

I-328 Kathe Robbins

- I -328-1** The commenter explains that they have concerns about inaccurate, missing, and confusing information contained in the Draft EIR. The commenter explains that they requested, but were denied extra time to review the Draft EIR.

The Draft EIR was available for public review during a 60 day review period, which began on June 15, 2017 and ended on August 14, 2017. This review period was in accordance with the State CEQA Guidelines (Section 15105(a)), which states that the public review period for a draft EIR shall not be less than 30 days nor should it be longer than 60 days except under unusual circumstances.

- I -328-2** The commenter explains that they never received a reply to their NOP comment letter.

CEQA Guidelines Section 15084 (c) states, “Any person, including the applicant, may submit information or comments to the lead agency to assist in the preparation of the draft EIR. The submittal may be presented in any format, including the form of a draft EIR. The lead agency must consider all information and comments received. The information or comments may be included in the draft EIR in whole or in part.

NOP comments were presented in Appendix A of the Draft EIR and were considered in the analysis. Responses were not provided to NOP comments, as this is not required per CEQA Guidelines Section 15084 (c).

- I -328-3** The commenter explains that they are a property and business owner, small fruit grove rancher, voter, and taxpayer. The commenter explains that their property faces the Merriam Mountains and they have views of North Twin Oaks Valley Road, Deer Springs Road, to the I-15 and the Palomar Mountain range.

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 -328-4** The commenter explains that existing residents in the area would be direct recipients of noise, dust, and traffic associated with the Project.

The comment addresses noise, air quality, and traffic, which received extensive analysis in the Draft EIR, specifically in Sections 2.10 Noise, 2.3 Air Quality, and 2.13 Transportation and Traffic. The comment does not raise any specific issue regarding these analyses and, therefore, no more specific response can be provided or

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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 -328-5 The comment states that there is only one potential school site located about 460 feet from the I-15 freeway, which is in violation of state law, Section 17213 CA Ed Code Section 21151.8 CA Public Resources Code. The commenter explains that the school needs to be analyzed for health and environmental issues for students and staff.

In response, the County directs the commenter to Draft EIR page 2.3-27 which describes that the project residences and school are located more than 500 feet from I-15. Specifically:

I-15 ... is located approximately 570 feet east of the nearest point of the proposed project's Town Center residences and school site. CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* (CARB Handbook) encourages consideration of the health impacts of freeways and high-volume roadways on sensitive receptors sited within 500 feet from the source in the land use decision-making process (CARB 2005). Although the residences located within the Town Center are located slightly more than 500 feet from I-15, impacts to these residences were analyzed....

An operational health risk assessment was prepared as part of the Draft EIR to analyze the health risks associated with the operation of the I-15 Freeway, Deer Springs Road, and the ARCO gas station, to new residents and schools introduced to the project site as part of the project (Appendix C (Health Risk Assessment) of the Air Quality Technical Report (Appendix G of the Draft EIR)).

As stated in the Air Quality Technical Report, Appendix G of the DEIR, page 138-139:

Regarding operational health risk, students attending the school on Site would be exposed to a maximum cancer risk of approximately 4.2 in 1 million. Project residents located in the north-east corner of the Town Center residential area would be exposed to a maximum cancer risk of approximately 9.1 in 1 million following implementation of mitigation measures M-HR-1, M-HR-2, M-HR-3, M-HR-4, and M-HR-5. The cancer risks on the project Site would not exceed the SDAPCD threshold of 10 in 1 million for cancer impacts after mitigation. The project residents would be exposed to a maximum chronic hazard index of approximately 0.02. The project residents would be exposed to a maximum acute hazard index of approximately 0.1. Therefore, the resulting maximum chronic and acute hazard indices are less than the SDAPCD threshold of 1.0 for chronic and acute non-cancer health

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impacts. With implementation of mitigation measures, the health impacts to residents and students attending the school on Site would be **less than significant**.

I -328-6 The comment states that originally the developer indicated that a school site would be located at a higher elevation and more to the west than the current site. The commenter asks if the school would be a public school within Escondido Elementary District or if San Marcos Unified School District would agree to an inter-attendance agreement. The comment states that there is no school land set aside for San Marcos Unified School District. The comment states that there must be a site allocated for a K-8 school because the EIR's students enrollment projections are several years old and SMUSD enrollment projections are undergoing a revision due to higher birth rates.

