

I-290 Cindy Nally

- I-290-1** The comment states that the commenter has reviewed the Draft EIR and has provided a list of questions and concerns.

The County acknowledges the comment as an introduction to comments that follow. This comment is included in 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-290-2** The comment states that after 10 years of meetings and millions of dollars spent to develop the General Plan, it was approved by the Board of Supervisors. The comment states that the Board of Supervisors intended to protect the area from over development and downzoned the property to 99 units from 200 units. The commenter requests that the Board of Supervisors vote against the Project.

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-290-3** The comment states that the Project is located in a sensitive wildlife area and if developed, critical north/south and east/west wildlife corridors would be severed.

For information on wildlife corridors and connectivity refer to **Topical Response BIO-2**. The County acknowledges the comment letter, and notes it expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR. For that reason, the County provides no further response to this comment.

- I-290-4** The comment states that the Project has sought special treatment, or a “carve out” of the regional biological mitigation plan, before the plan has been adopted by the County and federal and state wildlife agencies.

Refer to **Topical Response BIO- 1**. As detailed in the Draft EIR, the project has been identified as a proposed hardline area in the draft North County MSCP, which means both the project’s development areas and biological open space areas have been incorporated into the overall conservation strategy of the draft plan. (Draft EIR, p. 2.4-82, 2.4-6.) The County acknowledges that the Draft NC MSCP is currently in draft form and has not yet been approved. 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.

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- I-290-5** The comment states that the Project would impact significant cultural resources, particularly by expanding Deer Springs Road, including a site with Native American human remains.

As stated in Section 2.5, improvements to Deer Springs Road may result in direct impacts to unanticipated significant archaeological deposits from CA-SDI-4558 located beneath the surface along the current road shoulders. Additionally, during excavation, there is potential to discover human remains. However, these impacts would be mitigated to a less than significant level.

The County acknowledges the comment and notes it 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-290-6** The comment states that the Project would generate 28,000 new trips per day to local roads. The comment states that the I-15 would be brought to an LOS of “F” because no new freeway lands and no new transit infrastructure is proposed.

The comment restates information contained in the Draft EIR and does not raise an environmental issue within the meaning of CEQA. The comment restates information contained in the Draft EIR and does not raise an environmental issue within the meaning of CEQA. Specifically, Section 2.13.6 projects the anticipated project trips. Section 2.13.9 analyzes the project’s impacts to the transportation network, including impacts to freeway segments. The Draft EIR identified impacts TR-18 (I-15 from Deer Springs Road to Pomerado Road) and TR-41 (I-15 from Old Highway 395 to Pomerado Avenue) as a significant and unavoidable direct and cumulative impacts, respectively. To clarify, however, the I-15 segments identified operate at LOS F under existing conditions. (See Table 2.13-3, Existing Freeway Mainline Operations.) 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-290-7** The comment states that the Project proposes to widen Deer Springs Road to six lanes and build a new I-15 interchange, which would draw thousands of cut-through commuters. The comment states that Newland would build before Caltrans finishes its analysis and approval of a redesigned interchange at Deer Springs Road and I-15.

The project has identified feasible mitigation in the form of building a new interchange and that mitigation measure is identified herein as M-TR-1. The process of implementing the mitigation for the interchange is subject to a three-phase process

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under the jurisdiction of Caltrans. The first phase involves the preparation of a Project Initiation Document (PID) consisting of a Project Study Report-Project Development Support (PSR-PDS) document. The purpose of the PSR-PDS document is to define the purpose and need for any proposed improvements, identify a reasonable range of alternatives (i.e., interchange configurations), and develop an action plan for implementation of the improvements. In 2014, in response to the project's traffic impact analysis, which identified significant direct and cumulative impacts to the Interchange, the project applicant initiated the PID process with Caltrans to begin evaluating different configurations for mitigating impacts to the Interchange.

After completion of the PID phase and approval of the PSR-PDS document, the process advances to the second phase known as the Project Approval and Environmental Document (PA&ED) process. The PA&ED process includes an appropriate CEQA/NEPA environmental document for the proposed improvements, including consideration of alternative configurations and a Project Report (PR), which constitutes an engineering technical document that serves as the basis for detailed construction plans.

At the conclusion of the PA&ED process, Caltrans will select an Interchange configuration and the process enters the third phase, which involves the Plans Specification and Engineering Phase (PS&E), where detailed engineering documents and construction plans are prepared for the Interchange. Finally, the PS&E phase is followed by the acquisition, if any, of any required right-of-way and construction of the new Interchange.

All aspects included in the process of implementing the mitigation for the Interchange improvements are subject to Caltrans' review, oversight, and approval. As of this writing, Caltrans is within the first PID phase. Caltrans has not completed this phase nor initiated the PA&ED phase. To date, the PSR-PDS document includes preliminary interchange alternatives consisting of an expanded diamond interchange, a diverging diamond interchange, and a roundabout interchange.

The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. 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.

- I-290-8** The comment states that Vallecitos Water District projects a water supply deficit for the next 20 years. The comment states that the District's Water Supply Assessment requires a 36% water supply cut to existing customers in order to serve the Newland Sierra development.

