

O-6 Bonsall Community

Comment Letter O-6

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August 13, 2017

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San Diego County
Department of Planning & Development Services
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Subject: DEIR Public Comments regarding Sarver Lane Offsite Private and Public Road - Newland Sierra General Plan Amendment and Specific Plan PDS2015-GPA-15-001 (GPA), PDS2015-SP-15-001 (SP).

Newland Sierra Environmental Impact Report located in the unincorporated San Diego County, California

Dear Mark & Ashley:

The Bonsall Sponsor Group appreciates the opportunity to have reviewed the DEIR for Newland Sierra. We have touched on the majority of the CEQA headings with our comments that include Transportation and traffic, Water Quality, Hydrology, Geology, Grading, Land Use and Zoning. We also commented on Alternative, Noise Aesthetics, Greenhouse Gas, Agricultural Energy, Utilities, Service Systems, Bio Connectivity Review and Fire. We do look forward to your response from our comments as 8,000 pages of information has been very difficult to sort through and find all of the facts that the applicant has artfully hidden in obscure parts of the DEIR.

We hope to draw attention to certain truths that surround the entirety of the Newland Sierra Project that are not necessarily discussed up-front. The primary all-encompassing point that we would like to make is that despite lack of detail or completeness of any specific argument against Newland Sierra (the Project), the fact remains that the Project is in violation of the County General Plan. To allow it to go forward would be to say it is OK to make a mockery of the years of work and wisdom of so many dedicated volunteers and qualified planners who did everything needed to help keep the county orderly and with a guide toward the future.

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The Project (under a different developer) has already been denied and nothing has changed to make it more acceptable. If we agree there is a housing problem in San Diego County, we should all work together to solve it by developing all of the projects and land that we included in the approved General Plan and not approve any amendments until all of those projects have been built. A piecemeal leapfrog overturning of the General Plan to allow private land investors to make a mess of the county is not a solution to a housing problem. It is in fact a path to a greater and more unsolvable problem when the infrastructure and open spaces no longer have a way to support the chaotic sprawl that has been allowed to spoil the land. It is in fact a form of subjugating our elected officials and the trust we have placed in them to help protect our future. It should not be the responsibility of overworked volunteers to rally public opinion to maintain the county plan. With this in mind, we hope you can read, always knowing that the statements made in the Project DEIR are made to help sell a project that violates the General Plan.

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CHAPTER 5.0 SUMMARY, TABLE S-1 SUMMARY OF SIGNIFICANT EFFECTS

There are approximately 50 individual impacts in 8 Categories that even after significant Mitigation activities remain as "Impacts would be significant and unavoidable".

There are approximately 85 individual impacts in 15 Categories that with significant Mitigations activities that are "Impacts would be less than significant"

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There are at least 80 Mitigation actions with many these having numerous sub actions or activities

Questions:

At what point does the cumulative impact of "Impacts would be significant and unavoidable" cause the project not to go forward. Is it ten or more? What is the County's criteria for cumulative impacts?

O-6-4

How valid and achievable are the numerous Mitigation Actions proposed in the summary? How many of these proposed Mitigation Action have been proven to be effective in a construction and Large-Scale Development environment?

O-6-5

Does the County have the qualified Personnel and resources to monitor, review and manage all the Mitigation activities and requirements in the EIR? If not does this impact the project execution and cause even more Impacts that would be significant and unavoidable?

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Has the County Planning and Services Department done an estimate of the man-hours and cost that would be required by the County to in monitor and manage all the Mitigation activities in the entire EIR Summary? If so what it that cost?

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Reference S.O-119 - Water Supply and Service. Is Mitigation Action M-UT-4 too late in the planning and building process? Should the Verification of adequate water supply be done before grading starts for individual phases for the Project?

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WATER SUPPLY AND SERVICE 2.14

Construction of Water Infrastructure

Page 36 -Since the impact to build the Project's water infrastructure is minimal compared to the construction of the project the Project's construction impacts associated with the installation of the project's new or expanded water faculties would be LESS THAN SIGNIFICANT.

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Project's Impact on Vallecito's Existing Water System

Page 36 - Since the water infrastructure will be constructed by Vallecito's to the County requirements it concludes the Project's operational impacts on Vallecito's existing water system , infrastructure and capacity would be LESS THAN SIGNIFICANT

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SUFFICIENCY OF WATER SUPPLIES 2.14

This Section uses the logic that the 2015 Vallecito's Water District Urban Water Management Plan (UMWP) establishes the water usage for the project using the 2011 County General Plan. That in turn has flowed up to San Diego Water District UMWP and MWD's UMWP. It also relies on two consultant's reports: HDR'S Water Supply Assessment (WSA), and GSI's Water Conservation Demand Study It also reference the County General Plan Water Supply Policies

The Project Must also comply with Vallecito's Best Management Practices (BMP) for water conservation.

Construction Impacts

EIR concludes that Water use will not be substantial. Thus, the project will have adequate Supply of water and potential construction related water supply impacts would be LESS THAN SUBSTANTIAL

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Operation Impacts (SUPPLY OF WATER)

Page 43 – Vallecito’s accounted for the water demand on the Newland Site using the 99 single family homes and 2 million square foot of commercial in the 2011 General Plan Land uses. This Water demand of **1,825 AFY** was accounted for in Vallecito’s draft 2014 plans and 2015 UWMP for Vallecito’s, the Water Authority and MWD.

Page 45 Vallecito’s water demand factors are considered conservative since they do not account for water conservation efforts.

Page 45 - HDR’S Water Supply Assessment of the project with a **1,624 AFY** which does not account for water reductions or savings

Page 46 - GSI’s Water Demand Study found conservation Measures that would reduce the demand to **1,196 AFY** a 35% reduction compared to the 2011 General Plan

Eliminate outdoor water use for open space and gets total use to **870 AFY**

EIR will use 870 AFY 52% less than County’s General Plan

Page 48 Project’s operational water supply impacts would be LESS THAN SIGNIFICANT

Questions:

What is the accuracy or Validity of HDR’S Water Supply Assessment (WSA) and does the County have the process and expertise used to validate the assessment. Why was a second consultant not used to validate the WSA.

What is the accuracy or Validity of GSI’s Water Conservation Demand Study and does the County have the process and expertise used to validate the assessment. Why was a second consultant not used to validate the WSA.

2.14.2.5 Water Supply Consistency with Applicable Plans, Policies and Ordinances

Cumulative impacts associated with adequate water service and supplies would be LESS THAN SIGNIFICANT

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WASTE WATER 2.14.2.7

Page 58 - Additional infrastructure can be built to accommodate the project. Impacts LESS THAN SIGNIFICANT

SOLID WASTE 2.14.3

Project will have aggressive Recycling goal; adequate capacity exists in the County to service the project. Solid Waste impacts are deemed LESS THAN SIGNIFICANT.

Question: What about the volume of Trash Trucks and their impact on the projects infrastructure, air quality and Traffic?

CHAPTER 3 EFFECTS NOT FOUND TO BE SIGNIFICANT

SECTION 3.1 ENERGY -

Basically, the EIR uses the logic that all Energy requirements for the construction and operation of the project are insignificant compared to the usage or demand in the State or effective Utility Districts. Additional it relies on the project being built to the latest construction standards that are more energy and water efficient compare to the rest of the population the County

ELECTRICITY -

Because of minimal use during Construction impact be LESS THAN SIGNIFICANT.

Because of using latest Energy Related Building codes Electricity per person would be significantly less that rest of County and impact would be LESS THAN SIGNIFICANT

NATURAL GAS

Natural Gas Will not be used during Construction and would impact would be LESS THAN SIGNIFICANT.

Project will be built to 2016 Title 24 standards and will result in less consumption per person than the County Average and the impact would be LESS THAN SIGNIFICANT.

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PETROLEUM

Energy effects related to Petroleum consumption during the Construction Phase would be LESS THAN SIGNIFICANT

The Projects Travel Demand Management (TDM) program will reduce Vehicle Miles Traveled (VMT) , Numerous regulations will make Vehicles more efficient over time, less need in vicinity in Housing all will all result in the project not to be inefficient or wasteful thus resulting in a LESS THAN SIGNIFICANT impact.

Would the project conflict with adopted plans and policies?

No because it will follow the latest building codes and standards aimed at energy, water consumption and less VMT.

Would the project place a significant demand on local and regional energy suppliers or required a substantial amount of additional capacity?

ELECTRICITY

Project is only 0.006 percent increase in electricity and project will build to latest Building codes and standards thus impact would be LESS THAN SIGNIFICANT

NATURAL GAS

Project use is minimal and thus would have result in a LESS THAN SIGNIFICANT IMPACT

PETROLEUM

Construction demand is small fraction of total State Requirements and would be deemed LESS THAN SIGNIFICANT impact.

AESTHETICS

The Newland Sierra (Project) proposes to build 2000+ homes, commercial buildings and a school on what is currently unbroken rural land that has only light population on it between I-15 and the City of San Marcos.

The DEIR is light on specifics for the buildings planned on the Project, so it is difficult to comment on the aesthetics, but a number of aesthetic problems would arise no matter how well conceived and executed the Project might be.

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First, Deer Springs Road would need to be widened. It is already heavy with traffic, and adding lanes would further invite its use as an alternate to Hwy. 78. It is a general rule that traffic expands to fit the roadway and the even greater number of vehicles would be a huge disturbance to the natural setting that exists now.

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Second, such a large neighborhood shoe-horned into a hillside location would immediately disrupt the peaceful setting for the monastery and the Golden Door Spa that is at the location now. It would most surely be the end for those entities, as they exist in their locations specifically for the unspoiled setting. The loss of a world-famous business like the Golden Door that has low impact on the environment and brings publicity and renown to the area would be a real loss. Replacing the current residents who coexist with nature with a huge housing complex would definitely be a change of tremendous aesthetic negativity.

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Third, any large housing complex allowed to drop into rural unincorporated area would take away aesthetically from the area because it would serve as a constant reminder of devaluing nature. The Project would be an example of violating the County General Plan and make it much more likely that every land developer hoping to do the same will create similar developments sprinkled throughout the county with no guiding overview of how to manage traffic and resources. It would be a tremendous blight on the county when we see projects requesting amendments that insult the General Plan begin to pop up one by one in any undeveloped area of the County.

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If we are to bring more housing to the area using the projects in the approved in the General Plan it must be done with that plan as it was designed.

AGRICULTURAL RESOURCES

The Project DEIR attempts to downplay the importance of agriculture in the area by claiming that the Project site does not encroach on active, historic or likely future farmland. The DEIR states that the project site does not merit evaluation using the county's LARA model, based on the type of land at the site, and the lack of historical farming at the site. Both statements are contradicted within the report itself, as the map provided in the report shows several large parcels of Prime Farmland, Farmland of Statewide Importance and Unique Farmland directly on the project site border and within the Zone of Influence. As for lack of historical farming, the report states in summary on page 79 that on-site farming ended in the late 1960's. Since the DEIR has at its origin the goal of making the Project possible, these inconsistencies and sparse backing material must be questionable at best.

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Though agriculture use in the area may be light, Newland Sierra put in the minimal amount of work necessary in order to make a case for their project.

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Even fallow agricultural land serves a use and is in keeping with the character of the community, rather than the 2000+ homes, that would surely close all options to any future decision on possible land use.

San Diego County is seeing a growth in small farm and "boutique" local food providers. This may yet be an industry that finds rebirth in the area, especially as open land in the county vanishes. The site of the Project should remain rural until a more compatible use for it can be found or a building plan that is in accordance with the County General Plan.

I have performed a review of the Newland Sierra Draft Environmental Impact Report (EIR) dated June 2017, prepared by Dudek, and formulated the following comments.

- 1) General: The draft EIR lacks a cohesive layout of issues, making the overall review of the document very difficult.
- 2) Grading: Impacts associated with the project grading have not been fully addressed in the EIR. Based upon the project soils report and Seismic Refraction study, prepared by Leighton Associates, soil profiles below a depth of 15' feet average seismic velocities of 11,000 ft./s, well above the 7000 ft./s threshold where blasting will be required as part of site grading. The requirement for blasting will have a significant noise/vibration component that will impact on surrounding neighbors, the Golden Door facility and animal species that live in the area. Based upon the site topography, most of the "cut" portion of the project will lie below the depth of 15 feet, requiring daily blasting events to achieve site grading requirements. The draft EIR does not specifically address the anticipated blasting schedules, the frequency of blasting, from a daily, monthly, or yearly standpoint, and the specific impacts associated with blasting operations. Nor does the draft EIR discuss alternatives to the proposed significant site grading. The impacts associated with site blasting operations, to a large degree, could be mitigated by altering the grading concept, thereby minimizing the deep cuts and associated requirement for blasting. In fact, if the grading concept avoided the 150+ ft high cut slopes, and maintained more of the existing site topography, it would achieve the benefit of minimizing the need for significant daily blasting operations, while maintaining the natural landforms in the area.