The threshold for impacts to public services is whether a proposed project would “result in **substantial adverse physical impacts** associated with the provision of new or physically altered governmental facilities, **or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts**, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services” (emphasis added)

As stated in Section 3.5, Public Services, of the Draft EIR (page 3.5-17):

The proposed project would generate the following number of students, whom would attend a school in the San Marcos Unified School District: 317 K–5th grade students, 85 6th–8th grade students, and 98 9th–12th grade students. In addition, the proposed project would generate the following number of students, whom would attend a school in the Escondido Union School District: 132 K–5th grade students, 45 6th–8th grade students, and students whom would attend in the Escondido Union High School District: 119 9th–12th grade students. Combined, the project would generate approximately 449 K–5th grade students, 130 6th–8th grade students, and 217 9th–12th grade students (see EIR, Table 3.5-2 for a breakdown of these numbers).

The proposed project reserves an on-site K-8 school site. As explained on Page 3.5-18 of the Draft EIR,

“After the on-site school is built, K-8 students generated by the proposed project would have the opportunity to attend this new school, which would have adequate capacity and would provide relief to overcrowding in the San Marcos Unified School District. Even with the addition of a school on-site, the

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project would be subject to assessment of applicable school fees in all three districts at the appropriate rate. Although existing schools in San Marcos are over capacity, the school districts' practice is to use relocatable classrooms or bussing to schools with capacity to temporarily house the additional students..."

The potential impacts of the on-site K-8 school have been analyzed through the Draft EIR. As noted above, grade 9-12 students would attend existing high schools, which, should those schools be require additional capacity, it is anticipated that relocatable classrooms could be used to temporarily house students.

The Draft EIR further contemplates that the proposed project would either enter into agreements with the various school districts or pay state-mandated school fees. Revenues to the District(s) form either for these payments are used for capital improvements which are part of each district's master plan for school facilities.

Lastly, **Section 3.5.5, Cumulative Impact Analysis**, analyzes the potential for the proposed project, in combination with other cumulative projects, would have an impact on school services. The analysis determined that:

"The increase in demand for school facilities could result in the expansion of existing, or the construction of new facilities, which could have adverse impacts on the environment; however, all new or expanded facilities would be required to undergo environmental review and be required to demonstrate compliance with the General Plan. The proposed project would be subject to assessment of applicable school fees at the rate in effect at the time a Certificate of Compliance is issued; therefore, the proposed project would not result in a cumulatively considerable contribution to the additional demand on existing school facilities within the districts, nor result in a significant cumulative impact. Impacts would be **less than significant**."

This comment 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 -328-7** The comment states that the number of housing developments coming online in the next few years would probably put the SMUSD schools back on a year-round and multi-grade tracking system. The comment states that the last two school bonds were passed but and these additional students would arrive without bringing enough money for schools, teachers, and support services. The comment states that the \$10 million that the Project would owe in fees is a drop in the bucket to the cost of teaching more

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than 500 students. The comment states that the last large development located in the City of San Marcos, traded those fees for land for three schools and the money owed to the District by the state is not enough to fund schools. The comment states that the situation is not as clear for Escondido where several developments are being placed within the school boundary.

The County disagrees with this comment. As stated in Section 3.5 Public Services on page 3.5-17, the project has reserved a 6-acre site for a school. After the on-site school is built, K-8 students generated by the proposed project would have the opportunity to attend this new school, which would have adequate capacity and would provide relief to overcrowding in the San Marcos Unified School District. Even with the addition of a school on-site, the project would be subject to assessment of applicable school fees in all three districts at the appropriate rate. 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 -328-8 The comment states that the applicant does not have easement rights to the path up and down the mountain and the applicant stated in 2015 that this road would be built as a two-lane road only for horse trailers and would be gated and locked. The comment states that the Fire Department would not allow a locked gate due to fire hazards.

The primary function of Camino Mayor is to serve as emergency ingress and egress.

