

I-222 Lynne and Peter Katopodis

- I-222-1** The County acknowledges the comment and notes it expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- I-222-2** The comment expresses concern regarding traffic on Buena Creek Road. The County notes the comment provides background information based on the commenters observations, and does not raise an environmental issue within the meaning of CEQA. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

Nonetheless, As addressed on page 2.13-3 in Section 2.13, Transportation and Traffic, of the Draft EIR the project proposes to widen Twin Oaks Valley Road to City of San Marcos' Four-Lane Major Arterial standards from its intersection with Deer Springs Road to its intersection with Buena Creek Road The Draft EIR explains that while "Mitigation Measures M-TR-5 and M-TR-6 would mitigate the project's impact to the segment of Buena Creek Road from Monte Vista Drive to Twin Oaks Valley Road (Impact TR-14) to less than significant" ... "because the improvements identified in M-TR-5 are under the jurisdiction and control of San Marcos and, thereby, subject to their concurrence and approval, for the purposes of this EIR, Impact TR-14 is considered significant and unavoidable."

The project also proposes intersection improvements along Buena Creek Road, including the Buena Creek Road/Twin Oaks Valley Road intersection (in the City of San Marcos), the Buena Creek Road/Monte Vista Drive intersection, and the Buena Creek Road/S. Santa Fe Avenue intersection, to mitigate both direct and cumulative impacts to these intersections and corresponding segments. In response to the Twin Oaks Valley Sponsor Group's request that the County consider a roundabout at the Buena Creek Road/Monte Vista Drive intersection, the Draft EIR identifies two mitigation options for this intersection, a conventional signalized intersection and a roundabout (See M-TR-6, pg 2.13-107 of Draft EIR). As concluded on page 2.13-120, both mitigation options mitigate the project's impacts at the intersection of Buena Creek Road and Monte Vista to less than significant. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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I-222-3 The comment states that the EIR doesn't explain how a six-lane Twin Oaks Valley Road will funnel overflow traffic onto Buena Creek Road. The comment also asks what the improvements will be and who will pay for improvements. Please see Response to Comment I-X-2, above.

As addressed on page 2.13-82 in Section 2.13, Transportation and Traffic, the project's proposed improvements to Deer Springs Road and Twin Oaks Valley Road include a ten-foot-wide multi-use pathway and dedicated bicycle lanes. These pathway and bicycle lane improvements would connect to the project's internal network of pathways and trails, and the bicycle lanes on Sarver Lane and Mesa Rock Road as well as to the existing multi-use pathway and bicycle path along Twin Oaks Valley Road heading into the City of San Marcos. Compared to existing conditions where facilities do not exist or only partially exist, these pedestrian and bicycle improvements would create safer conditions for these two alternative forms of travel along the project's off-site road improvements.

Regarding funding for the improvements to mitigate cumulative impacts, as addressed on page 2.13-112 in Section 2.13, Transportation and Traffic, the County has adopted and is implementing a Traffic Impact Fee (TIF) Program to collect impact fees from new development and construct new or expanded road, highway, interchange, and intersection facilities in the unincorporated County necessary to accommodate new development planned under the County's General Plan. In so doing, the TIF Program is an impact fee program designed to facilitate compliance with CEQA by providing a funding mechanism for these new facilities which serve to mitigate the indirect, cumulative traffic impacts created by new development. Accordingly, where the project would result in cumulative impacts to TIF Eligible Facilities, compliance with the County's TIF Program would serve as mitigation for those impacts.

TIF fees are deposited into local Community Planning Area accounts, regional accounts, and regional freeway ramp accounts. TIF funds are only used to pay for improvements to roadway facilities identified for inclusion in the TIF program, which includes both County roads and Caltrans highway facilities. TIF funds collected for a specific local or regional area must be spent in the same area. By ensuring TIF funds are spent for the specific roadway improvements identified in the TIF program, the CEQA mitigation requirement is satisfied, and the Mitigation Fee Act nexus is met.

I-222-4 The comment is regarding fire insurance and asks if insurance will continue to insure them and the new homes with reasonable and fair rates. The County acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The County will include the comment as part of the Final EIR for review and consideration by the decision-

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makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

I-222-5 The comment states that Buena Creek Road is an established fire evacuation route and that the Draft EIR's Wildland Fire Evacuation Plan (Appendix N-2) also identifies Buena Creek Road as a primary evacuation route. The comment asks what safety and easement modifications would need to be made to Buena Creek Road. See Response to Comment I-X-2 for a description of proposed improvements to Buena Creek Road. Further, the commenter is referred to **Topical Response HAZ-1** regarding wildfire evacuation.

I-222-6 The comment states if the infrastructure for Newland Sierra will include enhanced fire and police support. As stated on page 3.5-15, Section 3.5 Public Services, the proposed project would increase demand on fire and emergency medical services. The County Fire Mitigation Fee Program (see County Code of Regulatory Ordinances section 810.309 and Ord. No. 10429 (N.S.), June 21, 2016) ensures that development fees are paid at the time of issuance of building permits, and those fees are intended to closely reflect the actual or anticipated costs of additional fire protection facilities and equipment required to adequately serve new development. The Deer Springs Fire Protection District (DSFPD) is a participant in the County's Fire Mitigation Fee Program.

The proposed project will pre-pay the County Fire Mitigation Fee pursuant to a Fire Fee Payment Agreement with the DSFPD which would also provide funding beyond the required County Fire Mitigation Fee to augment the DSFPD's capabilities for continued provision of timely service to its primary jurisdictional area, including the project Site. By pre-paying the County Fire Mitigation Fee, the proposed project ensures Fire Station 12 would continue to have the capacity and facilities to serve the project Site and satisfy the General Plan's 5-minute threshold (Appendix N). The final funding amount will be determined in the Fire Fee Payment Agreement, to be completed prior to map recordation per County conditions of approval.

As stated on page 3.5-16, Section 3.5 Public Services, the project and its increase in population will necessitate an increase in law enforcement to meet the additional demands for services that invariably accompany population growth. For purposes of this analysis, the estimated residential population for the proposed project is approximately 6,063 individuals, resulting in the need for five new sworn officers to meet desirable law enforcement service levels (See EIR, Appendix EE, Project Facility Availability Forms). The project would not require the expansion of existing police protection facilities or the construction of new facilities. As such, the project would not result in impacts associated with the provision of new or physically altered facilities.

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The proposed project would be subject to payment of public facilities development impact fees at the rate in effect at the time building permits are issued. The amount is determined through evaluation of the need for new law enforcement facilities as it relates to the level of service demanded by new development, which varies in proportion to the equivalent dwelling unit generated by a specific land use. The development impact fees address the proposed project's proportional impact on capital facilities, such as structures and equipment, associated with police protection. It does not address the impact associated with operations and maintenance for those facilities. Public funds such as property taxes, sales taxes, and fees generated by the project would be used to cover the incremental costs associated with providing police services. Net revenues are used to finance costs associated with operations and maintenance associated with the public services required to serve the project. The project would be required to pay the development impacts fees, which would be used exclusively for future facility improvements necessary to ensure that the development contributes its fair share of the cost of law enforcement facilities and equipment determined to be necessary to adequately accommodate new development in the County.

- I-222-7** The County acknowledges the comment and notes it provides concluding remarks that do not raise new or additional environmental issues concerning the adequacy of the Draft EIR. For that reason, the County provides no further response to this comment.