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From Leighton Report

Table 3	
Rippability Based on Seismic Refraction Velocities	
Calculated Seismic Velocity	General Excavation Characteristic
Up to 2000 feet per second	Easy ripping
2000 to 4000 feet per second	Moderately difficult ripping
4000 to 5500 feet per second	Difficult ripping, possible localized blasting
5500 to 7000 feet per second	Very difficult ripping, possible local to general blasting
Greater than 7000 feet per second	Blasting required

In summary, the data indicates that the average seismic velocities of the near-surface bedrock materials along the seismic survey lines are approximately 1,900 feet per second. Below these near-surface materials (which are generally less than 1 to 7 feet in depth below the existing ground surface), the average seismic velocity of the slightly weathered to unweathered bedrock is 5,400 feet per second (with a range between approximately 4,000 and 6,500 feet per second). Below an estimated depth of approximately 15 to 25 feet, unweathered bedrock with average seismic velocities of approximately 11,000 feet per second (ranging between 8,560 and 13,771 feet per second) is anticipated.

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- 3) Grading: The project proposes very large cut and fill slope's which will significantly alter the existing well vegetated landforms in the project area. The cut and fill slope exceed 200 feet in areas. As part of the overall grading it is anticipated, based upon the Leighton Report, that significant amounts of oversize rock will be generated requiring rock fills as part of overall grading. Rock fill grading operations are extremely noisy, and involve heavy equipment rolling over and grading rock material. The draft EIR fails to specifically address the impacts of grading, from an aesthetic standpoint, on the existing landforms in the area and eyesore associated with the large graded, and manufactured appearing, cut and fill slopes associated with the project.



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- 4) The size of the Preliminary Grading Plan PDF drawings provided on the county website are excessively large making viewing, with even the most up-to-date computer and fiber optic Internet connection very difficult. The drawings easily could have been reduced in size, without compromising detail, to allow for reasonable public review as part of the CEQA.

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- 5) Overall project grading cut/fill yardages are not discussed in the body of the EIR, nor the time associated with grading. Further the document does not discuss what percent of the cut portion of the site will involve blasted rock.

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Noise

This project is estimated to be under construction for 10 years. Construction noise and traffic delays are inevitable. With a proposal of expand Deer Springs Rd. From four to six lanes at build out, local resident will be inundated with noise disruption, and disturbances for many years!

How could one possibly believe that in an estimated 10-year period, on site rock crushing, constant blasting, consistent grading, and the hauling of trucks would create "minimal", "low to no impact"?

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The noise from all the above cannot possibly be completely sheltered from interfering with the quality of life for local residences and businesses. How can we be "ensured" there will be no significant impact? Will daily testing be continuous? At different times of the day? Where is this information located in the draft EIR?

The noise, the traffic congestion, the dirt and debris, as well as the character of our community, which is protected by the General Plan, will be severely and permanently impacted if this project is approved!

WILDLIFE CONNECTIVITY

As the portion of the Newland Sierra project that is in the Bonsall Sponsor Group planning area is to be "open space" we are interested in why the applicate did not address the wild life connectivity. The following comments need to be addressed and an answer of "less than significant" is not acceptable.

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The Merriam Mountains/San Marcos Mountains area is only one of three large habitat blocks that remain west of I-15 in all of San Diego County. Two of these three large habitat blocks, including Merriam Mountains, are classified as Pre-Approved Mitigation Area (PAMA) with a goal of 75% conservation under the Draft North County Multiple Species Conservation Plan (NC MSCP). Given the remaining open spaces and known critical movement areas nearby (i.e., the San Luis Rey River to the north), the Merriam Mountains area serves as a critical area for wildlife movement and connectivity at a local scale.

The area offers drainages and ridgelines, the primary features known to support wildlife movement, running in both east-west and north-south directions. Based on research on connectivity in San Diego County (Jennings and Lewison 2013, Jennings and Zeller 2017) and what prior research efforts have learned about wildlife movement and connectivity in the region (Crooks 2002, Lyren et al. 2009, 2008, 2006), the Merriam Mountains appear to be situated in a critical location that currently allows it to serve as an essential wildlife linkage connecting habitat patches north of Escondido, San Marcos, and Vista to the Merriam and San Marcos Mountains, Moosa Canyon, and the San Luis Rey River. Although east-west movement is undoubtedly challenged by Interstate 15 (I-15) to the east of the Merriam Mountains, some species may be able to cross (a) through the concrete box culvert located under I-15 (Figures 1 and 2), a feasible crossing structure for many species that was not documented or evaluated in the Newland Sierra DEIR; (b) through the I-15 culverts noted in the DEIR (Table 2.4-12, p. 2.4-160), or (c) may attempt at-grade crossings of the freeway. There are also locations to the north and south of the Merriam Mountains that allow for east-west movement past the freeway (e.g., Moosa Canyon). North-south connectivity is likely more important for wildlife movement in the area.

The quality of undeveloped lands in the area is high; agricultural activities and existing sparse development intensity are not likely to be acting as an impediment to wildlife movement. In a recent update to the connectivity section of the Management Strategic Plan for Conserved Lands in Western San Diego County,¹ the San Diego Management and Monitoring Program identified the Merriam Mountains as a key area connecting core linkages to the north, south, east, and west (Figure 3). Additionally, the proposed designation of area to the north as PAMA under the NC MSCP would further enhance the importance of the open space in the Merriam Mountains and connectivity to and from this area that will serve as a stepping stone, provide source populations of many species, and support ecological resilience in this part of San Diego County. If the Merriam Mountains are developed according to the proposed Newland Sierra project, the effective distance among preserved lands in this part of San Diego County would more than double, as negotiating additional roads and development would reduce landscape permeability for wildlife and limit the species that could successfully traverse the distance.

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By fragmenting this area, it may no longer serve as suitable habitat for viable populations of southern mule deer, key predators such as bobcats or coyotes (Crooks 2002), or as a critical linkage for dispersing mountain lions searching for larger blocks of suitable habitat. Furthermore, the type of stepping-stone connectivity that this area provides is critical for the movement of avifauna with limited dispersal abilities, such as the federally threatened California gnatcatcher (*Polioptila californica californica*). We did however find that Newland Sierra has recommended that their mitigation for the gnatcatcher will be to purchase land in Ramona which not found in that area of the County. How can that mitigation be considered or even allowable? Connectivity between suitable patches of coastal sage scrub habitat is necessary if the gnatcatcher is to not only persist, but recover in coastal southern California, particularly in San Diego County where coastal sage scrub habitats continue to be constrained at a rapid rate.

The proposed development may result in the physical and genetic isolation of populations of mule deer, bobcat, coyote, and other species on either side of Deer Springs Road and west of I-15, a phenomenon that has been demonstrated in other areas of southern California where roads and development have fragmented habitats for these species in a similar fashion (Riley et al. 2006, Delaney et al. 2010, Lee et al. 2012). These effects would result in cumulative impacts to connectivity and wildlife corridors in the area, and require that existing lands providing connectivity be considered more carefully in broader sub regional and temporal contexts.

Importance of connectivity for wildlife Current land management plans throughout the U.S. and Europe are designed to protect biodiversity by establishing a network of core habitat areas that are connected via linkages. The central principle of this large-scale conservation planning is that viable populations and natural communities can be supported by a connected landscape network (Beier et al. 2006, Crooks and Sanjayan 2006, Boitani et al. 2007, Barrows et al. 2011), particularly as the landscape becomes altered by anthropogenic features like roads and housing developments. Landscape connectivity allows for movement among patches of suitable habitat, reduces the chance of extinction and effects of demographic stochasticity on small populations (Brown and Kodric-Brown 1977), and maintains gene flow between populations in patchy landscapes (Noss 1987) allowing more rapid recovery after events such as fire and disease outbreaks.

Over longer time scales, and in the face of changing abiotic conditions, connectivity may also prove critical for range shifts in response to landscape changes caused by changing climate and altered disturbance regimes (Hannah et al. 2002, Heller and Zavaleta 2009). In southern California, this landscape-scale network approach has been adopted in response to the widespread habitat conversion and fragmentation that has resulted from development in the region (Riverside County 2003, County of San Diego 1998).

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Although only a handful of species were documented on site and can be found in species occurrence databases such as SanBIOS (County of San Diego 2016), this site is undoubtedly important for a wide range of species given the complexity of terrain and vegetation and the size and placement of the open space. Species detections during project surveys conducted in 2003 and 2013 were likely affected by the fact that both years were during extended droughts, reducing the likelihood of detection of the full range of species that may occur on site or utilize the area as movement corridors. Furthermore, the same topography and vegetation cover that constitute habitat for a range of species also make it difficult to fully survey all areas of the site. Finally, prior data on the site may be limited by the fact that the land has been privately held and generally not accessible for surveys or opportunistic observations.

Despite a paucity of information about species occurrences on the project site, habitat suitability modeling has been conducted that suggest that all or portions of the area are adequately suitable (moderate to high suitability) to support movement for a suite of species including: bobcat (*Lynx rufus*), puma (*Puma concolor*), mule deer (*Odocoileus hemionus*), wrenit (*Chamaea fasciata*), California mouse (*Peromyscus californicus*), big-eared woodrat (*Neotoma macrotis*; Jennings and Zeller 2017) as well as western whiptail (*Aspidoscelis tigris*), western toad (*Anaxyrus boreas*), and granite spiny lizard (*Sceloporus orcutti*; Franklin et al. 2009).

ISSUE 1 Lack of consistency with Draft North County Multiple Species Conservation Plan (NC MSCP) Determinations based on Draft Plan not approved by CDFW or USFWS the findings of consistency with NC MSCP are based on a proposed hardline of the development that was put into the plan by the County at the developer's request but not yet been reviewed by wildlife agencies or been available for public comment. Hardline projects are areas where development impact areas and the preserved open space areas have been predetermined. ACTION REQUESTED.

Newland Sierra DEIR Connectivity Review August 2017 and hardliner for the purposes of a conservation plan. Hardline projects are included and analyzed in Habitat Conservation Plans approved pursuant to 16 U.S.C. section 1539(a)(2)(A) and Natural Community and Conservation Planning Act (California Fish and Game Code section 2800 et seq.) plans such as the NC MSCP. These plans must receive concurrence from the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) prior to implementation. In the case of the NC MSCP, the plan must also be approved by the County Board of Supervisors. At the time of the release of the Newland Sierra DEIR, the NC MSCP had received neither the required concurrence from the wildlife agencies nor the approval of the Board of Supervisors. ACTION REQUESTED.

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The determination to place this area into hardline is in direct conflict with the management goals of the NC MSCP and is based on an inadequate assessment of connectivity and is in direct conflict with Wildlife Corridor Conservation Goal and Actions (p. 5-83) stated in the Draft NC MSCP dated May 2017 (and see below). Connectivity design of project inconsistent with NC MSCP Corridor Conservation Goal and Actions The proposed design of open space "Blocks" and "Corridors" is not consistent with the draft guideline for connectivity planning and implementation in the NC MSCP. The Corridor Conservation Goal and Actions (p. 5-83) state that: • Large contiguous blocks of habitat are preferred • Stepping stones are not a goal, rather a minimum • Corridors should have edge buffering • Design should consider factors that impact wildlife passage like human developments, edge effects, roads and driveway, reduced structural and compositional diversity of vegetation, agricultural cultivation, free roaming pets, lighting, and noise • Whenever possible, include deliberate redundancies linking cores in more than one way to establish and/or retain functional connectivity Despite these guidelines, the proposed design separates the second largest block of open space remaining in the Draft NC MSCP Plan area in three separate blocks.

The three separate blocks are 870.2, 153.9, and 185 acres and are described as "interconnected" (DEIR, p. 2.4-1). All are considered "medium" in size according to the Draft NC MSCP (pp. 4-4 to 4-5), and two are on the small end of medium. These three blocks are separated from each other by large sections of the development, roads, or passage through narrow pinch points that constrain wildlife movement. The design creates stepping stones that are separated and confined by the proposed development features and the "corridors" are not buffered from these effects. Furthermore, the most likely movement pathways in the proposed plan area will be permanently altered by development.

