that uses native fire resistance vegetation and/or use of selected clearing. The size and scope of the Buffer Zone/s will depend upon the slope of the land surrounding residences. The minimum zone should be 100 feet wide between structures and native fuels and may be greater if slope dictates. The buffer zone is an "absolute" condition and must be maintained even during drought conditions.
- The problem with HOA's and common areas is the sustainability of the HOA and accountability for related enforcement of buffer zone, parking, access, gates, etc. requirements. The project must incorporate provisions that ensure sustainability, viability and accountability of the HOA.

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- **Future Concern/s not addressed in EIR:**

- One point of concern for this project should be the financial liability of possibly converting current State Responsibility Areas (SRA) to Local Responsibility Areas (LRA). Currently this land is classified as SRA (Title 14 Division 1.5 of the California Code of Regulations), which gives the fire suppression liability to the State/CalFire. If the population density is sufficient, this may trigger a reclassification to LRA, which means the County of San Diego and DSFPD may incur higher fire suppression costs associated with wildland fire suppression in the future. The issue is that current wildland fire suppression models cost much less to address than expensive structure fire protection actions. While the reclassification may occur, the possibility of higher suppression costs to the County varies depending upon the fire and associated fire suppression tactics. The EIR should discuss the potential impact of reclassification of this area to LRA.
- Planners can design a new development to withstand a wildland fire on paper using new codes, updated development guidelines, modern fire-resistant building materials, creation of defensible space, fuel treatments and proper access routes. Fire officials can create better access/deployment of ground and aerial resources. Both of these tenets can be mandated and enforced, but the one major contributing factor that hampers overall success is maintenance of these communities. A new structure left with leaf litter on roof valleys/gutters, etc. may allow embers to ignite a seemingly fire-resistant structure after the main fire front has passed. Maintenance of structures in the wildland fire environment is a "must-do" if we want success, but how do

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## Comment Letters

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we enforce maintenance in the future? Public education programs and Fire-Safe Councils are great, but lack enforcement capability. Can the County work with the State Insurance Commissioner to mandate such activity within insurance policies? At any rate, the County should require mitigation or other project design features to ensure that the fire protection measures and methods described on paper are actually enforced, and describe this in the EIR.

I-83-25  
Cont.

- During my preliminary project review, there were two letters (**Appendix A& B**) that raised questions about the project's design. There did not appear to be a response to these letters or an outcome. The EIR should provide responses to the concerns raised in these letters, including the outcome of those comments.

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Growth within these wildland fire prone areas must be addressed as a holistic, systematic approach. Each component listed above must be addressed in its entirety; failure to do so may compromise public safety success. The primary responsibility public officials have is life safety, therefore egress issues as they pertain to evacuations are the #1 priority. If egress decisions are altered, then secondary factors are even more important in the planning phase.

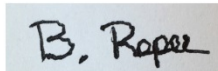
I-83-27

The challenge before us is how to allow safe and responsible growth when public safety revenue tax dollar growth is not keeping up with increasing first responder demands/expectations. Growth in these wildland fire prone areas can be done safely, but it takes a good planning and public/private partnerships for success.

I-83-28

Please contact me at [boz806@gmail.com](mailto:boz806@gmail.com) or (805) 377-0493 if you have any questions or need clarification.

Sincerely,



Bob Roper

Roper Consulting

cc: Golden Door Properties, LLC

### Appendix A



July 21, 2014

County of San Diego  
Planning & Development Services  
5510 Overland Ave., Suite 321  
San Diego, CA 92123

Attn: Mark Slowick, Project Manager

RE: **MISC-13-031 – Newland Sierra**  
Dear Springs Fire Protection District  
Multiple APNs  
Preliminary Comments

Please accept the following County Fire Marshal's Office comments regarding the proposed project based on the limited documents available to us today; therefore the comments are preliminary in nature. More concise comments will be offered as more detailed submittals become available.

We have reviewed the draft Fire Protection Plan prepared by DUDEK, dated June 2014, and the comments provided by the Dear Springs Fire Protection District (DSFPD), dated July 17, 2014. Please accept the following comments:

- Our department concurs with the DSFPD comment that the travel times indicated in the FPP will require additional independent analysis to ensure compliance with the General Plan.
- Though the planning areas each provide two access roads to the main spine roads, some of the compliance points are very close together, creating in effect, a looped road—which would not be within the intent of the code. Planning areas of specific concern are:
  - o Mesa
  - o Hillside, south-east portion
  - o Knolls, eastern portion
  - o Valley, eastern portion
- Due to the density of the planning areas, on-street parking should be provided.
- Please revise the discussion regarding gates to include that gates will open automatically upon power failure and be equipped with strobe light activation.