As it relates to safety concerns, the **Draft EIR** considered Traffic Hazards in Section 2.13.9.6. As stated on page 2.13-83,

“Compliance with the applicable Public Road Standards,” the County’s Mobility Element safety-related policies, and other applicable engineering requirements, and incorporation of the project’s TDM measures and transportation-related project design features would ensure that the project results in **less than significant impacts** related to traffic hazards.”

Since receiving approval of the design exception for the project’s proposed improvements to the intersection of Camino Mayor and N. Twin Oaks Valley Road, the project applicant has since acquired ownership of the land west and southwest of this intersection (APN 174-300-24) and recorded a clear space easement for the benefit of the County to provide a full 400 feet of corner site distance for the segment of N. Twin Oaks Valley Road south of the Camino Mayor intersection. The project applicant has also executed an option agreement to purchase the property to the north of Camino Mayor and to east of N. Twin Oaks Valley Road (APN: 174-300-21) and can provide 300 feet of corner site distance for the segment of N. Twin Oaks Valley

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Road north of the Camino Mayor intersection. Therefore, in light of the foregoing facts, no significant traffic hazard would result with the project's proposed intersection improvements to the Camino Mayor/N. Twin Oaks Valley Road intersection or the project's traffic on N. Twin Oaks Valley Road.

I -328-9 The comment states that the intersection of North Twin Oaks Valley Road and Camino Mayor is known to the County as a dangerous road due to trucks traveling the road and because the road is steep and winding. The comment states that an intersection at this location is a death trap.

As it relates to safety concerns, the **Draft EIR** considered Traffic Hazards in Section 2.13.9.6. As stated on page 2.13-83,

"Compliance with the applicable Public Road Standards," the County's Mobility Element safety-related policies, and other applicable engineering requirements, and incorporation of the project's TDM measures and transportation-related project design features would ensure that the project results in **less than significant impacts** related to traffic hazards."

As it pertains to the segment of Twin Oaks Valley Road north of Solar Lane and including the intersection of Camino Mayor and N. Twin Oaks Valley Road, in the context of traffic safety, two 24-hour speed surveys of traffic along this segment were conducted and found that the average travel speed in the vicinity of the Camino Mayor intersection was between 20.8 and 23.5 MPH and the 85th Percentile Speed was between 22.4 and 24.4 MPH. The speed surveys found that approximately 40% of the traffic did not exceed 19 MPH along the road (refer to Newland Sierra DEIR, Additional Items, Design Exceptions Requests, Item 15). Southbound traffic is traveling uphill and northbound traffic must enter a curve along this section of N. Twin Oaks Valley Road before reaching the Camino Mayor intersection. These two physical constraints result in the low average and 85% Percentile travel speeds recorded by the speed survey compared to other, straighter and flatter portions of the road. In accordance with the speed survey and the approved design exception request, a design speed of 25 MPH was used as the basis for establishing a corner site distance of 250 feet on either side of the intersection (refer to County Public Road Standards, Section 6.E, Table 5, "Standard Corner Site Distance at Intersections" and County Design Standards DS-20A and DS-20B).

Since receiving approval of the design exception for the project's proposed improvements to the intersection of Camino Mayor and N. Twin Oaks Valley Road, the project applicant has since acquired ownership of the land west and southwest of this intersection (APN 174-300-24) and recorded a clear space easement for the benefit of the County to provide a full 400 feet of corner site distance for the segment

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of N. Twin Oaks Valley Road south of the Camino Mayor intersection. The project applicant has also executed an option agreement to purchase the property to the north of Camino Mayor and to east of N. Twin Oaks Valley Road (APN: 174-300-21) and can provide 300 feet of corner site distance for the segment of N. Twin Oaks Valley Road north of the Camino Mayor intersection. Therefore, in light of the foregoing facts, no significant traffic hazard would result with the project's proposed intersection improvements to the Camino Mayor/N. Twin Oaks Valley Road intersection or the project's traffic on N. Twin Oaks Valley Road.

- I -328-10** The comment states that North Twin Oaks Valley Road is the only north south exit from the North Valley area and in case of fire or emergency evacuation it would be impossible for residents, employees of the nursery and horse trailers to get to South Twin Oaks Valley. The comment states that a log jam would occur at the intersection with cars unable to use Deer Springs Road, Buena Creek Road, and Sycamore Avenue. The comment states that the community faced these issues in previous fires and future residents could be trapped unable to exit Twin Oaks Valley Road.

