

### I-36 Allen and Karen Binns

- I-36-1** The commenter thanks the County for allowing the opportunity to comment on the Draft EIR and adds that commenters were not granted a time extension to review the DEIR. The commenter believes there are deficiencies in the Draft EIR. 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-36-2** The comment expresses concerns regarding the time, effort, and money spent to release the General Plan. The comment is expressing general concerns about the project's proposed amendment to the General Plan. Please see **Responses to Comments O-1-377 through O-1-495** and **Topical Responses LU-1 and LU-2** for more detailed responses on issues raised on the project's proposed General Plan Amendment. 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-36-3** The commenter expresses concern for the proximity from the project to his home. The County notes the comment provides factual background information 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.
- I-36-4** The commenter describes that they reside adjacent to the project site. The County notes the comment provides factual background information 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.
- I-36-5** The comment explains that the commenters were opposed to both the Merriam Mountain project and the Newland Sierra project. The County acknowledges the comment, and notes it expresses general opposition for the project, but does not raise any issue concerning the adequacy of the Draft EIR.
- I-36-6** The commenter is concerned about health issues resulting from air quality emissions, crystalline silica dust, and traffic. Air Quality Technical Report and Health Risk Assessment have been prepared in order to analyze potential impacts associated with construction emissions and specifically the release of dust and debris from blasting and rock crushing. See Section 2.3 Air Quality, Appendix G Air Quality Technical Report, and Appendix F to Appendix G, Health Effects of Respirable Crystalline

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Silica in Blasting Dust Memorandum. The Draft EIR determined, on the basis of this evidence, that “deposited crystalline silica is not considered to be a source of significant health risk and impacts would be less than significant.” (Draft EIR, p. 2.3-50.) Even though impacts would be less than significant, the Draft EIR provides mitigation measures M-AQ-11 and M-AQ-12 to further control fugitive dust emissions generated during blasting activities and thereby further minimize crystalline silica exposure. As discussed on page 3 of the HRA (Appendix A of Appendix G, Air Quality Technical Report), the HRA prepared for the project also focused on impacts due to TACs associated to exhaust from motor vehicles traveling along the segment of the I-15 freeway and Deer Springs Road, which are the major roadways nearest to the proposed project. Please also see **Topical Responses AQ-1 and AQ-2**. 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-36-7** The commenter is concerned about the organization of the Air Quality Section and Appendices and states it is difficult to follow. The County acknowledges the comment and notes it expresses the opinions of the comment, 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.

**I-36-8** The commenter is concerned about the organization of the Air Quality Section and Appendices and states it is difficult to follow. The County acknowledges the comment and notes it expresses the opinions of the comment, 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.

**I-36-9** The comment raises concerns about dust impacts. Appendix F to DEIR Appendix G is a letter report summarizing, “the potential health effects associated with expected respirable crystalline silica emissions from blasting.” Long term exposure to ambient respirable crystalline silica concentrations greater than 3 µg/m<sup>3</sup> causes silicosis and other adverse health effects. However, the DEIR concludes that “[m]aterials that would be blasted at the proposed project are granitic and similar to those blasted at hard rock quarries. The South Coast Air Quality Management District (SCAQMD) monitored respirable crystalline silica concentrations near the Azusa Rock Quarry and found that average concentrations were 0.5 µg/m<sup>3</sup> or six times less than the REL. This concentration included emissions from blasting and other construction emission sources on-site. Accordingly, concentrations that nearby receptors would be exposed to would be considered acceptable.” (DEIR, p 2.3-50) As a result, “Dust that is deposited near sensitive receptors is unlikely to result in exposure to respirable

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crystalline silica because the vast majority of deposited material is too large to be respirable.” (DEIR, p. 2.3-49) In addition, “there are no existing processes taking place or future processes that would take place as part of the proposed project at nearby receptor locations that would reduce the size of particles deposited making them smaller, respirable particles.” (DEIR, p. 2.3-49) Finally, “the small amount of respirable dust that may be deposited would need to be re-entrained into the air in order to be hazardous.” (DEIR, p. 2.3-49)

**I-36-10** The comment expresses general concern for the project. The County acknowledges the comment as an introduction to comments that follow.

**I-36-11** The comment expresses concern regarding the Newland Sierra Parkway Alternative C, which would go through their property and their neighbors’. The commenters are concerned they have not been notified about this. The commenter is also confused about the naming of this alternative in various documents.

As discussed on page 4-44, in Section 4, Project Alternatives of the Draft EIR, under Newland Sierra Parkway Alternative C, a four-lane Major Road (referred to as Newland Sierra Parkway classified as a 4.1A Major Road with Raised Median requiring a maximum right-of-way of 100 feet and maximum curb-to-curb width of 78 feet) would begin with a 25-degree skewed intersection at the existing Deer Springs Road/Mesa Rock Road intersection. This alternative would require the acquisition of additional properties along its depicted alignment to accommodate the grading and right-of-way required for this alternative, as shown in Figure 4-8 of the Draft EIR. The comment does not raise an environmental issue within the meaning of CEQA. No additional response is required.

**I-36-12** The comment expresses general concern about ingress and egress to their property, their water pipes, septic, mail, and package delivery. The commenter is also concerned the project will alter the number of units per neighborhood, thus changing the composition or types of homes near the commenters’ side of the neighborhood.

The County acknowledges the comment, and notes it raises issues, such as mail and package delivery, that does not raise an environmental issue within the meaning of CEQA. In regards to ingress/egress, as stated on page 1-8 in Section 1.0 Project Description of the DEIR, the project Site would have two primary access roads along Deer Springs Road at Mesa Rock Road and Sarver Lane, with an additional access point at Camino Mayor off North Twin Oaks Valley Road. Further, Appendix N-2 identifies the proposed project’s evacuation road network, including internal roads which connect to three primary ingress/egress roads, and ultimately connect to major evacuation routes, including, Deer Springs Road, Sarver Lane, North Twin Oaks Valley Road, Buena Creek Road and Interstate 15. In regards to water pipes and septic, the DEIR analyzes water and wastewater supply in Section 2.14.1, Water

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Supply and Service, and Section 2.14.2, Wastewater. The proposed project would increase overall demand for potable water; however, the DEIR compares the planned water usage for the project Site with the estimated water demand based on the proposed project land uses and water conservation measures and concludes the impacts to water supplies would be less than significant. For additional detail refer to **Topical Responses UTL-1 and UTL-2**. Similarly, the proposed project would increase overall demand for wastewater services; however, impacts would be less than significant.