ISSUE 2 Inadequate open space design to allow for functional connectivity for wildlife Connectivity is often considered from two different perspectives, physical and functional connectivity. Physical connectivity indicates whether there is structure connecting two patches of habitat, whereas functional connectivity accounts for how wildlife responds to that structure as Newland Sierra DEIR Connectivity Review August 2017 well as barriers to movement for the species of concern (Taylor et al. 1993, Tischendorf and Fahrig 2000a, 2000b). The distinction between physical connectivity and functional connectivity in fragmented landscapes is critical when implementing conservation and mitigation measures to prevent irreversible habitat fragmentation. There are a variety of factors that can affect this response, including but not limited to, life history traits of the affected species, habitat configuration, degree of habitat fragmentation, and type of fragmenting features (e.g., roads, houses).

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Furthermore, this response will differ among species with some demonstrating a greater sensitivity to these factors than others. The Newland Sierra DEIR takes physical connectivity into account to some degree but largely ignores functional connectivity.

Configuration In the description of Habitat Connectivity and Wildlife Corridors (DEIR, Section 2.4.10) in the Biological Resources section of the Newland Sierra DEIR the proposed “open space design” for the project is described as three large blocks of habitat comprising a total of 1,209 acres connected by internal corridors (DEIR, p. 2.4-51). Following this description, specific lengths and widths are given for each of the internal “blocks of open space”, to justify that they meet minimum width goals for corridors (DEIR, pp. 2.4-75 – 2.4-76), recharacterizing the blocks as linkages. The “corridors” connecting the “blocks of open space” are not disclosed in the document despite an assurance that they meet “minimum guidelines” (DEIR, p. 2.4-76). Furthermore, in the DEIR, the basis of the determination that the on-site open space will allow wildlife to move “unimpeded” are based on outdated guidelines from the MSCP County of San Diego Subarea Plan (County of San Diego 1997) that are not consistent with best available science. Neither the bulk acreage provided as “open space” nor the exact measurements of the “corridors” are components of preserve design that are considered critical to ensure an area provides functional connectivity for wildlife (Beier and Loe 1992).

Instead, the function of the landscape, often dictated by its composition and configuration, are paramount for wildlife connectivity. In the Loss of Connectivity section (Volume 2B, Section 8.0) of the Management and Monitoring Strategic Plan for Conserved Lands in Western San Diego County (SDMMP and TNC 2017), which includes the proposed NC MSCP area, “Core Habitat Areas” are defined as “a contiguous area of relatively intact natural vegetative cover that is 1,250 acres in size and with little or no permanent internal fragmentation from human development”. Although the proposed open space design for the Newland Sierra project approaches that total acreage goal, it does not meet the standard for contiguous intact habitat without permanent internal fragmentation. The Merriam Mountain area is currently considered a functioning core habitat area but the proposed project would degrade and fragment the habitat to a degree that would reduce its functioning as a core area, reducing permeability for wildlife and creating permanent barriers to wildlife movement. The Newland Sierra DEIR did not analyze the impacts of fragmentation that would be caused by the development and associated cumulative effects.

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The weight of scientific evidence suggests that effective and functional corridors are continuous (i.e., not bisected by roads or other anthropogenic features; Bennett et al. 1994, Forman 1995, Tilman et al. 1997, Brooker et al. 2001), wide enough to provide adequate habitat not affected by edge effects (Hilty et al. 2006), of high or higher quality than larger core habitat patches (Tilman et al. 1997), and dominated by native vegetation (Bennett 1991). The proposed open space design for the Newland Sierra project ignores the best available science, maximizing the amount of edge in small habitat blocks separated by roads, housing, and fuel management zones that will become dominated by non-native vegetation.

Newland Sierra DEIR Connectivity Review August 2017 Artificial wildlife corridors in the DEIR, a determination is made that the impacts to movement of wildlife as a result of artificial corridors would be less than significant (DEIR, p. 2.4-78). It is reasoned that the designated biological open space and corridors were designed to follow natural ridgelines and landscape patterns that would facilitate wildlife movement and that the developed landscapes would follow natural contours of the landscape.

However, large segments of the proposed development are sited along major canyons and ridgelines. These features are known to be important movement corridors for species like pumas (Dickson et al. 2005, Beier 1995, Zeller et al. 2017) as well as bobcats (Jennings and Lewison 2013) and many other species. Specifically, the Valley, Mesa, and Terraces neighborhoods as well as the Town Center portion of the development either directly occupy likely wildlife movement pathways or block unimpeded passage through canyons that serve as wildlife movement pathways. Limiting wildlife movement to the unnatural movement "corridors" proposed in the open space design will have a significant and permanent impact on wildlife movement and landscape connectivity that is not acknowledged, was not properly assessed, and is not mitigated.

EDGE EFFECTS

The proposed design does not minimize edge effects from the development, but rather exacerbates them through the establishment of the two small blocks of "open space" proposed (Blocks 2 and 3) that are surrounded by houses, bisected by roads without consideration for wildlife underpasses and wildlife-vehicle collisions and are not contiguous with adjacent open space. As such, this design should not be considered compliant with best available science, the connectivity goals of the Draft NC MSCP, nor adequate to mitigate the stated impacts to sensitive wildlife, core areas, and wildlife movement.

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An analysis of 25 studies describing edge effects determined that negative edge effects are biologically significant at distances up to 300 meters (~1,000 feet) in terrestrial systems (Environmental Law Institute 2003), meaning the proposed on-site corridors in the open space design ranging from 200 to 800 feet, are all likely to experience the impacts of edge effects at a level of biological significance. Specifically, the likely edge effects for the proposed project include negative effects of traffic, human activity, lighting, noise, domestic pets, and toxicants. In the DEIR, the two smaller habitat blocks (Block 2 and Block 3) in the proposed project are included in a description of the proposed open space design as “large, interconnected open space blocks within the project” (DEIR, p. 2.4-1). The size of the proposed open spaces under the proposed development plan are compared to that of other preserved lands in the vicinity of the project area (DEIR, Table 2.4-24, p. 2.4-168) to illustrate that the two smaller habitat blocks (Block 2 and Block 3) in the proposed project are of adequate size and support a reserve design consistent with the Draft NC MSCP. However, what this in fact demonstrates is that the project would take the second largest block of habitat remaining west of I-15 in the NC MSCP Plan area and fragment it is resulting in three smaller “medium” blocks, as defined by the Draft NC MSCP (pp. 4-4 to 4-5), two of which are on the small end of medium. This is directly in conflict with the stated connectivity and conservation planning goals of the NC MSCP. In addition, the flawed logic justifying the open space design that would fragment this large habitat block ignores the fact that the configuration and location of these blocks is just as important as their size to supporting wildlife movement. Reducing the overall size of the habitat patch in this area will Newland Sierra DEIR Connectivity Review August 2017 significantly impact wildlife habitat and movement and cannot be adequately mitigated by an open space design that introduces more fragmentation and exposure to edge effects.

Corridor redundancy The DEIR’s connectivity analysis omits consideration of redundancy of corridors, a concept that is fundamental to landscape connectivity planning and functionality (Hilty et al. 2006). Redundancy is important for species such as puma, which could be significantly impacted by the proposed project. From a broader regional perspective on connectivity, the connections available for wildlife to move through the Merriam Mountain area are crucial for maintaining connectivity to the Santa Ana Mountains by provided alternative pathways for wildlife moving to the east or west past the I-15.

The Santa Ana-Palomar linkage is a wildlife corridor that has been highlighted in numerous connectivity studies to date (e.g., South Coast Wildlands 2008, Spencer et al. 2010); however, this linkage remains unrealized due the difficulty in getting animals across the I-15 to the north in Temecula. Currently, one of the few areas with adequate habitat quality and continuity to support wildlife movement is in the vicinity of the Merriam Mountains.

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This is an especially important issue for mountain lions, which have experienced a decline in genetic diversity and led to inbreeding and concerns about long term persistence of the apex predator in the Santa Ana Mountains (Ernest et al. 2014), as well as additional effects to the San Diego population of mountain lions. Although the area near Rainbow, CA, just south of Temecula, CA is thought to be the ideal I-15 crossing location for pumas, there has been a successful I-15 crossing by a puma (M-56) at Moosa Canyon (Vickers et al. 2015), just north of the project area. There is suitable habitat for the species from Valley Center into the San Marcos Mountains, which would allow access to the San Luis Rey River, and important wildlife corridor to and from Marine Corps Base Camp Pendleton, which leads into the Santa Ana Mountains. Furthermore, there have been pumas detected to the southwest (San Diego Tracking Team 2008), the east (County of San Diego 2016), and north (Vickers et al. 2015) of the project area, as well as puma mortality documented along SR-78 in Vista (Vickers et al. 2015). These locations and the movement ability of pumas indicate they utilize, even if sporadically, the surrounding areas, suggesting they may be likely to occur on the project site during movement/dispersal activities.

ISSUE 3 Inadequate assessment and mitigation of direct effects on connectivity Roads Roadways in particular pose a significant challenge to landscape functioning (Laurence and Balmford 2013). Though roads can have many negative indirect effects on wildlife, two mechanisms directly impact habitat suitability and continuity (Fahrig and Rytwinski 2009): the barrier effect whereby the road blocks species' movement across the landscape, and direct mortality through wildlife-vehicle collisions (Bissonette 2002). The degree of impact of a road may depend on several factors such as the location of the road relative to open space and protected habitats, traffic volume and traffic speed (Fahrig et al. 1995), and the sensitivity of species affected by the road.

The DEIR includes only minimal and insufficient discussion of the mortality or the barrier effects of roads on sensitive wildlife, core areas, and most importantly, wildlife movement in the Biological Resources Report or the DEIR. The roads and traffic within the development are mentioned, but wildlife-vehicle collisions are dismissed as unlikely based on an assumption that wildlife will move at night when vehicle traffic is low and speeds will be relatively slow.

No mitigation to allow wildlife to safely cross under these roads is proposed in the design of the project even though road construction, grading, and widening are all either immediate components of the proposed project or reasonably foreseeable future actions associated with the project. This is an important omission to both the assessment of project impacts as well as mitigation planning given the many locations where wildlife movement are likely to be affected by roadways in and around the proposed project area (Figure 4).

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These locations for potential wildlife crossings (Figure 4) are sites where natural features that funnel wildlife movement intersect with roadways and are likely to result in direct and indirect effects to wildlife movement that should be mitigated. The analysis of the impacts of the proposed Newland Sierra project must not only evaluate the effects of these roadways on wildlife movement in general, but specifically for these locations where impacts are most likely. Furthermore, there is no discussion whatsoever as to the impacts of the large increase in traffic rates on multiple roads surrounding the project (i.e., Deer Springs Road, Twin Oaks Valley Road, Mesa Rock Road, and Sarver Lane) or the effects of the widening of Deer Springs Road. Even though the final planning for the road projects will need to undergo additional coordination and review with the County of San Diego, it is a reasonably foreseeable associated action that should be evaluated and mitigated in this analysis. The increased traffic rates and widening of Deer Springs Road are likely to not only increase the mortality effect of that road on wildlife populations, but may also result in a barrier effect, making that road impenetrable to some species and cutting off populations to the north and south of the road. These effects are likely to impact not only large species, as stated in the Biological Resources section of the DEIR, but many small species as well that are more likely to suffer barrier effects impeding movement (Delaney et al. 2010, Brehme et al. 2013) as well as mortality effects for the species that do attempt to cross wider and more heavily trafficked roads. Mitigation measures should incorporate appropriately sited, sized, and designed wildlife crossing structures as well as associated fencing to reduce the significant barrier and mortality effects of roadways on and off the project site. The permeable fencing proposed under the Newland Sierra Project's Open Space Fencing and Signage Plan (DEIR, pp. 2.4-118 – 2.4-119) will allow species to enter roadways and will not funnel movement to appropriate existing crossings. There are no details provided in the fencing plan detailing the specifications of the open space walls. Impact of traffic rates One of the key characteristics that determine whether a road has mortality or barrier effects is traffic volume, which is thought to have more of a significant impact on wildlife movement than road width or placement (Jaeger et al. 2005). Narrow, rural, two-lane highways with low traffic volumes can have barrier effects on many small species, particularly small mammals in the region, and can result in mortality of less sensitive species like the western fence lizard (*Sceloporus occidentalis*; Brehme et al. 2013). In prior connectivity studies in the region, high rates of wildlife-vehicle collisions have been detected on narrow secondary roads with high traffic volumes (Jennings and Lewison 2013, Jennings and Lewison 2015).