The County acknowledges the comments and notes that it addresses general subject areas, wildland fire evacuation, which received extensive analysis in the Draft EIR. Please refer to **Topical Response HAZ-1 Evaluation**), which notes that, the Draft EIR notes that while prior evacuations within the project vicinity have experience 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 -328-11** The comment states that there are many residential and agricultural wells in North Twin Oaks Valley. The comment states that if blasting and grading damage private wells, immediate supply of water and long term mitigation of restoring water to wells must be guaranteed as well as assumption of liability for loss of income for agricultural businesses.

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The Draft EIR's Air Quality chapter, and particularly **Section 2.3.5, Impact Analysis** therein, comprehensively evaluates the project's construction-related air quality impacts, including those attributable to blasting. Please refer to **Topical Response Air Quality – Blasting Impacts**. Please refer to **Topical Response – Noise**. Noise and vibration impacts associated with Project construction, including blasting were analyzed in Section 2.10, Noise of the Draft EIR.

- I-328-12 The comment states that Newland is the owner of an abandoned quarry located to the north of the Project site. The commenter explains that they could not find mention of how the damage to the granite wall of the mountain is to be mitigated. The commenter asks if the quarry is to be reopened for use of construction needs.

The project would not involve the use of the quarry for construction or operation. This comment 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-328-13 The comment states that residents located across the Project site to the west and southwest would likely sustain damage from blasting. The comment states that these residents already face noise and vibration impacts from Camp Pendleton's activities. The comment states that this was not assessed in the Draft EIR.

Please refer to **Topical Response – Noise**. Noise and vibration impacts associated with Project construction, including blasting were analyzed in Section 2.10, Noise of the Draft EIR.

- I-328-14 The comment states that the Project would result in leapfrogging because the City of San Marcos is not part of the Twin Oaks Valley area and the fire station and mobile home park are not a community center. The commenter explains that if one were to stand at the intersection of the Arco Gas Station for a few hours it would be evident that this is the only traffic stop for gas and sodas.

The General Plan discourages leapfrog development, as is outlined in Guiding Principle LU-1.2.

LU-1.2 Leapfrog Development. Prohibit leapfrog development which is inconsistent with the Community Development Model. Leapfrog Development restrictions do not apply to new villages that are designed to be consistent with the Community Development Model, that provide necessary services and facilities, and that are designed to meet the LEED-Neighborhood Development Certification or an equivalent. For purposes of this policy, leapfrog development

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is defined as Village densities located away from established Villages or outside established water and sewer service boundaries. [See applicable community plan for possible relevant policies.]

However, as described in Appendix DD of the Draft EIR, Land Use Consistency Analysis:

“The Community Development Model is implemented by three Regional Categories: Village, Semi-Rural, and Rural lands. The project as proposed is consistent with the Community Development Model, because the Community Development Model has already applied an established Village Regional Category designation to a portion of the project Site. The project does not propose to create a new Village, or expand or reconfigure the existing Village area. The project is also within the established boundaries of the Vallecitos Water District.”

Therefore, the Project is not considered leapfrog development, and would be consistent with the County General Plan, in that regard.

I-328-15 The comment states that five sound studies at locations five feet above the ground is not sufficient. The comment states that homes located in the hills across from the Project and on Sarver Land and Solar Lane were not tested.

As stated on Section 2.10, page 2.10-16 of the DEIR:

“The proposed project would include development of a variety of land uses on the project Site, including residential and commercial uses, a school, parks, and open space, as well as supporting on-site and off-site roadway and infrastructure improvements. Construction of these land uses and infrastructure improvements would occur in two phases, with construction estimated to begin in January 2018 and end in November 2027. Phase 1 is anticipated to begin in January 2018 and continue through December 2024. Phase 2 is anticipated to begin in December 2020 and continue through November 2027.

Construction noise in any one particular area would be temporary and short-term. Construction noise typically occurs intermittently and varies depending on the nature of each phase of construction (e.g., demolition, site preparation, grading and excavation, building construction) due to the different types of construction activities such as hauling material via trucks, pouring concrete, and using power tools. Additionally, the noise levels generated by particular pieces of construction equipment, including earthmovers, material handlers, and portable generators, could reach high noise levels for brief periods.