- I-36-13** The comment expresses concern that the commenters' properties and existing easements around their property may be taken from them and used for fire mitigation.

The comment does not appear to relate to a physical change to the environment, and therefore, does not raise an issue under CEQA. Please refer to Appendix N-1, Newland Sierra Fire Protection Plan (Dudek 2017) for details on the Proposed Project's redundant, layered fire protection system.

- I-36-14** The comment expresses general concern about their security gate at the base of Deer Springs Place during road widening.

The County acknowledges the comment does not raise issues that appear to relate to any physical effect on the environment 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.

- I-36-15** The comment asks whether or not the Sierra Park will be fenced.

Renderings of each park are provided in Figures 1-4 through 1-17. As shown on these figures, Oak Grove Park, Mesa Mini Park, Mesa Park, Valley Green will be fenced (see Figure 1-4, Figure 1-10, Figure 1-11, and Figure 1-15, respectively). Village Green, Joint Use Park, Hillside Mini Park, Hillside Heights, Mesa Mini Park, Summit Mini Park, Saddleback Park, Knoll Mini Park, Peak's Park, Creekside Park, and Sierra Farms will not be fenced (Figure 1-5, Figure 1-6, Figure 1-7, Figure 1-8, Figure 1-9, Figure 1-11, Figure 1-12, Figure 1-13, Figure 1-14, Figure 1-16, and Figure 1-17, respectively). The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decisions on the project. No further response is required.

- I-36-16** The commenter is concerned that the developed has not talked to the community. The commenter adds that various sponsor groups said they would talk to the community and answer questions. The County acknowledges the comment and notes it raises 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

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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.

**I-36-17** The commenter questions the reasons the developer did not present to communities and adds that the County should force them to present. The County acknowledges the comment and notes it raises 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-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

**I-36-18** The commenter asks why the Deer Springs Road/I-15 interchange is a three phase plan? As explained in Section 2.6.1 of the Traffic Impact Analysis (Appendix R of the Draft EIR), the Project applicant has initiated a three-phase process with Caltrans for the design and ultimate construction of improvements at the Deer Springs Road/I-15 interchange that would mitigate for Project's identified significant impacts. The timing and implementation of these improvements are under the jurisdiction and control of Caltrans and, thereby, subject to concurrence and approval. As such, because the County does not have jurisdiction and control over the construction of these improvements, the County cannot be assured of their timely and effective implementation. As such, for the purposes of this EIR, this impact is considered significant and unavoidable. The County also refers the commenter to **Topical Responses TR-1 and TR-2**.

**I-36-19** The comment questions the analysis on page 192 of the Traffic Impact Analysis (Appendix R of the Draft EIR) and asks why the Deer Springs Road/Mesa Rock Road reconstruction would wait until the 900<sup>th</sup> occupant of the project before they provide various southbound, westbound, northbound, and eastbound lanes. As discussed on page 2.13-104, in Section 2.13.12 of the Draft EIR, The timing of implementing each transportation mitigation measure is based on the number of "Equivalent Dwelling Units" (EDU) that would trigger the significant impact. As such, the 900<sup>th</sup> EDU was appropriately chosen to mitigate impacts at this intersection to less than significant levels. Nevertheless, as the Deer Springs Road/Mesa Rock Road intersection is a primary access point into the project, and the project's improvements to Deer Springs Road segments are triggered much earlier in the project buildout, the intersection improvements to the Deer Springs Road/Mesa Rock Road intersection would occur in coordination with the segment improvements (i.e., much sooner than the 900<sup>th</sup> EDU). Please also see **Topical Response TR-3**.

**I-36-20** The commenter states that there are discrepancies between phasing maps. More specifically, the commenter is concerned that Figure 4, Phasing Plan and Figure 15-1 have discrepancies, such as some of the neighborhoods being in 2 phases.

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To clarify, instead of Figure 4, the commenter meant to reference Figure 1-32, Phasing Plan, of the Draft EIR. The Final EIR has been revised as requested.

**I-36-21** The comment expresses concern that Figure 15-1 of the Traffic Impact Analysis (Appendix R of the EIR), as well as other figures, are blurry. The County notes the comment expresses the opinion of the commenter but 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.

**I-36-22** The commenter asks if there will be a pre-blasting examination of the commenters' home before blasting occurs.

Please refer to **Topical Response NOI-1**. As discussed in this section, the Draft EIR evaluates vibration and airblast/air overpressure impacts from blasting based on guides prepared by the U.S. Bureau of Mines. The Draft EIR concludes that, although “[w]hen explosive charges detonate in rock, almost all of the available energy from the explosion is used in breaking and displacing the rock mass,” and that modern blasting practices mean “air-blast overpressure” rarely reaches damaging levels; there is a risk air-blast overpressure levels can reach levels that could feasibly cause some damage to nearby structures. (Draft EIR, p. 2.10-22.) . 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-36-23** The comment expresses concern regarding conclusions reached on page 27 of the Health Risk Assessment (Appendix C of Appendix G of the Draft EIR). The commenter is concerned that the mitigation rate for the townhouse is only 0.9 points below the threshold, which is 10.

The comment expresses the opinion of the commenter. As discussed on page 27 of the Health Risk Assessment (Appendix C of Appendix G of the Draft EIR), Project residents, specifically those located in the northeast and southeast corners of the Town Center residential area, would be exposed to a maximum cancer risk of approximately 9.1 in 1 million upon implementation of recommended mitigation measures MM-HR-1, MM-HR-2, MM-HR-3, MM-HR-4, and MM-HR-5 (MM-AQ-13, MM-AQ-14, MM-AQ-15, MM-AQ-16, MM-AQ-17 in the Draft EIR). The cancer risks on the project site would not exceed the SDAPCD threshold of 10 in 1 million for cancer impacts after mitigation, which is below the 10 in 1 million threshold.

Further, 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

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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 impacts. With implementation of mitigation measures, the health impacts to on-site receptors would be 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.

- I-36-24** The commenter is concerned that a resident of the project that also attends the school on site would have prolonged exposure to cancer risks. As stated in the Air Quality Technical Report, Appendix G of the DEIR (page 136-139):

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

- I-36-25** The comment asks if children living in the proposed Town Center or Terraces Neighborhood portions of the project can play outside due to the proximity to the freeway, poor air quality, and traffic emissions. 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 comment also addresses general subject areas, which received extensive analysis in the Draft EIR (see Section 2.3, Air Quality and Section 2.13, Transportation and Traffic). 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. The County will include the

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comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

**I-36-26** The comment asks if the project includes condominiums or town homes. Section 1.2.1, Project's Component Parts provides a detailed outlined of the proposed seven planning areas. The County acknowledges the comment and notes it does not raise issues that 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-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

**I-36-27** The commenter is concerned about their property being used as a fire buffer. As shown in Appendix H-1 and H-2 in Appendix N-1 of the Draft EIR, the commenter's property, located at 2637 Deer Springs Place, is not within a proposed fuel modification zone. 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.