Larger roads with multiple lanes and high traffic volumes have been associated with barrier effects that can be Newland Sierra DEIR Connectivity Review August 2017 detected through a loss of gene flow (Delaney et al. 2010), suggesting populations of even common and relatively mobile species like wrentit, western fence lizard, side-blotched lizard (*Uta stansburiana*), and western skink (*Plestiodon skiltonianus*) experience significant biological effects from heavily traveled roads similar to the size and traffic volumes that will occur on and off the project site.

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A literature review by Charry and Jones (2009) reveals that traffic volumes on the order of 4,000-6,000 Annual Average Daily Traffic (AADT) have substantial effects for many species and may act as a near complete barrier to others. Volumes between 6,000 and 15,000 AADT may act as a nearly complete barrier or result in major habitat avoidance, and volumes more than 15,000 AADT appear to result in major habitat avoidance for most species without appropriate movement corridors or wildlife crossing structures to allow for safe crossing. The current impacts of the roads in the project area that would affect wildlife movement corridors, particularly those listed above, should be assessed, an attempt should be made to quantify the likely impact of increased traffic rates under each of the transportation designs in the DEIR, and mitigation measures should be proposed that minimize the impacts of roads on wildlife. In some cases, particularly with Deer Springs Road, it is possible that even with appropriate wildlife-focused mitigation measures, the degree of impact cannot be mitigated below a level of significance. A thorough, quantitative, site-specific evaluation of changes in traffic rates, patterns, and movement of wildlife is required to make that determination, but was not included in the Newland Sierra DEIR. Wildlife responses to roads. In recently completed research, we have identified the distance at which environmental variables such as roads affect a suite of wildlife species in San Diego County (Jennings and Zeller 2017). Because different species have different movement capabilities and sensitivities to landscape features, particularly anthropogenic features, they respond — either positively in the case of features like canyons and riparian habitat, or negatively as with roads and urbanization — to these landscape features at different spatial scales. Recently, multi-scale models have been shown to outperform single scale models for species-habitat relationships (Johnson et al. 2004, Wheatley and Johnson 2009, McGarigal et al. 2016). Therefore, we assessed environmental variables across a range of scales for each species by testing scales based on previous knowledge of the species habitat uses or estimated dispersal distances. The best performing distances in our modeling can be considered as the effect distance of roads for these species. Our analyses suggest small species such as California mouse, big-eared woodrat, and wrenit respond to primary roads at scales between 90 to 360 meters (295-1,180 feet) but larger species like mule deer and bobcat show negative associations at distances 1,000-1,440 meters (3,280-4,725 feet) from the road when considering overall habitat suitability. These distances vary slightly when examining movement behavior only or evaluating the genetic distance of sampled individuals, but generally the trend for these larger species is avoidance of roadways and effect distances ranging from 500 to 3,819 meters (1,640 to 12,530 feet; the latter for puma response to roads during movement behavior). These types of quantitative metrics to assess the impacts of the roadways in the project area should be mapped and evaluated in the assessment of project impacts to wildlife habitat and movement.

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This type of analysis would reveal that at the impact distances found for the species we modeled across San Diego County (Jennings and Zeller 2017), the smaller habitat blocks proposed for the project area, as well as the proposed interior corridors would not be effective or functional for these and many other species.

Deer Springs Road Currently, Deer Springs Road is more likely acting as a source of mortality for most species rather than a barrier. The width of the road, traffic amounts and patterns are such that some species likely make successful crossings over the road, particularly at night when traffic volumes on the road are extremely low. Additionally, some species are likely to be successful crossing under the road using the culverts identified in Table 2.4-12 (DEIR, p. 2.4-160). The proposed project and eventual full build-out of the road will increase the width of the road from two lanes to six and result in a 29 to 55% increase in traffic volume (calculated from volume estimates in the Traffic Impact Analysis [DEIR, Appendix R]) from the proposed project as well as the eventual cumulative effects of other projects in the area. With this increase in traffic volume and road width, the road will most likely become a barrier to most individuals of most species (Charry and Jones 2009, Delaney et al. 2010, Brehme et al. 2013). In addition to increase traffic volumes, the change in traffic pattern is also likely to affect wildlife with increased trips throughout the day rather than majority of activity occurring during peak hours, as is the current condition on Deer Springs Road. This would result in a direct, long-term effect that can only be mitigated with appropriately designed wildlife crossing structures and fencing (Clevenger and Huijser 2011, Huijser et al. 2016, Rytwinski et al. 2016). There will also be a permanent indirect impact of a roadway of this size and traffic volume resulting in avoidance by many species. Although the habitat on the southern portion of Deer Springs Road (south of the Sarver Lane intersection) is more marginal than that adjacent to the eastern segment, it may still support east west wildlife movement through the area. The increase in traffic volume on this portion of Deer Springs Road will likely result in barrier and mortality effects that cannot be effectively mitigated with the three existing drainage culverts along this segment of road. They are all relatively small, inadequately placed increasing the likelihood of at-grade crossings by wildlife, have issues with sediment and erosion, and do not have wildlife fencing to support their use. Although the presence and type of fencing along bridges and culverts are documented in the DEIR (Table 2.4-11, p. 2.4-159) the information about the fencing along Deer Springs Road is limited to the information in Figure 2.4-8 (DEIR, p. 2.4-233), which is incomprehensible given the scale and amount of information overlaid onto the map. No additional details are provided on fencing type, height, or placement are provided.

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The improvement of this segment of Deer Springs Road should also incorporate wildlife crossings and fencing to mitigate the effects of the road widening and increased traffic volumes on wildlife movement. Improvements to the I-15/Deer Springs Road interchange proposed in the DEIR may also impact wildlife crossings, including access to nearby culverts. Because the design and footprint of the interchange improvements are not included in the DEIR, these impacts cannot be evaluated. Additional information is needed to determine the impacts from proposed interchange improvements and any potential mitigation measures that could be included.

Mesa Rock Road As the primary access road into the community, Mesa Rock Road is expected to experience a 370% increase in traffic volume (DEIR, Appendix R). The extension of this roadway and the associated traffic volumes expected in this area will likely result in both barrier and mortality effects for both small and large species.

Furthermore, this road will impact the quality and functionality of proposed "Habitat Block 2" and restrict access and movement between "Habitat Block 3" and Blocks 1 and 2. The construction and improvement of Mesa Rock Road should incorporate wildlife crossings and appropriate wildlife fencing (i.e., beyond the aesthetic fencing proposed in the project design) to mitigate the effects of the road widening and increased traffic volumes on wildlife movement. Sarver Lane At present, Sarver Lane sees very low traffic volumes, estimated at a maximum of 500 average daily traffic (ADT; STC Traffic, Inc. 2017). This road runs adjacent to a drainage that is likely an important north-south movement corridor for wildlife. The upgrade of the northern segment of this road into the project area, resulting in a 1,160% increase in traffic volume (DEIR, Appendix R and STC Traffic, Inc. 2017), will result in significant, long-term, direct and indirect impacts to wildlife movement. The northern segment of Sarver Lane (where the road currently transitions to Gist Road) is currently compacted dirt substrate and likely acts as a wildlife movement corridor. The northern segment of Sarver Lane will be paved as part of the Project, and the southern portion will be widened to three lanes. Although wildlife could move in the drainage adjacent to the road to the west, the edge effects of the road will affect functionality of this movement corridor. As an access point to the development, the increase in traffic volume and size of the road is likely to result in both barrier and mortality effects to a range of species. Twin Oaks Valley Road North of the intersection with Deer Springs Road, Twin Oaks Valley Road is expected to see a 14% increase in traffic volume (DEIR, Appendix R).

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The northern segment bisects the landscape linkage between Merriam Mountain and the San Marcos Mountains yet there is no proposed wildlife undercrossing included in the project design to mitigate roadway impacts to species moving through this important linkage. Currently, there is a drainage culvert, approximately 24 inches in size, set back from the road. In the location, most likely to support channel wildlife movement between the two areas (Figure 4). There is an additional likely crossing location to the north of this site that should also incorporate a wildlife crossing feature to truly enhance wildlife movement to mitigate roadway impacts to wildlife movement. The southern segment of Twin Oaks Valley Road may experience a 19-24% increase in traffic volume (DEIR, Appendix R). Although the suitable habitat for wildlife occurs in smaller and more spaced out patches than in other locations that may be affected by traffic increases, there should be an evaluation of the need for wildlife crossings on this section of Twin Oaks Valley Road, particularly near E La Cienega Road where the Twin Oaks Golf Course and open space adjacent to the proposed San Marcos Highlands Project meet at Twin Oaks Valley Road. Camino Mayor The development of Camino Mayor into an alternative community access route will convert a compacted dirt substrate road into a paved roadway that will affect wildlife movement in an area that is largely undisturbed and situated in topography that generally funnels wildlife movement.

The mere existence of this roadway will likely result in some level of use to avoid traffic impacts in the remainder of the project area, particularly for trips south on Twin Oaks Valley Road into San Marcos. Both the change in landscape character through the grading and paving of Camino Mayor as well as increased traffic will result in both barrier and mortality effects for a range of species.

Human activity in the Newland Sierra DEIR, the evaluation of the impacts of human activity on sensitive species and core wildlife areas are mischaracterized and underestimated. The DEIR explores short-term indirect effects from construction-related human activity on site (DEIR, p. 2.4-64 – 2.4-65; p. 2.4-74) but in the long-term, dismisses the impacts of human activity, concluding the closure of illegal trails and new trail construction after construction should lead to a decrease in human activity in the open areas of the project area.

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However, recent research (Larson et al., In Review) has shown higher rates of recreation in San Diego County occur on preserve lands closer to developments. With >2,000 units, and >6,000 residents on site, both in neighborhoods and on the recreational trails proposed in the open space design, it is highly unlikely the human activity in the proposed open spaces will be less than in its current state. The direct effects of human activity include habitat loss through creation of unauthorized trails and trampling of habitat as well as trampling of individuals of small species. By excluding a thorough and realistic assessment of the impacts of over 6,000 residents on site, the full range of impacts of human activity in and around the site on wildlife behavior, habitat, and movement are not explored and as such, are not adequately mitigated. Inadequate assessment and mitigation of indirect effects There are a number of long-term indirect effects associated with development that are well known and documented to affect wildlife populations, core areas, and connectivity. These include persistent edge effects, impacts of increased human activity, and increasing fire frequency. These effects were not fully evaluated or mitigated in the DEIR discussion of effects to core wildlife areas, special status species, or wildlife movement. Discussion in the DEIR and summary of impacts to Core Wildlife Areas (specifically Impact CWA-3) are missing the long-term indirect effects of edge effects and human activities on core wildlife areas. The evaluation of indirect impacts to tree-nesting raptors (Impact W-9) should also consider long-term indirect effects from development such as noise, exposure to toxicants, and effects of increased activities of domestic animals and non-native species that could become nest predators. Under the assessment of effects to wildlife movement, Impact WM-3 incorporates short- and long-term indirect impacts of the project, but does not fully assess the impact of edge effects and roads on suitable foraging and nesting habitat for wildlife species and therefore proposes not mitigation to ameliorate those effects. Furthermore, by not considering those critical and well-known effects, the determination is incorrectly made that the significant impact to movement of large mammals from loss of wildlife corridors can be reduced to less than significant with mitigation measures that do not address these long-term indirect and significant impacts. Finally, Impact WM-4 is based on inadequate analysis and reaches an erroneous determination that there will be no significant impacts to connectivity for small mammals, reptiles, and birds.

This conclusion is not supported by best available science. The logic and assumptions made regarding the lack of significant effects from roads and edge effects for both small and large species are lacking in evidence and unsupported by best available science (e.g., Sauvajot et al. 1998, Delaney et al. 2010, Brehme et al. 2013). Furthermore, the listed corridor widths are arbitrary at best (Soulé and Gilpin 1991, Beier and Loe 1992, Hilty et al. 2006) and based on outdated information and the determination that the flawed open space design would allow for unimpeded wildlife movement and use is not supported by any data, science, or other relevant information.