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Refer to **Topical Response UTL-1 and UTL-2**. The Twin Oaks Valley Property Owner's Association made the same or similar comment in a newspaper ad, noting that "36% cuts to resident's water supply" would be required so as to serve the proposed project. The VWD responded by posting on its website a "Correction of Misinformation." According to VWD, the District is not mandating the rationing of its water supplies to existing District customers (by 36% or any percentage), so as to be able to serve any proposed new development, including the Newland Sierra project. For that reason, VWD considered the Twin Oaks' statement "false," requiring correction.

The above comment makes the same statement. Based on the information provided by VWD, the County concurs that the statement is inaccurate should be corrected.

The VWD's correction is quoted below in full:

"Recently, the Twin Oaks Valley Property Owner's Association published a newspaper ad noting "36% cuts to resident's water supply" in relation to a proposed Newland Sierra housing project. This statement is false. The Vallecitos Water District is not in a drought emergency and therefore is not imposing any mandatory water-use cuts (reductions). In addition, the District would never impose water-use reductions to any customers to allow for any proposed development, including the Newland Sierra project.

To continue to provide reliable water service to our customers, Vallecitos is guided by its Master Plan, which analyzes existing and future land uses, as well as current water demands and trends, to evaluate the existing and future water needs for District customers well into the future. Even with the 1,624 acre-feet [asterisk omitted] of annual water demand projected for the proposed Newland Sierra development, *the District has already anticipated greater water use (1,825 acre-feet per year) identified for this property during the 2017 Master Plan process without the development. In other words, even if this development moves forward, the District will have sufficient water supplies for all new and existing customers.*

During the recent drought, the cutbacks to our customers were not due to a supply shortage, as Vallecitos had sufficient water supplies. The cutbacks were mandated by an Executive Order from Governor Brown. Even during the depth of the drought, Vallecitos' water provider - the San Diego County Water Authority (SDCWA), projected 85,196 acre-feet of water in storage after assuming an additional three consecutive years of

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drought. *Since the drought has ended, SDCWA now has 171,000 acre-feet of water in storage, and no restrictions on deliveries to the Vallecitos Water District, or any agency. This is in addition to the drought-resilient water available from the Pacific Ocean from the District's direct connection to the Claude "Bud" Lewis - Carlsbad Desalination Plant.*

Regardless of development in our community, we encourage all residents to continue to make water conservation a permanent way of life. Click on the links for more information about conservation or the District's Master Plan or contact us at (760) 744-0460.²³⁰ (Italics added.)

In addition, at the November 16, 2016 public meeting in which the VWD Board of Directors considered and approved the project's WSA, Director Hernandez specifically rejected this "mandatory rationing" requirement:

"And I, too, wanted to make it perfectly clear - we've mentioned this a number of times. I know there are some out there that still come up and tell us that they're concerned about that the existing rate payers are going to pay for some portion of the new water. That's absolutely false. That's absolutely wrong. Every new home that is going to be built is going to pay its own way. There is [no] burden on any of the existing rate payers, whether it's one home or 600 homes. It makes no difference. The developers have to pay for all of the new development and the capacity that is required." (See VWD Board of Directors' meeting transcript, Nov. 16, 2016, p. 31, italics added.)

I-290-9 The comment states that the Project is in a "Very High Fire Hazard Severity Zone." The comment states that the Project does not provide enough emergency access routes in the event of a fire and that gridlock during an evacuation would compromise the safety in the region.

The County acknowledges the comments and notes that it addresses general subject areas, wildland fire evacuation, which received extensive analysis in the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. 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.

²³⁰ The VWD's "Correction of Misinformation" is incorporated by reference and available for public review upon request to the County. It is also available for review at VWD's website: <http://www.vwd.org/Home/Components/News/News/2358/18> (last accessed November 8, 2017.)

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Nonetheless, please refer to **Topical Response HAZ-1** which notes that, the Draft EIR notes that while prior evacuations within the project vicinity have experienced traffic congestion, the project includes improvements to Deer Springs Road, which would increase capacity of the main evacuation route compared to the existing condition. Further, when compared to the existing condition, improvements to North Twin Oaks Valley Road and Buena Creek Road would expand the traffic network capacity to assist evacuation efforts for the surrounding community.

The Evacuation Plan also provides that “fire and law enforcement official will identify evacuation points before evacuation routes are announced to the public. Evacuation routes are determined based on the location and extent of the incident and include as many pre-designated transportation routes as possible.” Accordingly, the Draft EIR, Appendix N-2 “defers to Law Enforcement and Office of Emergency Services” because, “among the most important factors for successful evacuations in urban settings is control of intersections downstream of the evacuation area.”

- I-290-10** The comment states that after 10 years of meetings and millions of dollars spent to develop the General Plan, it was approved by the Board of Supervisors. The comment states that the Board of Supervisors intended to protect the area from over development and downzoned the property to 99 units from 200 units. The commenter requests that the Board of Supervisors vote against the Project.

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-290-11** The comment states that the County has not completed their Climate Action Plan therefore the Project should not be considered until the Plan is complete. The comment states that Golden Door and the Sierra Club recently won a trial court decision invalidating the County’s threshold for measuring GHG impacts.

The County refers the commenter to **Topical Response GHG-3** regarding the County’s 2018 CAP. The County adopted its CAP on February 14, 2018.

Regarding the invalidated GHG threshold, the County acknowledges the comment and notes the proposed project did not use the Efficiency Metric for analyzing the proposed project’s impacts. Refer to **Response to Comment O-1-186**. This comment is included in 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.