**I-36-28** The commenter believes that Sarver Lane is in a 100 year flood plain and thus Figure 3.2-2, 100-Year Flood Hazard Zone, as well as applicable analysis is incorrect.

As shown in Figure 3.2-2 and explained on page 3.2-5 in Section 3.2.1 of the Draft EIR, certain off-site portions of the project's proposed improvements to Sarver Lane and Deer Springs Road are currently located within a 100-year flood hazard zone. As such, the information is correct and consistent with the concern of the commenter. 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.

**I-36-29** The comment expresses concern that the Preliminary Floodplain Analysis (Appendix CC of the Draft EIR) states that Sarver Lane and Deer Springs Road are out of the 100 year flood plain.

The commenter is misinterpreting Appendix CC. As stated in the Introduction to Appendix CC, Sarver Lane and Deer Springs Road, off-site of the project Site, "impact the FEMA-capped floodplain and floodway for both Stevenson Creek and the Twin Oaks Valley Creek."

The project proposed to "construct an open channel for Stevenson Creek along the easterly side of Deer Springs Road and several culvert crossings." (Appendix CC, Introduction) As explained in Section 3.2.3.1 of the DEIR



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“...portions of the project’s off-site improvements to Sarver Lane and Deer Springs Road fall within the existing 100-year Flood Zone. The existing drainage facilities within these off-site areas are not sufficiently sized to accommodate the 100-year storm event from Stevenson Creek and Twin Oaks Valley Creek. As a result, storm flows overtop both roads creating a flooding condition during major storms.”

Accordingly, the proposed project would “eliminate this flooding condition with the improvements to both roads by installing a new drainage channel and system of culverts...”

- I-36-30** The comment believes noxious fumes from green waste collection will result at Sierra Farms Park. 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-36-31** The commenter is concerned that subsurface vibrations may affect their septic systems. The comment addresses vibration issues, which received extensive analysis in the Draft EIR (see Section 2.10). 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. No further response is required or necessary.
- I-36-32** The commenter is concerned that ground borne vibration was not analyzed in the EIR. Ground borne vibration received extensive analysis in the Draft EIR (see Section 2.10.3.3). 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. No further response is required or necessary.
- I-36-33** The commenter asks why no sound attenuation walls were included for the project. The Noise Technical Report for the Draft EIR (Appendix Q) provides recommendations for the use of sound attenuating walls when necessary (where such features are proposed, visual relief would be provided by proposed landscaping), incorporates the noise standards of the City of San Marcos, used the traffic analysis, and assessed potential noise impacts from project development. The project would be consistent with Policies N-1.3 through N-1.5, of the County of San Diego General Plan. Specifically Policy N-1.3 of the General Plan requires the following:

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- **Policy N-1.3, Sound Walls.** Discourage the use of noise walls. In areas where the use of noise walls cannot be avoided, evaluate and require where feasible, a combination of walls and earthen berms and require the use of vegetation or other visual screening methods to soften the visual appearance of the wall.

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-36-34** The commenter explains that their property is listed as part of Alternative B for the project. The commenter is concerned that they were not spoken to about this option.

As described in Section 4.7.1 of the Draft EIR, Newland Sierra Parkway Alternative B, is similar to Newland Sierra Parkway Alternative A, but with a different alignment. This alternative also would require the acquisition of additional properties along its depicted alignment to accommodate the grading and right-of-way required for this alternative, as shown in Figure 4-6. The County notes the comment; however, and does not raise an environmental issue within the meaning of CEQA or comment on the adequacy 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 because the comment does not raise an environmental issue.

**I-36-35** The commenter asks whether utilities for the project will be placed underground or above ground.

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.

Nonetheless, the County notes that utility improvements would be underground, consistent with County requirements and ordinances.

**I-36-36** The commenter is concerned about the length of grading for the project. The County notes the comment; however, and does not raise an environmental issue within the meaning of CEQA or comment on the adequacy 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 because the comment does not raise an environmental issue.

**I-36-37** The commenter is concerned about the duration of rock crushing. The Draft EIR has adequately analyzed potential impacts from rock crushing activities including air

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quality and noise as disclosed in Section 2.3, Air Quality and Section 2.10, Noise. Please refer to **Topical Responses TR-AQ-1, AQ-3, and NOI-1**.

**I-36-38** The commenter is concerned about the duration of blasting. Please refer to **Topical Response AQ-2**.

**I-36-39** The commenter is concerned that the numbers of rock crushing locations outlined in Appendix D of the Air Quality Technical Report (Appendix R of the Draft EIR) are inconsistent with the two rock crushing locations discussed in the Draft EIR. The commenter is also concerned that, as stated in Appendix D of the Air Quality Technical Report (Appendix R of the Draft EIR), 3 diesel engine generators would be needed in Phase I, while two diesel generators would be needed in phase 2. Please refer to **Topical Response AQ-2**. As discussed in this response, while blasting is anticipated to be needed to break up bedrock at the project, it is presently infeasible to determine the exact locations and timelines for blasting as the bedrock is located below ground surface. (Draft EIR, p. 2.10-17.) For this reason, at the current stage of project design, no specific blasting timelines, blast numbers, or exact locations are proposed or available. (Draft EIR, p. 2.10-24.) However, the Draft EIR explains that blasting (and the associated drilling that precedes blasting) would only occur between 7:00 a.m. and 7:00 p.m. (Draft EIR, p. 2.10-21.) It is also anticipated, based on prior projects, that blasting would occur at 2- to 3-day intervals with no more than one blast per day. (Draft EIR, p. 2.10-24.) Blasting is also expected to generally occur in localized areas at the center of the project and along roads within the project. (Draft EIR, pp. 2.6-14 and 2.10-24.) 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.

**I-36-40** The commenter is concerned about the duration of construction and about overlapping phases of construction that would increase impacts. Please refer to **Topical Responses AQ-3 and Topical Response NOI-1**. 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.

**I-36-41** The commenter is concerned about noise related to generators on site.

The County refers the commenter to pg. 2.10-13 of the Draft EIR which addresses Emergency Generators. The Draft EIR identified Impact N-5 as a potentially significant impact for emergency electrical generators located within 3,500 feet of NSLUs which could exceed the County's noise limit for daytime stationary sources and generators located within 6,000 feet of NSLUs which could exceed the County's property line noise limit for nighttime stationary-source noise.