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The most ubiquitous and persistent indirect effects on sensitive wildlife habitat, wildlife movement, and core areas originate from the development itself. These impacts would include (but are not limited to) avoidance of roads and developed areas at varying distances for different species, risks from interactions with domestic animals (e.g., mortality and spread of disease), exposure to toxicants from urban run off or use of pesticides, human-wildlife conflict, and spread of non-native species, particularly from Fire Management Zones (FMZs). These edge effects will be greatest in the small blocks of habitat and “corridors” that are proposed in the open space design for the project. They will affect the quality, availability and accessibility of these habitat blocks for wildlife of all types and can create a habitat sink or even an ecological trap where species will be drawn into the area for the small amount of habitat but mortality rates from the edge effects will be higher in these small patches. Human activity the inadequate assessment of the increase in human activity and associated direct impacts also applies to the indirect impacts of human activity on wildlife movement. The proposed trail system throughout the open space would also contribute to edge effects, as human recreation in the form of dog walking, hiking, mountain biking, horseback riding, and bird watching all affect wildlife activity patterns (George and Crooks 2006, Reed and Merenlender 2008, Reed and Merenlender 2011). None of these is assessed in the review of impacts to biological resources, rendering the DEIR’s analysis and determination inadequate. Increasing fire frequency, the development density and configuration of the proposed project make the likelihood of increased ignitions and increased fire frequency likely (Syphard et al. 2007). This increase in fire frequency can result in vegetation-type conversion (Keeley et al. 2005) that may affect wildlife habitat quality and availability as well as movement for some species (Jennings 2013, Jennings et al. 2016). These areas can lack adequate cover and food resources for some species when they transition from a shrub-dominated ecosystem to non-native annual grasses, which are a flashy fuel that can further increase the probability of ignitions and wildfires. The FMZs that will be implemented for the proposed project are likely to artificially create similar effects to wildlife habitat and connectivity if they are to be maintained regularly.

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Exclusion of reasonably foreseeable future project from cumulative effects analysis the list of projects and actions considered for the cumulative impacts analysis in the Newland Sierra DEIR (Table 1-10, pp. 1-43 – 1-57) omits the San Marcos Highlands development project in the City of San Marcos that was approved by the San Marcos City Council in November 2016. This omission is particularly relevant to the evaluation of cumulative effects to wildlife habitat and movement because the San Marcos Highlands will reduce the size and connectivity of yet another patch of habitat west of the I-15 that likely supports north-south movement from the large habitat patch along the San Dieguito River, Lake Hodges, Elfin Forest, and Harmony Grove. If both the San Marcos Highlands and the Newland Sierra projects are constructed, the effective distance separating the nearest blocks of Core Habitat Areas (as defined by the SDMMP Management Strategic Plan) would be greatly increased with the addition of impermeable features to the landscape such as houses and roads. In addition, the traffic impacts from the San Marcos Highlands may also contribute to increased traffic volume on Buena Creek Road, leading to Twin Oaks Valley Road. Because this project was omitted from the cumulative effects analysis, these important impacts were not evaluated or mitigated.

Unsupported determination that effects of project to wildlife movement will be mitigated below a level of significance. The Biological Resources Report for the Newland Sierra DEIR states that mitigation measures M-BIO-8A through M-BIO-8E would mitigate project impacts on wildlife movement and corridors (Impacts WM-3 and WM-4) below a level of significance. This determination is not adequately supported for several reasons: 1) The full scope of likely direct impacts from fragmentation, edge effects, human activities, off-site road improvements, and traffic were not evaluated, and as such, are not adequately evaluated or mitigated. 2) The full scope of likely indirect impacts from edge effects, human activity, and increasing fire frequency were not evaluated, and as such, they are not adequately evaluated or mitigated. 3) The assessment of movement and corridors in the project area does not account for likely movement from the east through the large culvert under I-15 south of Deer Springs Road and discounts movement across other roads. 4) The statement that the habitat management and conservation of open space areas would allow for unimpeded wildlife movement and use are not supported either by analysis nor best available science given the degree of impacts likely from the long-term direct and indirect impacts of the proposed project on wildlife movement under that design. The impacts of roads, recreation, development, pollution and toxicants, human-wildlife conflict, etc. on wildlife habitat and connectivity are well documented in the scientific literature yet not reviewed, cited, or mitigated in this analysis.

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5) The off-site mitigation lands proposed for purchase in Ramona are mischaracterized as connecting County and US Forest Service lands, which are actually miles away and does not account for the impacts of a major roadway (SR-78) adjacent to the proposed mitigation site. Furthermore, the purchase of this property would do nothing to mitigate the impacts of the proposed project to wildlife connectivity on site where connectivity is at greater risk and faces many more impediments.

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TRANSPORTATION AND TRAFFIC

The existing residents that live within the planning areas that surround this project have one overriding concern and complaint, traffic and the impact that it has on their general wellbeing and contentment. In any meeting or get together traffic conditions in the area is an inevitable topic of frustrated conversation. Over the years the levels of service on the surrounding roads and highways that will have to serve this proposed project have seriously degraded. Traffic conditions today are worse than they were ten years ago, and traffic conditions ten years ago were worse than they were ten years before that, and so it goes back through time. Why is there no light at the end of the tunnel? We have no reasonable expectation that traffic conditions will get better in the future because they have not gotten any better over the last fifty years.

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Applicant makes a point of citing two traffic mitigation funds that developers are required to contribute to alleviate the intolerable conditions, TIF and the associated RTCIP fund. Applicant makes a point that these funds can and will make a difference in, hopefully, greatly improving traffic conditions that are caused by development such as this project. Our opinion is that these funds fall far short of what should be required in the way of contribution by developers. For if these funds were sufficient, and well managed, and development was paying it's way totally through time to mitigate the traffic chaos they were creating we would be living in a traffic utopia with traffic levels of service all in the A to C range. Alas, this is not the case. Why is not development required to put more money in the pot to alleviate and mitigate the bad conditions that they create?

O-6-36

It is noted that throughout the applicant's EIR presentation that level of service D is accepted by both the county and applicant as the minimum acceptable service level for road infrastructure. The BCSG would disagree with this evaluation and conclusion. What is exhibited here is a clear case of lowering standards to increase official acceptability of bad circumstances and projects. For example in the case of highway traffic LOS D states that the ability to maneuver a vehicle on a highway is notably restricted because of congestion.

O-6-37



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Also, stated is that only minor disruptions in traffic flow can be absorbed without extensive queues forming and service deteriorating. The average motorist if poled on LOS D being an acceptable highway traffic standard would no doubt vote in a resounding negative manner. We believe that the county should only consider LOS A, B, and C as acceptable, and LOS D, E, and F as clearly unacceptable.

O-6-37
Cont.

Applicant has supplied a lengthy (some 190 pages), detailed, overwhelming, confusing, and monumental expose of Transportation and Traffic impacts now and after their mitigation suggestions are brought to some sort of finalization around their proposed 2,135 dwelling unit project. It is very difficult to come to any conclusions about how and if the applicant's proposed mitigation suggestions will improve the existing unsatisfactory traffic conditions around the project.

Perhaps, minimally they may or might improve conditions, but adding some 22,209 average daily trips to the local road structure in the final analysis cannot be viewed in anyway as positive. It is disappointing that within the EIR traffic section that some complete conclusion in abbreviated form is never reached as to how the enhanced road infrastructure around the project when completed and all mitigation has been applied could be judged and given some kind of final evaluation grade. Obviously, it is impossible to do so as the whole evaluation process is so complicated with overpowering detail and convoluted with attempts to evaluate how one mitigation attempt impacts another. Our general sense, however, upon perusing all the data is that traffic will not be impacted positively to cause any feeling of euphoria among the motoring public which includes local residents. We will be very lucky to wind up with a situation where the road infrastructure is no worse than what presently exists.

O-6-38

It is most interesting to note applicant's use of the phrase "less than significant" when analyzing impediments their project will impose on the local road infrastructure. The phrase is used over 150 times in their 190 pages of traffic analysis. When all the "less than significant" impacts that this project will generate are combined into one cumulative impact the result will be a huge unavoidable major impact. The situation is analogous to death by a thousand cuts.

O-6-39

Applicant's major mitigation effort would be a complete rebuild of Deer Springs Road with a new I-15 interchange at or near its connection point with this freeway. Deer Springs Road historically has been a rural two-lane road. Applicant suggests that it should become a four-lane thoroughfare to alleviate traffic congestion from the San Marcos area. Previous study has suggested that six lanes would even be more appropriate. There is a real problem on whether the six-lane analysis is being used for the four-lane road in perusal of projected traffic impacts. The widening of Deer Springs is an appalling thought to most of the existing residents.

O-6-40



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Aesthetically, such a major revision to this road with all the required grading etc. that will be needed will be a major step toward the further urbanization of the whole area; a result that local folks in general abhor. Regarding the I-15 interchange nothing in the EIR is included that illustrates its configuration. It would be very helpful if some schematic representation would be included in the written description for this piece of added monumental road infrastructure. In our opinion, the only thing a new and improved interchange will do is allow more vehicles to be expeditiously dumped at a faster pace on a seriously overloaded and failing Interstate. Unfortunately, I-15 has become within all too many time periods during a typical day a slowly exasperating moving parking lot.

O-6-41

O-6-42

The main North-South artery that will serve this proposed development is I-15. This freeway should be evaluated in some manner as to illustrate this development's impact on it, and what the impact of I-15 will be on the residents of this new proposed development. Applicant suggest that the peak AM traffic load will be 1601 daily trips and that PM trips will be 2059.

O-6-43

It is suggested that a study be made as to the time it will take a vehicle during the AM peak traffic hour to travel the distance from the geographic center of the project to a point where the new proposed interchange has been trans-versed and the vehicle is physically on the freeway. Further it would be instructive once a vehicle is on the freeway to know the time it would take a vehicle to travel in a North direction to reach the I-215 junction, or in a South direction to reach the 163 junctions. All these time measurements to be made, of course, at peak travel times and then compared to times when only minor traffic volume is prevalent. It would also be instructive to have the same type study done for the PM peak hour time reversing the order of traffic flow. Studies of the type suggested would show the futility of present traffic impact, and how all of the County is being intolerably effected by development without sufficient needed infrastructure enhancement.

O-6-44

The main East-West artery that will serve the project is SR-78. It would also be instructive to have traffic time studies done in a similar manner to that outlined for I-15 determining the time it would take a vehicle traveling West to reach the I-5 interchange from the center of the project. Peak and off peak at both the AM and reverse direction PM applicable times being compared. In previous studies SR-78 has been noted to exhibit the worst traffic jams in San Diego County. The poor performance of SR-78 is no doubt one of the reasons that the suggested widening of Deer Springs Road is being considered. Motorists have been using Deer Springs as a shortcut for years to avoid the ever-increasing traffic torture of SR-78.



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In the calculation of peak travel times compared against those of normal off peak traffic, accidents and the lost time involved in holding up traffic should not be excluded from the calculations. Traffic accidents are unfortunately a normal daily occurrence in the analysis of traffic flow on today's over crowded highways. Highways operating at poor levels of service cause accidents thus it is only proper that accident caused time loss should be included in related highway studies.

O-6-44
Cont.

No mention in the verbiage or analysis contained in the EIR is noted that attempts to measure the proposed projects impact on I-15 and the local road infrastructure coupled with all the other projects either proposed or approved that will either impact the freeway or nearby communities. This is a very serious flaw as it has been estimated that there are close to 200 such recognized projects. Analysis of cumulative project impact on area traffic for all projects is much needed. The historic lack of such analysis is one of the reasons that the County has passed the point of no return towards a tolerable traffic management condition and result.

O-6-45

There is an interesting statement in the exposition of needed project mitigation to decrease the generation of greenhouse gases by limiting vehicular travel as follows:

The project would include shuttle services from the project site to the Escondido Transit Center, a North County transit hub, along with subsidized transit passes for its residents. These measures would have the effect of reducing automobile trips generated by the project both internally and externally.

O-6-46

This statement raises some questions. Who is going to pay for this subsidization, and what will be the cost? Is this the new mantra for developers to reduce calculated traffic congestion because the roads that surround their proposed project aren't of sufficient capacity to clearly accommodate the new development? This applicant is suggesting that subsidized transportation to and from the project is maybe a move that will help us more easily navigate the approval process by providing, what will look like, a more appealing net reduced traffic generating project.

It was of some interest that the applicant devoted a great deal of space in the EIR discussing a new traffic evaluation system being pushed by CEQA. The new rating system is geared to the reduction of greenhouse gases and other traffic related pollution generated by vehicles. Applicant of course evaluates the CEQA system to try and make the case that their project is at least minimally acceptable as being environmentally green. The measurement system evolves around the analysis of total vehicle miles traveled that are generated by a project.

O-6-47



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The resultant figure is then compared to the same parameter within the large and sub regions which surround the proposed project. If the total miles traveled generated by a project are less than that being calculated for the surrounding region to the project everything then is just wonderful, and less objectionable pollution will result. CEQA also puts a great amount of trust in what they call "Traffic Demand Management" in the elimination of pollutants. This appears to be a very complicated procedure to process and apply.