Newland Sierra prelim. comm.

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July 21, 2014

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- In an effort to be consistent with General Plan Goal M-1 *Balanced Road Network* and Policy M 1.2 *Interconnected Road Network*, our department requests that N. Twin Oaks Valley Rd. be improved to Public Road Standards from Camino Mayor northerly to Gopher Canyon Rd.
- Sec. 1.3.2.8 Additional Amenities of the FPP: Please revise the discussion regarding Camino Mayor and change "emergency access" to "access".

Please call or email me if you have any questions or need clarification – (358) 495-5434 or [James.Pine@sdcountry.ca.gov](mailto:James.Pine@sdcountry.ca.gov).

Best regards,



James Pine, Deputy Fire Marshal  
San Diego County Fire Authority  
Public Safety Group

Cc: Chris Amestoy, Fire Chief, DSFPD (via email)

I-83-29  
Cont.

## Appendix B

Response to County of San Diego (Planning & Development) re:

October 22, 2014

NEWLAND SIERRA MAJOR PRE-APPLICATION SUMMARY LETTER

RECORD ID: PDS2014-MPA-14-018

[http://www.sandiegocounty.gov/content/dam/sdc/pds/regulatory/docs/newlandsierra/NOP/Golden%20Door%20Properties%2C%20LLC%20Attachment%20M\\_County%20Response%20to%20PreApplication.pdf](http://www.sandiegocounty.gov/content/dam/sdc/pds/regulatory/docs/newlandsierra/NOP/Golden%20Door%20Properties%2C%20LLC%20Attachment%20M_County%20Response%20to%20PreApplication.pdf)

I-83-30

### **Robert (Bob) Roper**

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#### **Professional Experience:**

- |   |                                    |
|---|------------------------------------|
| <b>Volunteer</b>  | <b>February 2004 to Present</b>    |
| <i>International Association of Fire Chief's (IAFC) Wildland Fire Policy Committee &amp; National Cohesive Strategy – Western Regional Strategy Committee</i>   |                                    |
| <b>Business</b>   | <b>April 2012 to Present</b>       |
| <i>Owner of Roper Consulting services</i>   |                                    |
| <b>State Forester – Nevada</b>  | <b>February 2015 to April 2016</b> |
| <b>County Supervisor Election</b>   | <b>Nov. 2011 to November 2012</b>  |
| <b>Fire Chief &amp; Career</b>  | <b>May 1977 to April 2012</b>      |
| <u>Leadership</u> - Envision organizational strategic direction and orchestrate methods for achievement through legislation, networking, teamwork and sound financing. Prepare and mentor team members for succession planning and goal success. Prepare and make presentations to legislative bodies, industry and the community. Lead a diverse workforce free from all barriers and embody the image of the organization. Develop exemplary labor relations and employee development to maximize services, enhance vegetation management practices to establish a wildland fire protection model, and create regional/state fire service delivery model. |                                    |

#### **Education**

- Bachelor's Degree in Business Administration from University of Redlands, 2002
- National Fire Academy's Executive Fire Officer Certification, 1998
- Harvard Fellowship Alumni – Kennedy School of Government, 2004

#### **Professional Affiliations**

- FIREScope Board of Directors - Chair
- Ventura County Fire Chief's Association - Chair
- Assoc. of Contract Counties (Cal Fire / CDF Chair, contract) - Chair
- California Fire Chief's Association
- Metro Fire Chief's Association
- International Assoc. of Fire Chiefs - Wildland Fire Policy Committee - Chair
- American Red Cross of Ventura County - Chair
- National Wildland Fire Leadership Council (WFLC)

#### **Notable Projects & Speaking Engagements**

- Finalist for Cal Fire Director – 2010
- CA Incident Management Team (IMT) OSC - IC
- National Cohesive Strategy Development Team
- Obtained IAFC seat at National Wildfire Coordinating Group (NWCG) Exec Board
- Developed "Ready, Set, GO!" local, state and national programs
- Resolved numerous CA aid agreement issues
- Created Countywide regional service delivery model
- Presented at Congressional sub-committee hearings
- Presented at CA Legislative budget and policy hearings
- Presented at County/City policy and community meetings
- Presented at various national, state and local conferences
- Written and published various fire service documents

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