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Mitigation Measure M-N-3, which requires the following to reduce Impact N-5 to less than significant:

**M-N-3** Prior to the issuance of any building permit for stationary noise-generating equipment such as heating, ventilating, air conditioning (HVAC) systems or standby generators, the applicant or its designee shall prepare an acoustical study of the proposed stationary noise sources associated with HVAC systems and standby generators for submittal to the County of San Diego (County) for review and approval. The acoustical study shall identify all noise-generating equipment and predict noise levels from all identified equipment at the applicable property lines. Where predicted noise levels would exceed those levels established by the County's Noise Ordinance, Section 36.404, the acoustical study shall identify mitigation measures shown to effectively reduce noise levels (e.g., enclosures, barriers, site orientation) to be implemented, as necessary, to demonstrate compliance with the County's Noise Ordinance, Section 36.404. Mitigation measures also may include implementing best engineering practices, changing the placement of noise-generating equipment, and implementing shielding for stationary noise sources associated with HVAC systems and standby generators. All mitigation measures identified in the acoustical study shall be implemented by the applicant or its designee prior to issuance of any building permit.

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.

**I-36-42** The commenter asks why the area needs more homes. The County acknowledges the comment and notes it raises economic and social issues that do not appear to relate to direct physical effect on the environment or to the adequacy 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 because the comment does not raise an environmental issue.

**I-36-43** The commenter believes that the project should not be built until the I-15/Deer Springs interchange improvements are completed. Please refer to **Topical ResponseTR-2**. The County will include the comment as part of the Final EIR for

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- review and consideration by the decision-makers prior to a final decision on the project. No further response is required.
- I-36-44** The comment expresses concern that evacuation during fire or other disasters was not analyzed in the EIR. The comment addresses general subject areas, which received extensive analysis in the Draft EIR (see Section 2.8.3.3, Emergency Response Plans, and Appendix N-2, Evacuation Plan). 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-36-45** The comment asks about the offsets the project will have to achieve carbon neutrality. Mitigation measures M-GHG-1 and M-GHG-2 are provided, which would require the project to offset 100 percent of its annual GHG emissions, for a 30-year period, in order to achieve carbon neutrality (i.e., net zero emissions level). The utilization of carbon offsets to mitigate GHG emissions is expressly authorized by CEQA Guidelines sections 15126.4(c)(3)–(c)(4), and would reduce impacts associated with GHG emissions to a less-than-significant level. 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-36-46** The comment asks if their property will experience light pollution. Light and glare impacts were analyzed in Section 2.1.3.3 of the Draft EIR. As described in this section, All Class I, II, and III lighting installed within proposed planning areas would comply with the applicable requirements of County of San Diego Light Pollution Code Section 59.101 et al. All new street lighting along the improved segment of Deer Springs Road would be fully shielded and would comply with the applicable lamp type requirements of County of San Diego Light Pollution Code Section 59.101 et al. to the extent that doing so would not jeopardize the safety of motorists and other users. Therefore, potential lighting impacts would be **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. No further response is required or necessary.
- I-36-47** The comment expresses concern that emissions for rock crushing would only be checked every 30 days and that the air monitoring station is all the way down on East Valley Parkway in Escondido.

As stated on page 2.3-36 of the Draft EIR, as part of mitigation measures MM-AQ-4, a qualified opacity observer shall monitor opacity from crushing activities, which would ensure compliance with SDAPCD Rule 50, Visible Emissions. For more

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information regarding rock crushing activities, please refer to **Topical Responses AQ-1 and AQ-3**.

**I-36-48** The comment asks what the community gardens would look like and expresses general concerns regarding aesthetics. The comment addresses general subject areas, which received extensive analysis in the Draft EIR (see Section 2.1, Aesthetics). The exact look of the gardens is not known at this time. However, proposed details for the parks are outlined in Table 1-1 of the Draft EIR and identified in Figure 1-3, Parks and Trails Plan. In addition, Figures 1-4 through 1-17 illustrate each of the proposed parks. 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. No further response is required or necessary.

**I-36-49** The comment questions whether or not interchange improvements at the Deer Springs Road/I-15 interchange are in the works, and claims Caltrans has no plans for these improvements.

Refer to **Topical Response TR-2**. 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-36-50** The commenter believes there needs to be a new interchange at Gopher Canyon Road to address potential evacuation needs.

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. Emergency evacuation received extensive analysis in the EIR (see Appendix N-2, Evacuation Plan and Section 2.8.3.3, Emergency Response Plans, 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-36-51** The commenter believes Buena Creek Road should be four lanes throughout. 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. Traffic impacts were extensively analyzed in Section 2.3, Transportation and Traffic and Appendix R, Traffic Impact 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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**I-36-52** The comment expresses confusion regarding the following statement, as written on page 28 of the Preliminary Geotechnical Report (Appendix X of the Draft EIR): “excavation on site may provide suitable materials for use as road base and aggregate, thus eliminating the need for importing of these materials. Additional testing and/or processing will be required for use of on-site materials.” The commenter questions whether or not mineral rights were to be extinguished.

As identified in Section 2.9.5, the proposed project would result in Impact MR-1, “the loss of availability of approximately 156.8 acres of MRZ-2 designated land.” As stated in the Statement of Reasons, the proposed project, once constructed, would preclude future access to underlying minerals; however, during construction, these resources may be available and feasible to re-use for specified construction purposes. This is consistency with Section 2.9.6 of the DEIR, which states, “Potential partial mitigation for this resource would be to extract some of it prior to or in conjunction with Site construction. In addition, as an alternative partial mitigation, a portion of the material could be processed and used on-site as part of the construction process, thereby eliminating the need to import material from alternate sources.” However, as concluded in Section 2.9.7, “Since no feasible mitigation exists to reduce impacts to below a level of significance, impacts would be **significant and unavoidable.**”

**I-36-53** The commenter is concerned that ROW documents for Deer Springs Road pertain to the commenter’s easement rights, as the roads to their home split off of Deer Springs Road. The commenter is concerned that their easement rights will be affected by the project and that the commenter should have been contacted by the developed on issues regarding their ingress and egress, their security gate, mail, and UPS deliveries. Please refer to Response **I-36-12**.