The CEQA system appears to have a major flaw. Where is the consideration of the time vehicles are caught in queues on roads and highways of insufficient capacity idling and generating great quantities of obnoxious gases? ACTION REQUESTED.

In summary, the data supplied by the applicant despite the great quantity of money that will be spent on road mitigation efforts, in our opinion, will not in a major way alleviate existing traffic conditions. The problem is that nothing in the of enhancement of the major North-South artery, I-15, is proposed. This freeway is a mess where traffic jams of major proportions occur daily. In a similar manner the major artery, SR-78, that serves East-West traffic is impacted, and no major mitigation enhancements are likewise being proposed.

The major problem that any self- contained project like that being proposed is not the local roads that surround the project It's the highways that the local roads feed into. In the case of San Diego County and this particular sub-regional area it's I-15, and SR-78. Newland Sierra is a large leapfrog project that sits in a figurative traffic handling bottle with a very restricted neck that in the final analysis will invalidate any satisfactory outcome.

Currently the Newland Sierra project is being analyzed for its impact on the areas existing residents and through traffic, but the folks that buy into the project will face traffic problems that well may exceed those that existing area residents now endure. Why are the problems that a projects new residents will face never adequately considered? These problems could lead to a feeling of overpowering buyer's remorse, and rejection leading to the inevitable justified bad mouthing of the project's developer and the government that allowed the project to go forward in the first place.

SARVER LANE

There are three major issues with the DEIR's disclosure of impacts to Sarver Lane offsite of the proposed Newland Sierra Project:

O-6-47
Cont.

O-6-48

O-6-49

O-6-50

O-6-51



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A). The County's DEIR is unclear whether Sarver Lane from the Project boundary south to the Deer Springs Road intersection will become a County Public Road along its entire length, or have sections that will continue to remain a Private Road.

↑ O-6-51
Cont.

B) The County of San Diego DEIR and its supporting documents do not provide adequate impact disclosure information for Sarver Lane Private and Public Road Right of Way (ROW), impacts to existing driveways, drainage and brush management easement rights, and temporary construction easements required offsite of the Newland Sierra Project.

↑ O-6-52

C). Design Exception Requests # 3 and # 4 to decrease the width of travel lanes and lower design speed are inappropriate given the Emergency Access significance of Sarver Lane to existing residents and future Project population.

↑ O-6-53

Issue A) – Is Sarver Lane from the Project southern Boundary to Deer Springs Road to become a Public Road?

Currently, only the first approximate 1,500 feet of Sarver Lane north of Deer Springs Road is a County Public Road.

↑ O-6-54

Is it the intent of the County in this General Plan Amendment to annex the entire length of Sarver Lane as a Public Road from Deer Springs Road to the Project Boundary? **Required**

Action: A yes or no answer.

↑

Issue B) – The Preliminary Grading Plan does not have adequate resolution to determine impacts

Impacts to existing driveways along Sarver Lane offsite of the Project, drainage, construction easements, brush management easements, and drainage easements are not indicated in enough resolution to determine impacts to existing property owners.

↑ O-6-55

Required Action: Prepare a Right of Way Analysis for Sarver Lane offsite to Project south the entire length to Deer Springs Road intersection similar to the one performed for Deer Springs Road.

<http://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/Newland%20Sierra/Newland%20DEIR/ROW%20Exhibits%20-%20Deer%20Springs%20Road.pdf>

↓



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Include in the Right of Way Analysis:

- Right of Way, Temporary Construction Easements, Drainage Easements, and Brush Management Easements, and where additional ROW needs to be acquired (if any).
- Indicate existing driveways and disclose any impacts to driveways or existing structures
- Prepare the Analysis As proposed by the Applicant (with Design Exceptions 3 and 4) **and** without Design Exceptions

O-6-55
Cont.

C). Design Exception Requests # 3 and # 4 to decrease the width of travel lanes and lower design speed are inappropriate

Design Exception Requests # 3 and # 4 for Sarver Lane that reduce travel lane width and design speed of the Project's major Westerly access point for 6,600 future residents + existing residents seems to the Public as inappropriate.

O-6-56

Required Action: State the County's position on Design Exception Requests # 3 and #4 and the rationale for the County's proposed position to accept or deny the requests.

IMPACTS , COST & SCHEDULE

The County acknowledges **19 Direct Impacts** (9 Intersections and 10 road segments) and **26 Cumulative Impacts** to regional transportation network elements.

O-6-57

Additional Right of Way (ROW) is required from 20 parcels just to widen Deer Springs Road (Option B) and 30 additional parcels just to widen Twin Oaks Valley Road. Given the need to acquire this much real estate, use of Eminent Domain seems likely. Eminent Domain proceedings will take a lot of time to acquire needed ROW

No information is provided on design, cost or schedule on the scope of required solutions to the impacts the Project creates

O-6-58

M-TR-1 is a totally ineffective mitigation that makes a mockery of planning. Rather than say straight out that the Developer is unwilling to pay for any Caltrans improvements, the County offers a circular discussion that faults the Caltrans planning process, and provides no information whatever. The County is employing deficient reasoning by allowing M-TR-1 to be called mitigation for the **direct** and cumulative Project I-15 ramp impacts.

O-6-59

The obvious remedy for this major defect is to not process the Project EIR until the Caltrans jurisdiction mitigations can be quantified and disclosed to the Decision Makers and the Public.



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The information required for Decision Makers is engineering preliminary design, and an estimate of mitigation costs and implementation schedule. Funding sources need to be identified and binding commitments made. A schedule assessment needs to be performed to determine whether the Project's impacts will be able to be mitigated in the timeframe in which the Project's traffic loads enter the network.

O-6-60

A Project decision without this information is a flawed decision. Is there enough money available to fix the I-15 freeway to handle the Project's impacts? **Required Action** yes or no.

Will the Project pay or will taxpayers be required to subsidize direct and cumulative Project impacts? The County of San Diego, the Developer, and Opponents all agree on one aspect of Newland Sierra. The project creates massive direct and cumulative traffic impacts to regional road networks under the jurisdiction of the County, City of San Marcos, and Caltrans. **Required Action** yes or no.

O-6-61

The three top level defects in the traffic section of the Counties DEIR:

There are three top level defects in the traffic section of the County's DEIR:

O-6-62

- A) 1) What are the impacts of I-15/Deer Springs Road ramp improvements and other direct and cumulative impacts to Caltrans jurisdiction roads and intersections required for Project mitigation?
2) What are the impacts of the mitigations and are they feasible?
- B) .1) How much funding is required to implement the Project's 19 Direct Impacts and 26 Cumulative Impacts?
2) Who is providing the mitigation funding?
3) Can the mitigation reasonably be completed in time to mitigate Project impacts?

I O-6-63

O-6-64

Based on process lead times, there are potential 5 to 10 year disconnects between need for mitigation and feasible completion of the mitigation. **ACTION REQUESTED:** Please answer the questions regarding funding as the numbers are not included in the DEIR and the public needs to know who will be paying.

O-6-65



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FIRE AND SAFETY

As we are in a State Responsibility Area (SRA) and a potentially catastrophic urban/wildland interface the concern that we all share is that such a fire could be devastating, causing massive destruction to the area and possibly even a conflagration. The proposed evacuation road context highlights likely wildfire scenarios (large fire approaching from the north, northeast, or east), and notes that the time available to carry out evacuation procedures (lead time) is a key determinant in the best protective actions. In cases where there is not enough time to evacuate the entire community, these actions might include sending some residents from the community periphery to the center of town (refuge areas), as well as cases where residents are instructed to stay in their homes or (shelter-in-place). While these protective strategies can be effective, the adverse effects of stress, smoke inhalation and the issue of an over burn coming from the "open space" in the community of Bonsall. One of the evacuation routs mentioned in the DUDEK report recommends that all of proposed egress routes will be unable to move do to existing residents that were trapped in the previous fires that are detailed in the "AFTER FIRE SUMMARY" located on the OES web site. Several identified evacuation roads are not the best idea as the public in a panic of a wildfire may drive into the fire as they are frightened and were told that it was the direction they needed to evacuate to for safety. The DEIR contradicts it's own statements with the map showing evacuation plan will go through Vista Valley Country Club using Par Valley Road to Gopher Canyon and Twin Oaks to Gopher Canyon which will already be at level F and thus sending people to a parking lot as was the case in 2007. Again FPP does not take into consideration what other Fire Protection Districts have in their plan and what they have chosen as their evacuation plans. Much more education must be required for any potential resident as the time tables provided are not even close to reality. Fire coming from the east as proposed would have all roads filled to capacity prior to the evacuation notice being given to the Newland Sierra potential residents. The issue of great concern in reviewing this report is that DUDUK takes only one dynamic into consideration which is that this is the only residential project that would be evacuating in case of a fire. The statistics would mean that no cumulative data has been added or included in the traffic congestion of any other resident in the county.

O-6-66

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The Wildfire Environment has been studied and the knowledge gained understanding about the complex inter-relationships between man and nature. Fire experts have long-recognized three basic components: weather, fuel and terrain (things that burn): Together, these three items affect the likelihood of fire starting, how fast it moves, its power and difficulty to control.

Weather

Dry hot and windy weather increases the likelihood of a major wildfire. These conditions:

- Make ignition easier
- Help fuels more rapidly
- Increase fire intensity

Fuel

Fuel is required for any fire to burn. In a wildfire, fuels are usually vegetation. Homes when in the path of wildfire become fuel. The quantity, size, moisture content, arrangement and other fuel characteristics influence the size of initiation influence the ease of ignition, rate of fire spread, length of flames and other fire behavior.

Terrain

Of the topographic features, steepness of slope is among the most influential on the fire behavior. The steepness of the slope the faster the fire will spread. Other important factors are

- “aspect” – south and southwest slopes usually have more fires
- “chimney” – steep, narrow drainage

At this point we need to inform the County that the DEIR did not include a fire plan or discuss any concerns regarding all of the fuel in the “open space” the how they are going to handle the issue of a wildfire starting in this area with proposed trails and horseback riding in the high fuel terrain.

The goal should be to design a project that can stand-alone without first responders as a “multi-fire” events often occur in the 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. or a CWPP approved by the County of San Diego that defines each of the areas including the fuel load within each designated portion of the project.

O-6-67

O-6-68

O-6-69



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The traffic study regarding Ingress & Egress EIR chapter 2.8 the project's population density must be aligned with a traffic engineer's study for evacuation purposes. The study should review daily static traffic flows the overlaid with accelerated evacuation traffic flows including traffic flow for residents leaving during duress and first responders gaining entry. ACTION REQUESTED. Gates are another issue and should be able to be initiated by any first responder.

O-6-70

EDUCATION ON HOW TO LIVE IN A FIREPLACE

Every resident living in this development must be made aware of the serious wildland fire threat and fire history. Residents must learn and accept their personal responsibility for living in a dangerous wildland environment.

O-6-71

ADDITIONAL CONCERN'S NOT ADDRESSED IN EIR

- Financial liability of possibly converting current State Responsibility Areas (SRA) to Local Responsibility Areas (LRA) 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 San Diego may incur higher fire suppression costs associated with wildland fire suppression in the future. 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.

O-6-72

Growth in these wildland fire prone areas needs to be addressed as part of a cumulative approach failure to do so may compromise public safety success.

O-6-73

The primary responsibility public officials have is life safety, if egress decisions are altered, it must be more important in the planning phase.

O-6-74

PROJECT ALTERNATIVES ACTION REQUESTED

The EIR evaluates a total of eleven alternatives to the proposed project with only nine alternatives studied in detail, and two are considered but rejected consistent with CEQA and the CEQA Guidelines criteria.

O-6-75

As staff knows in the Summary Page S.O-7 item S.5.1 NO PROJECT ALTERNATIVE- states under the No Project (No Build) Alternative, the project Site would remain in its existing condition and not involve construction of a new mixed-use community near existing and planned infrastructure, services, and jobs proximate to the North County I-15 corridor.

O-6-76



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No residential commercial, park, or school land uses would be developed on-site. Improvements to Camino Mayor, Sarver Lane and Deer Springs Road would not occur. None of the approximately 1,209 acres or about 61 percent of the project's total acreage, would be permanently preserved as open space, nor would there be any management of biota resources to maintain and enhance habitat functions and values. Additionally, the projects 212 acre off site permanent preserve area would not be conserved.