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To assess the potential noise effects of construction, this noise analysis used data from an extensive field study of various types of industrial and commercial construction projects (EPA 1971). Noise levels associated with various construction phases in which all pertinent equipment is present and operating at a reference distance of 50 feet are shown in Table 2.10-15. Because of vehicle technology improvements and stricter noise regulations since the field study was published, this analysis uses the average noise levels shown in Table 2.10-15 for the loudest construction phase. This information indicates that the overall (hourly) average noise level generated on a construction site could be 89 dBA at a distance of 50 feet during excavation/grading and finishing phases. The noise levels presented are ranges; the magnitude of construction noise emissions typically varies over time because construction activity is intermittent and the power demands on construction equipment (and the resulting noise output) are cyclical. Typically, an 8-hour L_{eq} would be lower than an hourly L_{eq} .

Project construction may also involve blasting to break up bedrock close to the ground surface. Typically, most of the noise generated by blasting is very low in frequency—below the frequency range audible to humans. The use of impulsive noise equipment and construction activities that would result in impulse noise (e.g., pile driving or explosives blasting) is discussed later in this section.

In residential construction projects, grading activities typically generate the greatest amount of noise because this phase requires the largest and heaviest pieces of equipment. It is anticipated that the grading portion of Phases 1 and 2 of project construction would overlap, which could result in the worst-case construction noise scenario. Construction equipment used during the grading portion of Phase 1 could include crawler tractors, excavators, graders, loaders, drill rigs, water trucks, off-highway trucks, and scrapers.

Noise levels generated by construction equipment (or by any point source) decrease at a rate of approximately 6 dBA per doubling of distance from the source (Harris 1979). As the loudest construction activity associated with on-site construction of the proposed project would occur during excavating/grading and finishing, which is estimated to generate average noise levels of 89 dBA at 50 feet, at the rate of noise attenuation noted above, the on-site construction noise would be 83 dBA L_{eq} at 100 feet, 77 dBA L_{eq} at 200 feet, 71 dBA L_{eq} at 400 feet, and so on. This calculated reduction in noise level is based on the loss of energy resulting from the geometric spreading of the sound wave as it leaves the source and travels outward. Intervening

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structures that block the line of sight, such as buildings, would further decrease the resultant noise level by a minimum of 5 dBA. The effects of molecular air absorption and anomalous excess attenuation would further reduce the noise level from construction activities at more distant locations at the rates of 0.7 dBA and 1 dBA per 1,000 feet, respectively.

The closest existing residences to on-site construction activities would be the residences located in the mobile home park, south of the Town Center neighborhood. On-site construction would take place within approximately 100 feet of the mobile home park property line and approximately 181 feet from the nearest residence (see Figure 2.10-7, Nearest Existing Residential Receiver: On-Site Construction). Work on Mesa Rock Road and the southern portion of the Town Center neighborhood is anticipated to result in noise levels as high as 83 dBA L_{eq} at the nearest existing residential property line, 100 feet to the south. In addition, because the proposed project would be constructed in phases, there is a possibility that on-site residences would be occupied while subsequent building phases are under construction. Thus, construction could occur within approximately 50 feet of on-site NSLUs, generating average noise levels of up to 89 dBA. This assumes a direct line of sight from the receiver to the construction area. Because construction work is cyclical, the 8-hour average noise level would be lower. Nonetheless, the County's noise limit of 75 dBA (8-hour average) may still be exceeded at future on-site residences and at the residences south of Town Center when work takes place near existing residences.