**I-36-54** The commenter is concerned that the Draft EIR is hard to follow and is not in an orderly fashion. The commenter believes that, for this reason, the Draft EIR needs to be revised and recirculated. The County acknowledges the comment and notes it expresses the opinions of the comment, 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-36-55** The commenter asks why no information regarding blasting schedule or locations that will need blasting is provided. The commenter also asks why the mitigation area for habitat is all the way in Ramona. Refer to response GR-AQ-1, Blasting Impacts and GR-AQ-2, Blasting Schedule for blasting schedule and impacts.

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Regarding the mitigation area, the County acknowledges that the off-site mitigation area is located approximately 20 miles east of the project Site and with some elevation and topographical differences compared to the project Site. However, the County allows for off-site mitigation areas that provide similar vegetation communities and habitat types. The proposed off-site mitigation area is located entirely within the PAMA and conservation of this site contributes to the overall preserved lands within the PAMA and provides an important block of habitat for that region.

As described in the Newland Sierra Off-Site Mitigation Memorandum (Appendix K to Appendix H of the Draft EIR), the mitigation site is comparable to or better than the habitat that is being impacted on the Newland Sierra site. The mitigation site includes a variety of topographic relief, a comparable suite of vegetation communities, and rock resources. Therefore, it contributes to the vegetation community mitigation requirements described in Table 2.4-27, pgs. 2.4-172 and 2.4-173 of the Draft EIR. 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-36-56** The commenter is concerned that the project would create spot zoning and that the developer is trying to nix the study area as well as the NC-42 Property Specific Request.

As described in Section 1.6.1, the existing Zoning for the project site includes:

- General Commercial (C36), Office Professional (C30), Rural Residential (RR), Limited Agricultural (A70), Extractive (S82), and General Rural (S92)

The comment addresses general subject areas, which received extensive analysis in Section 3.3, Land Use and Planning, and Appendix DD, Land Use Consistency 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.

- I-36-57** The commenter asks why the three main roads don't have street names. The County acknowledges the comment and notes does 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-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.



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**I-36-58** The commenter asks what the main roads located by the Arco Station, at Sarver Lane and Camino Major are called. The County acknowledges the comment and notes it does 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-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

**I-36-59** The commenter asks if Newland Sierra Parkway is the name given to the road options proposed by the Golden Door. The commenter is concerned that Newland Sierra Parkway Option C (formerly known as Option C-2) crosses the commenters' yard. The County acknowledges the comment and notes it does 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-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

**I-36-60** The commenter states that the old Clark House on Sarver Lane would be demolished and replaced with Park 14. The commenter is concerned that no mitigation measures are included for demolition of this structure.

As stated in Section 2.8.6 of the Draft EIR, mitigation measure M-HZ-5, requires that Prior to demolition of the existing structures at 2733 Sarver Lane, the project applicant or its designee shall complete a hazardous building material survey to determine the presence, if any, of lead-based paint or asbestos-containing materials. As such, mitigation measure for demolition of this structure was provided. 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.

**I-36-61** The commenter is concerned that the Draft EIR does not address soil contamination and need for remediation for lead and asbestos from demolition.

As discussed in Section 2.8.3.2, Hazardous Materials, of the Draft EIR, a Focused Soil and Soil Vapor Screening Survey (EIR, Appendix L) was conducted to screen for the potential presence of hazardous substances and/or petroleum substances in (1) sites identified as illegal shooting sites involving lead contaminated soil, (2) aboveground storage tank containing used oil and surrounding stained soil, (3) soils bordering along the ARCO gas station on Mesa Rock Road, and (4) areas of historic agricultural use. With the exception of arsenic and lead, metals were not detected at concentrations exceeding the EPA Region 9 Regional Screening Levels. Arsenic levels were below California background concentrations. Total lead exceeded 80

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mg/kg in three samples. The lead regional screening level exceedances in the illegal shooting areas appear to be scattered and limited to shallow soil. The results of the laboratory analyses suggest that the lead exceedances detected could be directly related to sampling bias from minute pieces of lead projectile in specific samples. However, dependent on final grading and construction plans, the extent of the lead contamination may result in adverse effects. Therefore, impacts would be **potentially significant (Impact HZ-4)**. The abandoned AST and surrounding stained soil was removed and disposed of in accordance with the requirements of the DEH Hazardous Materials Division, and a report was submitted to DEH dated April 30, 2015 (see EIR, Appendix L). The County has approved no further action in this area.

With the exception of benzene, no VOCs or total petroleum hydrocarbons (TPH) were detected in soil vapor samples near the Arco gas station on Mesa Rock Road. Soil vapor analytical results for benzene were compared to residential California Human Health Screening Levels and applied to the SAM Vapor Intrusion Model, and indicated that benzene was not detected at concentrations that would pose a significant human health risk in a residential setting (see EIR, Appendix L). ). Additional soil evaluation for potential lead contamination complying with County of San Diego Department of Environmental Health and U.S. EPA Region 9 standards (**M-HZ-4**) would reduce impacts 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. No further response is required or necessary.

- I-36-62** The commenter states that the Draft EIR at the San Marcos Library is missing 71 pages, including the List of Preparers as well as the list of Mitigation Measures and Environmental Design Considerations.

The County acknowledges the comment. The Draft EIR in its entirety was available on the County's website during the public review comment period. The County notes that of the missing pages, the list of prepares is not an environmental issue under CEQA, and that Mitigation Measures and Environmental Design Features repeat information contained elsewhere in the Draft EIR, thus, all pertinent information was available at the San Marcos Library.

- I-36-63** The commenter states that Figure 2.4-1 in the Biological Resource section, the corridors A, B, C, and D, are not shown. Wildlife connectivity is shown in Figure 2.4-8 of the Draft EIR, not 2.4-1. 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-36-64** The commenter is concerned that there is not enough mention of rock fall hazards, when compared to the old Merriam Mountains EIR. The County acknowledges the

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- comment and notes it expresses the opinion of the commenter. Rockfall Hazards is discussed in Section 2.6, Geology and Soils 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 because the comment does not raise an environmental issue.
- I-36-65** The commenter states that there is no discussion of soil types and their relation to grading, compaction, and drainage during construction. The DEIR has analyzed the potential impacts associated with grading, compaction and drainage during construction throughout, including in Section 2.1, Aesthetics, 2.3, Air Quality, 2.6, Geology and Soils, 2.7, GHG Emissions, 2.10, Noise, and 3.2, Hydrology and Water Quality. As the comment does not raise any more specific issue regarding the DEIR 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. No further response is required or necessary.
- I-36-66** The commenter states that there are 2,000,000 square feet in the current General Plan that allows for a big box store on site. The commenter believes that there are only 4.6 acres of commercial land use, which is hardly enough for a big box store and that although 53.6 acres are zoned Office Professional, no commercial uses should be allowed on this land. The County acknowledges the comments and notes it 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-36-67** The comment is asking why development of 99 homes, allowed by the current General Plan, was not studied as an alternative to the project. As described in Section 4.5 of the Draft EIR, the Existing General Plan Alternative was analyzed in 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-36-68** The commenter asks why the Town Center is proposed to be built in the second phase and whether or not that will be the last thing to be built. The commenter is concerned that the Town Center will be built too late for the elderly of the community to enjoy it.