THE WAY THIS ALTERNATIVE WAS WRITTEN IS TOTALLY WRONG AND MISS LEADING. The community wants to keep the site undeveloped and does not want blasting for 10 years and be overloaded with traffic. The statement that none of the acres would be permanently preserved as open space is another misleading remark as the area is listed to be included in the North County MSCP and will protect the wildlife corridors whereas Newland Sierra development will block the natural corridors.

Although the EIR contains an evaluation of nine alternatives to the project or its features, which on surface value could be considered a reasonable range of alternatives based on sheer numbers, six of the nine alternatives studied in detail should have been lumped together as two single alternatives that would be accomplished by different variations. For instance, there are three alternatives for the alignment of Newland Sierra Parkway (i.e., Alternatives A, B and C) all of which are intended to reduce the physical impacts of building the road and three alternatives are dedicated to alternative land planning concepts requested by the CDFW (i.e., Alternatives A, B and C) as a means to avoid direct impacts to biology. In addition, one of the alternatives, the Multi-Family Town Center Alternative, was suggested by the Golden Door property owner as a means to avoid or reduce significant traffic impacts on its Deer Springs Road, which fronts and provides primary access to their facility. In reality, this EIR only addresses five alternatives rather than the nine purported in the EIR Summary and Chapter 4.0 and only two of the alternatives were not suggested by others.

The fact that three of the five alternatives presented in the EIR were formulated by others and included as a means to appear responsive to their requests indicates that minimal thought was put into developing a reasonable range of alternatives, as required by the State CEQA Guidelines.

None of the alternatives were developed as a good faith effort to specifically avoid or substantially lessen any of the significant effects of the project as required by Section 12126.6 of the State CEQA Guidelines. The following comments are offered to augment the Project Alternatives discussion in the Newland Sierra Project EIR, as the current content of Chapter 4.0 is inadequate and not reflective of the minimum requirements under the CEQA Guidelines.

O-6-76
Cont.

O-6-77



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1) Reduced Project Alternative – The project would result in significant and unmitigable direct and cumulative impacts to aesthetics/visual quality/community character (AES-1 and AEC-CUM-1). As noted in Chapter 2.0 of the EIR, there are no feasible mitigation measures identified to reduce these impacts to below a level of significance. A Reduced Project Alternative that would relocate or redesign the portions of the project that would impact Key Views 1, 2 and 3 must be presented so that the decision-makers understand how this impact could be avoided or substantially lessened, rather than just accepting the impacts as unmitigable and providing no alternatives.

2) Reduced Grading Alternative – The project would result in cumulatively significant construction-related air quality impacts (AQ-4 and AQ-5). Naturally, the EIR should address a reduced grading alternative as a means to disclose to the decision-makers

We would like to know how the project could avoid or substantially lessen this impact, which would occur over a 10-year period according to the project description in Chapter 1.0 of the EIR.

3) Project Phasing Alternative – To address the project's significant and unmitigable impacts associated with the loss of available mineral resource (MR-1), an alternative should be presented that allows for the removal of resources prior to the closure and reclamation for planned residential/commercial uses. In addition, although portions of the site would be processed with rock crushers, the resources would not be fully removed because the processing would only be for the project development and not for regional needs. So, in reality, the impact to mineral resources would be to the entire 650 acres identified as MRZ-2, rather than the 156 acres that would remain untouched after the site is developed. A Project Phasing Alternative is reasonable and feasible given that the site contains documented resources and features a former quarry. There are many examples of quarries in the County (i.e., located in Mira Mesa, Mission Valley, and Carlsbad/Oceanside) which are currently undergoing reclamation into urban uses after the resource removal is complete. This alternative would also avoid the project's significant and unmitigated air quality impacts associated with the combination of construction and operational emissions (AQ-1). Again, an alternative phasing should be presented to the decision-makers to fully disclose the alternatives they have available to them to avoid or substantially lessen this impact.

O-6-77
Cont.

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4) Reduced Population and Housing Alternative – The project would result in substantial population growth (PH-1 and CUM-PH-2) because it would exceed planned residential and population growth in the area and result in land use and roads which would result in growth beyond levels anticipated in the County General Plan. The EIR concludes that the impact would be significant and unmitigable. Although the Existing General Plan Alternative would address this impact, it would not achieve the applicant's basic project objectives as described in Chapter 4.0 and according to its analysis in the EIR would result in similar or considerably worse impacts, as noted below. A more reasonable Reduce Population and Housing Alternative should be presented in the EIR.

5) Reduced Residential Density Alternative – The project would result in significant and unmitigable direct traffic impacts (i.e., TR-1A through TR-45) to freeway ramps, local intersections and street segments throughout the local community and yet there is no alternative that suggests less development density such that the project impacts would be substantially lessened. The need for an alternative that reduces site intensity is particularly important given that the project would cause unmitigated impacts at nearly every study area location analyzed in the EIR due to the level of traffic that would be produced by the project. Given the project's proposal to modify the County General Plan and allow for a 20-fold increase in residential development intensity, a Reduced Residential Density Alternative must be presented to the decision-makers to fully disclose the alternatives they have available to them to avoid or substantially less

6) Landscape description is missing from Chapter 1.0 – Similarly, under the Landscape discussion, there is no listing of the plant palette or specific species proposed by the applicant when the County usually requires such details (including plant box size) on other EIRs. There is a Conceptual Landscape Plan that is schematic and it contains a brief description of the five landscape zones; parkways and streetscapes, basins and swales, vineyards, enhanced landscape areas, and fuel modification zones. However, the descriptions are more descriptive of how the landscape features would function than what they are or will look like. For example, the enhanced landscape area is described as "these high visibility areas would combine the native character with more visually dynamic low-water-use Mediterranean plants." This description sounds like a sales pamphlet and not something that can be analyzed about impacts. Community gardens are mentioned, but the reader cannot know what these would entail, their size or location based on Section 1.2.1.3. Also, the typical plant pictures provided in Figs 1-19 through 1-23 all refer the reader to the "full plant list." However, there is no reference to where that information can be found in the EIR. This is not highly technical information that should be relegated to a technical report.

O-6-77
Cont.

O-6-78



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Plants are commonly understood by members of the public, and the amount of project screening, indeed the "tone" set by plantings at project boundaries and where view lines enter the project, are important features that should be described for the reader. In addition, planting vineyards on high visible slopes would be counter to any visual mitigation which would require highly visible areas to be planted with native species to blend in with surrounding hillsides not non-natives (more to follow under the Visual Analysis comments below).

7) And yet, the EIR can tell us the details on the irrigation systems (i.e., evapotranspiration adjustment factors) and type of irrigation method, but no specifics on the plants which provides the reader with a visual image of the project. Oftentimes, County staff require the EIR to specify container and box sizes of plants at installation on the plant palette and this is not provided at all.

8) Mischaracterization of Commercial Uses – Throughout the EIR, the Office/Professional uses designated on site in the existing General Plan are continually characterized as simply "commercial" and lumped in with the more traditional commercial uses (C36 zone) because Office/Professional uses are allowed under a commercial zone (i.e., C30 zone). However, functionally and characteristically, Office/Professional uses are wholeheartedly different than traditional commercial uses. This approach prevents the reader and decision-makers from being able to discern the differences between these two land uses for comparison with the proposed project.

9) Off-site improvements are undefined – Contrary to my professional experiences on other County EIRs, the Newland Sierra Project EIR is greatly lacking in its description/definition of the necessary off-site improvements required to serve and mitigate for project impacts. The EIR, for example, states that the "precise alignment and sizing of the project's water facilities would be determined by VWD during final design." A similar statement is used to describe the wastewater and natural gas and electricity improvements required by VWD and SDG&E, respectively. The aerial extent of the traffic improvements, specifically I-15/Deer Spring Road interchange improvements, Deer Spring Road widening, and realignment/widening of Sarver Lane, identified as mitigation is not defined on the basis that CEQA does not require the impacts be discussed in same level of detail as the project. Although permitted in the CEQA Guidelines (per Section 15126.4), this is not how the County typically addresses off-site road improvements in other County EIRs nor does it fulfill the disclosure requirements of CEQA. Grading-level impact footprints must be developed by the applicant for these improvements and the EIR must assess them for their physical impacts to all the resources in the study area, such as biological and cultural/tribal resources, aesthetics, air quality, noise, and other disciplines.

O-6-78
Cont.



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According to the County EIR Guidance, "If the project involves the construction of public service facilities (e.g., on-/off-site water/wastewater treatment facilities, water reservoir, sewer extensions), such facilities must be described including their location, capacity, and agency responsible for implementation (§15124(c).)" This deferral of impacts and piecemeal of the analysis is not consistent with CEQA and County EIR Guidance and prevents the reader from fully understanding the impacts of the whole of the project. In addition, the level of analysis and disclosure of project impacts in the EIR is so inadequate that the County, VWD, SDG&E, City of San Marcos and/or Caltrans cannot issue grading approvals to construct the required public improvements or traffic mitigation without full environmental clearance under CEQA. In addition, the EIR analysis indicates that the off-site facilities would have impacts to jurisdictional areas; the EIR as written will not provide the Wildlife Agencies (i.e., USACOE, CDFW and RWQCB) the proper CEQA clearance to issue necessary permits for the project's required off-site improvements.

10) General Plan Amendment not fully described – The EIR does not explain why the Deer Springs Road Option B (the 4-lane buildout) is not required to process a GPA but a GPA to downgrade the road classification is a feature of Deer Springs Road Option A. Since both proposals would effectively reduce the need to widen the road to its ultimate six-lane configuration (as currently contemplated in the County General Plan), there is no reason presented as to why downgrading the road classification is not required under both options. The GPA for both options should be identified now and impacts of the downgraded classification should be addressed in the EIR in order for the County to approve a Mobility Element amendment.

11) Construction Activities lack definition - The construction information in Section 1.2.1.12 is very minimal. The EIR indicates that construction will occur over a 10-year timespan which purportedly ends in 2022, which is less than 10 years from the publication of the Draft EIR. To complete the grading by 2022, the construction period would have to be compressed into a five- year period starting in 2018. Also, buried in Section 1.2.1.9 under Project Design Features is the concept of an on-site rock crushing facility(s) which could affect existing and future residents as the project construction is phased. Details appear to be placed in the Air Quality section, rather than up front where the readers understanding of the project begins. This portion of Chapter 1.0 of the EIR needs more development/definition so the reader can understand the construction period effects of this large project.

12) Technological, Economic and Environmental Characteristics not fully developed - Under biological resources, the text states that 72% of the site acreage is preserved, which is misleading because 212 of those acres occur off-site and nowhere near the project site.

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Cont.



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This statement implies that 72% of the actual site is preserved and is simply untrue. This misrepresentation appears to present the project in a more favorable light to the reader by implying that over a 2/3 of the project would remain undeveloped.

13) Growth Inducement analysis is missing – According to the County EIR Guidelines, “If the project is determined to be growth inducing, the potential environmental effects of growth must be addressed in the appropriate subchapters within the subject area analyses in Chapter 2.0.” I do not see that the EIR has addressed growth inducement at all, despite determining that the impacts would be cumulatively significant and unmitigated under Population and Housing and stating that there is the potential for growth inducing impacts to visual resources, air quality, biological resources, transportation and traffic, noise and cultural resources (page 1-38). Chapter 2.0 of the EIR should be revised to address growth inducing impacts throughout these respective sections.

O-6-78
Cont.

MISSING ANSWERS TO MAJOR QUESTIONS: ACTION REQUESTED

Under biological resources, the text states that 72% of the site acreage is preserved, which is misleading because 212 of those acres occur off-site and nowhere near the project site. This statement implies that 72% of the actual site is preserved and is simply untrue. This misrepresentation appears to present the project in a more favorable light to the reader by implying that over a 2/3 of the project would remain undeveloped. The acreage in Ramona for the gnatcatcher which does not have nesting and foraging habitat in this area of the County. Why was this allowed?

O-6-79

RESOURCE PROTECTION ORDINANCE ABSENCE ACTION REQUESTED

Resource Protection Ordinance (RPO) Analysis of Steep Slopes Impacts - The absence of an RPO steep slopes analysis in the EIR is not consistent with the County EIR Guidance. The RPO does not just address steep slopes relative to how they are dealt with in geotechnical terms. Impacts to steep slopes are addressed as visual issues in the RPO, and require analysis relative to the ordinance. This is demonstrated by the fact that the waiver for “insignificant” steep slopes is not based on engineering criteria, but by discussion of those slopes being isolated, visually indistinguishable from other non-steep slopes protected by the ordinance, demonstrating “in-fill” conditions, etc. The EIR is absolutely silent as to the significance of the slope encroachments as described in the County regulations, and requires revision in order to be adequate.