Construction staging areas would be located within the project Site. Staging areas during construction would be located within the proposed project limits at the maximum distance from existing sensitive receptors to the extent feasible. Construction equipment repairs, such as refueling and air filter replacement, would occur on Site. However, any major repairs would occur at an off-site location. All equipment repairs would be completed in the staging areas and would be conducted during the County Noise Ordinance's allowable hours and days of operation for construction. Additionally, the proposed project would implement PDF 33 through PDF 38 which would require properly maintained construction equipment with noise-reduction features (e.g., intake, exhaust mufflers, engine shrouds), use of electrical power tools, locating construction equipment staging areas away from residences and schools, and use of noise attenuation techniques (e.g., noise blankets and temporary barriers) to reduce noise levels to below 75 dBA L_{eq} at the property lines of existing residences. With implementation of these project design

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features, impacts from construction equipment noise would be **less than significant.**”

Regarding operational traffic noise, the **Draft EIR** includes Sarver Lane in the off-site noise analysis. A receiver location (O9) is located at a church on Sarver Lane. From Section 2.10.3.1, of the Draft EIR:

“At the church on Sarver Lane (Receiver O9), the traffic noise level is predicted to increase by 3 dBA from 54 dBA CNEL to 57 dBA CNEL with the proposed project. However, as noted above, an increase of 3 dBA or greater is considered a significant impact only if the site is a “documented noisy site.” In this case, both the existing and existing with project noise levels (54 and 57 dBA CNEL, respectively) would not exceed the County noise standard for churches of 65 dBA CNEL.”

In recognition of the potential influence of traffic from Deer Springs Road on uses at the southern end of Sarver Lane (such as the church at Receiver O9) compared to residential uses further north on Sarver Lane, a supplemental analysis has been prepared to represent additional off-site NSLU on Sarver Lane. The following table shows the noise levels at receivers without the influence of traffic from Deer Springs Road.

Receiver	Modeled Noise Level Sarver Lane Only (dB CNEL)			
	Existing	Future without Project	Future with Project – Opt B	Noise Level Increase - Future with Project vs. Future w/o Project
Hidden Valley Zen Center	42	49	58	9
Resi Sarver Ln 1	42	46	54	8
Resi Sarver Ln 2	44	50	59	9
Resi Sarver Ln 3	43	49	58	9
Resi Sarver Ln 4	41	43	49	6
Resi Sarver Ln 5	41	44	52	8

As shown in this table, the predicted noise level increases are below the County’s threshold of 10 dBA. While these noise level increases are greater than 3 dBA, they would not equal or exceed the County’s Noise Compatibility Guidelines and Standards for the underlying land uses; thus, the impact remains less than significant as concluded in the Draft EIR. No further revisions are required or necessary.

I -328-16 The comment states that the Draft EIR was inadequate in discussion rock crushing and this issue needs to be studied and reported rather than hidden in countless documents. The commenter explains that noise is the primary concern.

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The Draft EIR's Air Quality and Noise chapters (Chapter 2.3 and 2.10, respectively) comprehensively evaluate the project's construction-related air quality and noise impacts, including those attributable to rock crushing.

As the comment does not raise any specific issue regarding that analysis, 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 -328-17** The commenter explains that noise rises to her property from the valley. The commenter asks how much more noise would be created by construction traffic, horse traffic, by backyard barbeques and bands. The comment states that the quiet of the environment is highly prioritized.

The comment addresses noise issues, which received extensive analysis in the Draft EIR, specifically in Section 2.10 Noise. The comment does not raise any specific issue regarding this 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 -328-18** The commenter explains that nobody can tell her what happens to the rattlesnakes. The comment states that if the developer does not kill them, then construction would drive them out of the area into the commenter's property. The comment asks why this was not mitigated and that evacuation of small animals was not covered in the Draft EIR.

Potential impacts to biological resources, including wildlife, received extensive analysis in the Draft EIR, specifically in Section 2.4 Biological Resources. 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 -328-19** The commenter explains that the description of small animals forced to use only trails through the chaparral is not true. The comment states that large mammals such as coyote, bobcat, and smaller creatures such as skunk and opossum run through heavy brush and the commenter explains that they challenge the biology reports in general.

Section 2.4 of the Draft EIR analyzes impacts to Biological Resources. Please refer to Section 2.4.14, which identifies 37 potentially significant impacts, including impacts WM-3 (impacts to movement of large mammals from loss of wildlife corridors),

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WM-4 (impacts to habitat connectivity for larger wildlife species), and several indirect (edge) effects.