The County acknowledges the comment and directs the commenter to **Topical Responses AQ-1 through AQ-3 and NOI-1** regarding construction schedule, air quality and noise impacts associated with construction activity. 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-36-69** The commenter states that all streets should have 5 foot bike lanes. 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-36-70** The commenter believes that Deer Springs Road should be made into 6 lanes, to be paid by the developer and not the taxpayers. The commenter believes that four lanes will not alleviate traffic from the project. 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-36-71** The commenter believes Deer Springs Road needs to be widened before construction begins. 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-36-72** The commenter states that they did not see a landscape plan. The project's Landscape Concept Plan is included as Figure 1-18 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-36-73** The commenter states that 1,446 days of grading would place a burden on the community. The County acknowledges the comment and directs the commenter to **Topical Responses AQ-1 through AQ-3 and NOI-1** regarding construction schedule, air quality and noise impacts associated with construction activity. 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-36-74** The commenter believes that when the mountain tops near the I-15 freeway on Deer Springs Road are cut down, noise will increase in the valley area where their home is located. Operational noise impacts from the project, in particular noise impacts in the valley area, were extensively analyzed in the Draft EIR (see Section 2.10, Noise). 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-36-75** The commenter believes that mountaintop removal from the project would change the existing weather and climate change pattern. The County acknowledges the comment and notes it expresses the opinions of the commentator. The project's impacts on climate change were extensively analyzed in Section 2.7, Greenhouse Gas Emissions, 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-36-76** The commenter asks why Moon Nursery was not studied under the list of cumulative projects, which recently moved across the street from where the nursery was previously located.

As described in Section 1.7, List of Past, Present, and Reasonably Anticipated Future Projects in the Project Area, in the Draft EIR, the CEQA Guidelines state that individual effects may include changes resulting from a single project or a number of separate projects, or the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable future projects. As such, the Draft EIR provided a reasonable range of foreseeable projects generally located in northern San Diego County, encompassing the North County Metropolitan Plan area, Bonsall Community Plan area, Fallbrook Community Plan area, Pala-Pauma Community Plan area, Valley Center Community Plan area, and the City of San Marcos. 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-36-77** The commenter asks why two proposed gas stations, to be located at the I-15 interchange near Meadow Road and Lawrence Welk Road were not studied as cumulative projects. Please refer to RTC I-36-76, above. 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-36-78** The commenter is concerned that a study of interchange redesign plans were not included in the Draft EIR and believes that deferring to CalTrans leads to incomplete information. Please refer to **Topical Response TR-2**, interchange phasing. 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-36-79** The comment asks whether the 5,650 tons of rock crushed, per day, refers to rock crushed per station or in total. As stated on page 2.3-31 in Section 2.3, Air Quality, of the Draft EIR, a maximum daily processing rate of 2,500 cubic yards or 5,650 tons per day per crushing facility was assumed for the emission calculations. Please refer

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- to **Topical Response AQ-1, Blasting Impacts** for more information. 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-36-80** The comment asks whether or not Park #14 will have ball games. As shown in Figure 1-17, P14, Sierra Farms, a ball court is not included in the park's design. 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-36-81** The comment asks whether or not Park 14 will have lighting for ball games or other activities. Please refer to RTC I-36-80, above. In addition, light and glare impacts from the project were extensively analyzed in Section 2.1.3.3, Light and Glare, in 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-36-82** The commenter asks if the Community Building within Park 14 will be open at night. The P14 park will be required to comply with all County requirements related to park uses, including hours of operation. The County acknowledges the comment and notes it raises issues that do not appear to relate to any physical effect on the environment. The comment does not raise any specific issue regarding the 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. No further response is required because the comment does not raise an environmental issue.
- I-36-83** The commenter asks about the hours Park 14 will be open.
- The P14 park will be required to comply with all County requirements related to park uses, including hours of operation. The County acknowledges the comment and notes it raises issues that do not appear to relate to any physical effect on the environment. 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. No further response is required because the comment does not raise an environmental issue.
- I-36-84** The commenter asks whether or not the activities at Park 14 will be similar to the activities at 4<sup>th</sup> of July Park at the Harmony Grove, located in Escondido, which is open to the public and has numerous activities throughout the year. The County acknowledges the comment and notes it raises issues that do not appear to relate to any

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physical effect on the environment. 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. No further response is required because the comment does not raise an environmental issue.

**I-36-85** The commenter asks whether or not eminent domain will be needed for road widening or for utilities, such as water pipes. The County acknowledges the comment and notes it raises issues that do not appear to relate to any physical effect on the environment. 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. No further response is required because the comment does not raise an environmental issue.

**I-36-86** The comment asks whether or not construction will limit access to the commenter's home or their access to mail delivery during construction.

Construction related traffic and access were analyzed in Section 2.13.9.1, Construction Traffic Impact Analysis, of the Draft EIR. Access to mail delivery is not an issue that relates to any physical effect on the environment as analyzed under 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.

**I-36-87** The comment asks whether or not work on Deer Springs Road will be done at night.

As described on page 3.3-35 in Section 3.3, Land Use and Planning of the Draft EIR, The quality of life for residents of the project and nearby residents is a significant consideration in protecting that quality of life is ensuring that noise-generating uses such as traffic and construction are considered in project design. Construction of the project would be conducted in such a way that disturbance to adjacent sensitive receptors is minimized. The County acknowledges the comment and notes it raises issues that do not appear to relate to any physical effect on the environment. 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. No further response is required because the comment does not raise an environmental issue.

**I-36-88** The commenter asks whether or not any construction staging areas will be located near their property. The commenter is concerned that they were not approached by the

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developer about this, and that nearby staging areas will affect their property value and their peace and quiet.