O-6-80

LIGHTING ACTION REQUESTED

Light and Glare Impacts - The EIR introduces a threshold for light and glare “which would adversely affect day or nighttime views in the area” that not receive full discussion. All of the nighttime lighting discussion seems to pertain only to ordinance compliance.



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While totally appropriate for the guidelines referencing the Light Pollution Code, ordinance compliance in and of itself may not fully address the issue of nighttime views and ambient lighting. This requires direct analysis to be complete and disclose to the public the potential changes.

CUMULATIVE AESTHETICS IMPACTS ACTION REQUESTED **Aesthetics/Visual Resources**

The following comments pertain to the aesthetics/visual impact analysis contained in Section 2.1 of the EIR and the Visual Resources Technical Report (VRTR):

1) Project Description - The project description of the VRTR states: "the town center would be... visually appealing, and compatible with surrounding development" (page 7). These are conclusory statements and potential decisions to be reached following analysis – not statements of fact upon which to base analysis. A broad impression is given that the report provides analysis based on poorly based or incorrect pre-conceived notions, as further elaborated on below.

The descriptions of proposed development are extremely limited in detail. The analysis, in general, seems to be based upon hopes and assumptions that are not spelled out in the Chapter 1.0 of the EIR, but relied upon as fact in the visual analysis. For example, "descriptions" of neighborhoods include the following types of information – elevations and numbers of residences for the Terraces Neighborhood; lot sizes and number of overall residences and park acreage for the Valley Neighborhood. No descriptions of structure color, water tank color, architectural detailing that might shield structure windows from producing glare, and no specs on grading technique, etc. Also as previously noted, there is no functional landscape plan, or even a list of anticipated plants. What is presented consists only of pretty pictures of trees and planting arrangements from other sources, each of which is carefully caveated to refer to a specific plant list that is not available. Why is there any belief that the visual simulations are accurate and defensible? The reviewer is presented with no information that really supports the specific home sizing, colors, etc. in the simulations. Instead, the reader is simply informed in the text that "grade-adaptive architecture" would reduce visual impacts. Since that is not committed to in the project description as a Project Design Feature, there is no certainty that this will occur. Neither is there any certainty that the homes will be tan and brown as shown in the simulations, that the water tank will look as represented, that trees will be installed as indicated, etc.

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Furthermore, the discussion of the visual simulations in the VRTR is also peculiarly silent as to the timeframe represented by the depictions. Excluding the specific simulation showing landscaping at installation vs. “mature” for the simulations from Deer Springs Road at I-15 NB On Ramps, the reader has to guess if they are looking at a situation reflecting installation, or some period in the future. Also, the term “mature” is not defined – 5, 10, 15, 20 years? Again, a real description of the future project requires detail, and that is lacking here. Without the detail, there is no faith in the credibility of the simulations, which appear to simply be a possible vision of the project but with no guarantee. Absent criteria to rely upon – committed to project design features, a landscape plan specifying plant types and container sizes at installation – the ultimate project could ultimately look quite different.

O-6-80
Cont.

WILDLIFE MOVEMENT ALTERNATIVE ACTION REQUIRED

Wildlife Movement Alternative –The project site is currently classified as Pre-Approved Mitigation Area (PAMA) with a goal of 75% conservation under the Draft North County MSCP. The EIR states that the County has been changed the site’s classification to a hard-lined project in the most recent draft (and not adopted) plan, without concurrence from the Wildlife Agencies. Reliance on the Draft North County MSCP for take authorization, therefore, would be improper until the plan is adopted. An assessment of the project impacts to wildlife movement would naturally conclude that impacts would not be less than significant. In fact, a wildlife connectivity expert has determined that the project site would result in significant and possibly unmitigated impacts to core linkages in the Merriam Mountain area (M. Jennings 2017). Therefore, an alternative project design that accommodates wildlife movement must be presented in the EIR so that decision-makers understand there are other options to avoid or substantially lessen the project’s impacts to wildlife movement.

O-6-81

O-6-82

8) Existing General Plan Alternative- In addition to not presenting a range of alternatives directed at avoiding or lessening the most significant project impacts, the Existing General Plan Alternative analysis in Chapter 4.0 of the EIR appears to be biased and skewed to leave the impression with the reader that under the County General Plan the project would have similar or worse impacts as compared to the proposed project. It is concerning that the EIR determined that the County General Plan, which allows for 99 rural homes, 4.6 acres of traditional commercial uses, and 53.6 acres of office professional uses, would result in more impacts than 2,135 single family and multifamily units, 81,000 square feet of traditional commercial uses, and a school site. Based on my review of an independent study provided by an engineering expert (Delane Engineering 2017), when accounting for steep slopes and various other County requirements such as parking, drainage, and access, the Existing General Plan Alternative would only allow for up to 750,000 square feet of office-professional uses and about 100,000 square feet of traditional retail commercial uses. In addition, a market analysis completed by a real estate expert, determined there is not a significant demand for office-professional space in the planned location (Cushman Wakefield 2017).

O-6-83



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Therefore, the alternatives analysis in the EIR overstates the impacts of the Existing General Plan Alternative and its comparison with the project's impacts is misleading because it does not provide a realistic portrayal of a project under the Existing General Plan. Again, the question as to why the acreage in Ramona was stated as a mitigation area for the gnatcatcher as it is not their foraging or habitat based on climate and breeding.

O-6-83
Cont.

GREEN HOUSE GAS ACTION REQUESTED

The Newland Sierra Project DEIR section devoted to Green House Gas (GHG) Emissions (Section 2.7) is comprehensive both in its breadth and depth of scope. There is good detail and documentation of the methods, standards and legislation governing GHG Emissions. It is a good report but a great amount of emphasis is placed on how the project's plan and the design of the houses will mitigate the GHG to compliant levels, whereas the Project's true GHG violation will lie in its initial construction and lasting impact on the surrounding area. In spite of the DEIR thoroughness, it must be highlighted that all contentious issues are typically treated with an overly optimistic assessment that the Project will work at a maximum best condition in order to label the impact "less than significant".

O-6-84

Some of this problem can be inferred for example on Appendix K, page viii: "with implementation of these project-specific GHG reduction features (not all of which are quantifiable, thereby leading to a conservative emissions estimate), the proposed project's estimated GHG emissions would be approximately 43,398 metric tons (MT) of carbon dioxide equivalent per year at buildout." The DEIR arrives at this figure through a detailed breakdown of the equipment used and the approximate amount of the time they would be in action, and combined with removal of vegetation, it states on page 35 of 2.7: "the project's total estimated construction and vegetation removal GHG emissions would be 93,323 MT C02E." The MT of C02 is carefully calculated, however, the DEIR later states construction "would require approximately 10 years to complete". No amount of precise calculations on daily GHG emissions can be relevant if those calculation are then passed to such a broad tolerance of "approximately 10 years." There is a reason that projects, even those far smaller and more manageable than Newland Sierra, get special attention for finishing on-time and/or on budget, and that is because projects normally run beyond their scheduled completion. If we divide the yearly GHG figure by number of days in a year, and even round down significantly to allow for the uneven distribution of machinery usage, we get about 100 MT of C02 per day. That is a tremendous amount of GHG and the amount of over-run that can happen on a 10- year project, would easily add a significant amount of emissions to the environment.

O-6-85



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Another outcome of the Project that cannot be fully calculated and is not adequately weighted in the DEIR is the impact of adding an estimate of over 28,000 daily trips into/out of the development. While it is good and proper that Newland Sierra fully address the GHG impact based on the project construction and are attempting to create a more GHG neutral development with the inclusion of EV chargers, bike paths and energy efficient housing, there would be very little travel done between the various properties vs. driving to get into and out of the neighborhood.

O-6-86

The project relies on a three- phase plan to re-route traffic at the Deer Springs Rd./I-15 interchange. So far Caltrans has just started the 1st phase of planning, but as the DEIR says on page 2.13-11, Caltrans has no program in place to improve traffic on I-15, so the impact of increased traffic from the project would be massive. I-15 is right now functioning at a "F" level of service. Because of this, the DEIR has no way to predict the traffic backing up at Deer Springs & I-15, and the resulting increase in GHG.

O-6-87

This situation could exist for years without a Caltrans budget to fix it. All told, the DEIR lists twenty-five significant and unavoidable locations where traffic will be negatively impacted. It may be a lot to ask to have all traffic changes prepared for ahead of time, but subjecting an already stressed road system with this number of snags is irresponsible. It will surely translate into more traffic standing still, which will increase the amount of GHG released beyond the ability to accurately calculate.

O-6-88

It is impossible to predict who will supposedly move to the Project, but regardless of what rules of thumb the DEIR may use to estimate vehicle miles travelled (VMT), the bulk of new home buyers are people who are looking for the lower prices available in the North County, though they work and rent or leave family homes farther south. The nearest cities: Escondido and San Marcos have not announced big changes in employment numbers recently, so there is no reason to believe the new homes will go toward people working nearby.

O-6-89

The DEIR also does not take into account the possibility of the many other perspective housing projects that could potentially add traffic to the impacted roadways. If any of these were to happen, the amount of time cars is running on the roadway (standing still idling and emitting GHG, regardless of (VMT) would be more than a linear impact.

O-6-90

The Project is dependent upon an off-site mitigation parcel to offset the GHG emissions. Appendix H-1 Part 5 details on the location, composition, monitoring and maintenance of the approximately 212 acre off-site mitigation parcel near Ramona. Is this the same mitigation parcel that will be used for the gnatcatcher thus doing double duty? It is a very detailed report, credibly written with the inclusion of special actions that may need to be taken in unusual circumstances (such as fire, etc.).

O-6-91



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What did not seem to be addressed anywhere was the possible need to reserve a larger piece of land to mitigate the higher amount of GHG the project would create and continue to create for every year the additional traffic pollutes the environment. The 212 acres is a parcel size based on an optimistic calculation, and when the actual GHG emissions are totaled, **will Newland Sierra increase the mitigation parcel to match?**

O-6-91
Cont.

Also, Appendix H-1 Part 5 says in its conclusion on page 178 of the PDF, that the mitigation property is better than the Project property "because it connects segments of the Cleveland National Forest and San Diego County Parks properties (Figure 2)." However, upon checking Figure 2, the mitigation site is a relatively small island not bordering either the Nation Forest or the parks.

O-6-92

The conclusion on the same page says the mitigation site would also be beneficial "because the site is under real threat of development for agricultural production or residential use (the site has many developable areas..."

The strong preference would be to not develop an area not designated in the County General Plan, but if it is a case of arguing whether it is better to develop the Merriam Mountain area or the mitigation site in Ramona, it would clearly be better to develop the mitigation site. Ramona has been the fastest growing area of county in the last decade, fueled in large part by its burgeoning wine industry. This would be a far better use of the land in a remote area, rather than to carve up one of the last undeveloped areas west of I-15 that provides a wildlife corridor.

O-6-93

Land banking at its very core is only a band-aid to a very very serious problem. While it is good that the State is taking the problem of climate change seriously and putting in place metrics, legislation and action, it is obvious that allowing the Project to release 100 MT of GHG a day is not mitigated by maintaining a property that releases 0 MT of GHG to continue releasing 0 MT of GHG. This potentially becomes a benefit when land becomes so scarce that every parcel must be considered for its GHG importance. Really, the only way that mitigation can work to help stabilize the environment, would be to let the Project release 100 MT of GHG, when they remove 100 MT of GHG a day somewhere else. At that point, we are talking about a true neutrality in GHG.

O-6-94

Given that every day brings more bad news about the biggest problem facing human kind, and the fact that current Executive Branch of the Federal government has decided to work against the science of climate change, it is more important than ever that the County follow the lead of the State of California and work toward preventing these projects that recklessly threaten our environment.

O-6-95



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In conclusion, we have found the Newland Sierra EIR document to be hard to read misleading as well as contradicting statements within sections. Other sections of the EIR abound with unfounded statements that are like a public relations piece. The Project itself is not reasonable to build and to expect residents to live in a Project while blasting takes place for 10 years.

O-6-96

Comments Submitted by the Bonsall Community Sponsor Group
Margarette Morgan, Chair
Charles T Davis, Vice Chair
Steven Norris, Member
Phyllis Carullo-Miller, Alternating Secretary
Richard Hatano Jr, Alternating Secretary
Jeff Faulk, Member



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