This comment is general in nature and does not raise any specific issue regarding any particular analysis in the DEIR. Therefore, no specific response can be provided or is required. (*Paulek v. California Dept. Water Resources* (2014) 231 Cal.App.4th 35, 47 [a general response is all that is required to a general comment]). This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

I -328-20 The commenter explains that the San Diego Light Pollution Code should apply to the Project and that the Draft EIR does not explain how night lights would be controlled in individual yards after homes are occupied.

The Draft EIR analyzed the potential for impacts as a result of nighttime lighting in Section 2.1 Aesthetics – 2.1.3.3 Light and Glare. Therein, it is stated that residential lighting, streetlights, and neighborhood commercial lights would be installed within planning areas and would operate during evening and nighttime hours. New sources of lighting within the project Site would illuminate portions of the project during nighttime hours, but the potential for light trespass onto adjacent properties would be reduced through compliance with the shielding requirements of the San Diego Light Pollution Code. As previously stated, all non-exempted outdoor lighting within the proposed planning areas would conform to the Zone B lamp type and shielding requirements for Class I, II, and III lighting. More specifically, all non-exempted outdoor lighting would be fully shielded and mounted such that light would not be emitted above the horizontal plane/angle of the lighting fixture. By installing shielded lamps, the potential light trespass would be reduced, as light would be primarily projected directly onto the ground under the fixture as opposed to a wider distribution to adjacent lands and/or the sky. 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 -328-21 The commenter explains that the Aesthetics report needs to be rewritten because no clues are given as to how many one and two story handicapped accessible homes are to be built and how many one story homes would be in the senior community. The commenter asks if pools would have wheelchair access and if mailboxes would be an accessible height. The commenter asks if the exterior design of homes is to be Middle English, Tudor, pink, green, or purple. The comment states that vineyards would attract dust, bees, and grape pickers and asks what the commercial value would be to the grape vines. The commenter asks if the developer has been in serious consultation with viniculture experts.

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The Draft EIR and Specific Plan does not have detailed building designs of the proposed project. Rather, there are design guidelines which are provided in the Specific Plan. Please refer to the Specific Plan, Section 3.6, Residential Development Standards and Design Guidelines for a description of the residential design guidelines. The project would be required to comply with the American Disabilities Act. The proposed project does not include a senior housing component.

As described in the Newland Sierra Specific Plan, Appendix C of the Draft EIR, The project Site does not support any agricultural uses; however, building on the North County Metropolitan Subregion's agricultural heritage, the project will include two types of neighborhood/Community-scale agriculture uses, community gardens, and grape vineyards. In so doing, the project will create agriculture uses on a site that does not presently support them, thereby contributing to the preservation of agriculture as an integral component of the region's economy, character, and open space network. Vineyards are included as an approved plant palette zone, because of they are a low-water-use crop that provide a productive agricultural use of irrigated open space. They also have a low fuel volume and provide excellent fire resistance.

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 -328-22 The commenter explains that as of August 3, 2017 it was reported that Caltrans has no current plans for improving ramps at the I-15 and Deer Springs intersection and asks how the Draft EIR can make such assurances.

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 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

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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 -328-23 The commenter explains that is the County is to consider overriding the General Plan then some kind of unique plan and rationale must be presented because there is no housing shortage in San Diego.

The County acknowledges the comment and notes it expresses the opinions of the commentator, 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 -328-24 The commenter explains that the Project does not provide small block communities, homes for multi-generational families, design for handicapped or Alzheimer patients, or housing designs of alternative construction. The commenter asks if there are tiny homes or any homes designed for two single parents in mind.

The County does not agree with this comment. The project would comply with the American Disabilities Act. The project would not preclude the design of homes for multi-generational families, handicapped or Alzheimer patients, or single parents. The

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County acknowledges the comment and notes it expresses the opinions of the commentator, 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 -328-25** The commenter explains that the Project is financially backed by Sekisui House, Ltd. Of Osaka, Japan. The commenter explains that the CEO wants to build homes that extend healthy life expectancy and create homes that take into account differences in physical ability. The commenter explains that the Project does not live up to the name Sekisui.

The County acknowledges the comment and notes it expresses the opinions of the commentator, 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 -328-26** The commenter explains that the Project is not worthy of destroying the Merriam Mountain range, the community of Twin Oaks, or Golden Door.

The County acknowledges the comment and notes it expresses the opinions of the commentator, 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.

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