Please refer to **Topical Response NOI-1**. As stated in this response, the Draft EIR also potential noise impacts at construction staging areas within the project site. The Draft EIR determines that project construction noise may exceed the County's noise limit at the nearest existing residential property line 100 feet south of the project site (Draft EIR p. 2.10-18). However, with the implementation of Project Design Features 33 through 38 (required by mitigation measure M-N-6), 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 Leq at the property lines of existing residences, impacts would be less than significant. (Draft EIR pp. 2.10-18, 2.10-33.) 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-36-89** The commenter asks how Deer Springs Road will be accessed during and after road widening and whether or not there will permanently only be right turn access. As stated on page 1-8 in Section 1.0 Project Description of the DEIR, the project Site would have two primary access roads along Deer Springs Road at Mesa Rock Road and Sarver Lane, with an additional access point at Camino Mayor off North Twin Oaks Valley Road. Access to existing parcels will be maintained as required by the County's Grading Ordinance. 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-36-90** The comment asks when the traffic counts were performed. See Appendix A-2 of Appendix R, Traffic Impact Analysis, in the Draft EIR for Intersection and Segment Manual Count Sheets. As outlined in this appendix, traffic counts were performed in April 2015. 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-36-91** The commenter asks whether or not parking will be allowed on Sarver Lane. As discussed in Appendix R, Traffic Impact Analysis, of the Draft EIR, Sarver Lane will be transitioning to a width of 40 feet of pavement, then transitioning to a width of 34 feet with no parking within the Project. The County will include the comment as part



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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-36-92** The commenter asks where the Statement of Reasons is located in the Draft EIR, which is to be circulated for 60 days.

The Statement or Reasons was provided under the “Additional Items.” The County notes the comment does not appear to relate to a physical change to the environment and does not raise an 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 or necessary.

- I-36-93** The commenter asks why the project is not being built on NC—2 land. As discussed in Section 4.3.1, Alternatives Considered but Rejected, of the Draft EIR, The applicant considered alternative locations for the project using the project objectives and feasibility criteria. During the EIR Notice of Preparation process, Golden Door Properties, LLC requested that the EIR address site NC 2-1, which is listed in the General Plan’s Housing Element Inventory for the North County Metropolitan Subregional Plan Area. Although the NC 2-1 site would be located closer to exiting transit infrastructure, it would not feasibly accommodate a similar number or mix of residential units as the project due to its smaller size. Therefore, this site would not provide the range of housing units as the proposed project. Further, developing the project on the NC 2-1 site may result in avoidance of some project impacts, new impacts resulting from noise, air quality, and traffic would likely occur, due to the size of the NC 2-1 site, proximity to existing sensitive land uses, and the capacity of the existing roadways/intersections. Further, development of the NC 2-1 site by the applicant would require purchase of 25 individual parcels with existing residential and agricultural land uses. Therefore, NC 2-1 was rejected as an alternate site location. The County also refers to the commenter to **Responses to Comments O-1-377 through O-1-495** for additional responsive information.

- I-36-94** The commenter states that additional police and firemen will be needed and questions who will pay for them. The comment restates information which received extensive analysis in the Draft EIR (see Section 3.5 Public Services). 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-36-95** The commenter asks is homes and town homes/condos will be 2 or 3 stories. Please refer to Table 1-2, Sierra Town Center, Table 1-3, the Terraces Neighborhood, Table 1-8, the Valley Neighborhood, in Section 1.8.2 of the Draft EIR, for the number of

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stories for the proposed townhomes. Also, impacts to visual character and scenic vistas, including aesthetics impacts from the height of the proposed structures, were extensively analyzed in Section 2.1, Aesthetics. 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-36-96** The commenter asks how lack of school busing would affect VMT. The County acknowledges the comment and notes does not raise issues that appear to relate to a physical effect on the environment under the meaning of CEQA. Both impacts to school and GHGs were extensively analyzed in the Draft EIR (see Section 3.5 Public Services, and Section 2.7, Greenhouse Gas Emissions). 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-36-97** The commenter asks why no noise walls are proposed. The Noise Technical Report for the Draft EIR (Appendix Q) provides recommendations for the use of sound attenuating walls when necessary (where such features are proposed, visual relief would be provided by proposed landscaping), incorporates the noise standards of the City of San Marcos, used the traffic analysis, and assessed potential noise impacts from project development. The project would be consistent with Policies N-1.3 through N-1.5, of the County of San Diego General Plan. Specifically Policy N-1.3 of the General Plan requires the following:

- **Policy N-1.3, Sound Walls.** Discourage the use of noise walls. In areas where the use of noise walls cannot be avoided, evaluate and require where feasible, a combination of walls and earthen berms and require the use of vegetation or other visual screening methods to soften the visual appearance of the wall.

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. No further response is required or necessary.

**I-36-98** The commenter asks why the project is not built on the NC-2 land rather than the project site. See RTC I-36-67. Further, As stated in the Draft EIR, Section 15126.6(a) of the California Environmental Quality Act (CEQA) Guidelines requires that an environmental impact report (EIR) “describe a range of reasonable alternatives to the proposed project, or to the location of the project, that would feasibly attain most of the basic objectives but would avoid or substantially lessen any of the significant environmental effects of the project, and evaluate the comparative merits of the

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alternatives.” Section 15126.6(a) also provides that an EIR need not consider every conceivable alternative to a project. Instead, the EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. However, an EIR need not consider alternatives that are infeasible. There also is no ironclad rule governing the nature or scope of the alternatives to be discussed in an EIR, other than the “rule of reason.” The “rule of reason” governing the range of alternatives specifies that an EIR should only discuss those alternatives necessary to foster meaningful public participation and informed decision-making. 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-36-99** The commenter asks where the replies to the 35 NOP letters are located.

The NOP was circulated to the State Clearinghouse and any agency that requested to be notified. Comments were received from the US Fish and Wildlife Service, Caltrans, California Department of Fish and Wildlife, City of San Marcos, San Marcos Unified School District, Escondido Union High School District, SANDAG, Vallecitos Water District, and North County Transit District. If an agency or member of the public did not comment on the NOP, they can still comment on the Draft EIR. The NOP and letters were included as Appendix A of the Draft EIR; however, specific responses to the NOP are not required to be provided under CEQA.

The County notes the comment does not appear to relate to a physical change to the environment and does not raise an 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 or necessary.

**I-36-100** The commenter believes a new interchange needs to be constructed near Gopher Canyon area to help alleviate traffic from the project. The commenter adds that if both Mesa Rock and Sarver Land egress and ingress onto Deer Springs Road, traffic gridlock will be too large. The County acknowledges the comment and notes it expresses the opinions of the commentator. Further, the comment addresses traffic issues, which received extensive analysis in the Draft EIR (see Section 2.13, Transportation and Traffic) and the project does not have a significant direct impact to Gopher Canyon Road or to the existing I-15/Gopher Canyon Road interchange (refer to the Traffic Impact Analysis Section 10.1.2, Appendix R1 to the EIR). As it relates to the project’s traffic impacts to the I-15 north of Deer Springs Road, please see **Topical Responses TR-1** and **TR-2**.

**I-36-101** The commenter is concerned that the ROW on Deer Springs Road will affect their property. As stated on page 1-8 in Section 1.0 Project Description of the DEIR, the

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- project Site would have two primary access roads along Deer Springs Road at Mesa Rock Road and Sarver Lane, with an additional access point at Camino Mayor off North Twin Oaks Valley Road. Access to existing parcels will be maintained as required by the County's Grading Ordinance. 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-36-102** The commenter is concerned about their private road, Deer Springs Place, which has an easement onto Deer Springs Road and how their ingress and egress will be impacted until road widening is complete. See RTC I-36-101. The County notes the comment does not appear to relate to a physical change to the environment and does not raise an 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 or necessary.
- I-36-103** The commenter is concerned about how the project will affect their mail and UPS delivery. The commenter is also concerned that they were not notified of the proposed ROW on Deer Springs Road, and that how the ROW will impact their property was not easily accessible in the Draft EIR.
- The County acknowledges the comment, and notes it raises issues, such as mail and package delivery, that does not raise an environmental issue within the meaning of CEQA. In regards to ingress/egress, as stated on page 1-8 in Section 1.0 Project Description of the DEIR, the project Site would have two primary access roads along Deer Springs Road at Mesa Rock Road and Sarver Lane, with an additional access point at Camino Mayor off North Twin Oaks Valley Road. See RTC I-36-101. The County notes the comment does not appear to relate to a physical change to the environment and does not raise an 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 or necessary.
- I-36-104** The comment asks why the Fire Evacuation Plan does not discuss routes of existing residents, but only residents of the project. A map of emergency evacuation routes for nearby communities within Bonsall, Valley Center, San Marcos, and Escondido were provided on page 9 in Appendix N-2, Evacuation Plan, 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-36-105** The commenter asks how horse farms would be able to evacuate Twin Oaks Valley, with the addition of residents in Newland Sierra. This type of analysis is not required to

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be included as part of a CEQA document. The project did however extensively analyze the project's impacts on Emergency Response Plans in Section 2.8.3.3, Emergency Response Plans, 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-36-106** The commenter asks why no offsets are incorporated for this carbon neutral project. Please refer to RTC **I-36-45**.
- I-36-107** The commenter is concerned about the compost plant at Park 14, and the impacts the noxious odors from the plant will have on the commenter's health. Impacts resulting from vectors, such as vectors and pests associated with composting activities at Sierra Farms were analyzed in Section 2.8.3.4, Vectors, of the Draft EIR. As discussed in this section, impacts would be 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. No further response is required or necessary.
- I-36-108** The commenter disagrees with the Draft EIR's conclusion that minimal traffic increases will occur at both Sarver Lane and Camino Major. The County acknowledges the comment and notes it expresses the opinions of the commentator but is not supported by evidence presented by the commenter. The comment addresses traffic issues, which received extensive analysis in the Draft EIR, specifically in Section 2.13 Transportation and Traffic. Specific to Sarver Lane, the commenter is referred to **Responses to Comments O-1.16-20** and **O-1.16-21**.
- I-36-109** The commenter is concerned that the project does not include school busing, and how the lack of school buses will add to greenhouse gases. Please refer to **Response to Comment I-36-96**.
- I-36-110** The commenter is asking how silica dust will be remediated. Please refer to **Topical Response AQ-1**. 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-36-111** The commenter is asking is a noise analysis was done for blasting, what the dBA levels were, if there will be noise shielding, and whether or not a blasting map was provided. Please refer to **Topical Response NOI-1**.
- I-36-112** The commenter asks why no sound walls were proposed for the project. The Noise Technical Report for the Draft EIR (Appendix Q) provides recommendations for the use of sound attenuating walls when necessary (where such features are proposed,

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visual relief would be provided by proposed landscaping), incorporates the noise standards of the City of San Marcos, used the traffic analysis, and assessed potential noise impacts from project development. The project would be consistent with Policies N-1.3 through N-1.5, of the County of San Diego General Plan. Specifically Policy N-1.3 of the General Plan requires the following:

- **Policy N-1.3, Sound Walls.** Discourage the use of noise walls. In areas where the use of noise walls cannot be avoided, evaluate and require where feasible, a combination of walls and earthen berms and require the use of vegetation or other visual screening methods to soften the visual appearance of the wall.

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-36-113** The commenter believes that the Draft EIR should have analyzed 6 lanes on Deer Springs Road. 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-36-114** The commenter asks how issues from the project's location in the Very High Wildfire Severity Zone will be mitigated. The project's impacts on Wildfire Hazards were extensively analyzed in Section 2.8.3.1 of the Draft EIR, and mitigation measures M-HZ-1, M-HZ-2, and M-HZ-3 would be implemented to reduce levels 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. No further response is required or necessary.
- I-36-115** The commenter asks why development under the current General Plan was not analyzed in the Draft EIR. Development under the existing General Plan designations is analyzed under the Existing General Plan Alternative to the Project in Section 4.5.5 of the Draft EIR. Compared with the Project, Section 4.5.5 has determined that the Existing General Plan Alternative would actually result in greater significant impacts to Transportation and Traffic, Biological Resources, Cultural Resources, Aesthetics and Mineral Resources compared to the project (Draft EIR, p. 4-24). 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-36-116** The comment asks why the developer did not present to sponsor groups after release of the Draft EIR. The County acknowledges the comment and notes it raises 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-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

**I-36-117** The commenter is concerned that the traffic counts done are too outdated and that a more current traffic study is needed.

The County does not concur with the comment and notes the comment expresses the commenter's opinion. Average daily traffic (ADT) volumes were derived from traffic counts conducted by LLG during April 2015 for all segments except Sycamore Avenue and Twin Oaks Valley Road between SR 78 and Barnham Drive, where counts were conducted in September 2014 and December 2015, respectively. AM and PM peak hour volumes were also recorded. These counts occurred while school was in session. The project study area was determined using the San Diego County criteria, which require an analysis of all transportation facilities that would receive 25 or more peak hour trips from the proposed project. The 25 peak-hour trip threshold is based on the combined two-way (i.e., both directions, two-way peak hour total) traffic volume of the roadway segment for either the AM or PM peak period. As such, traffic was extensively analyzed and no additional study is needed.

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-36-118** The commenter asks whether or not the traffic counts were done near or close to school vacations. If so, the commenter believes that this is not an accurate count. Please see **Response to Comment I-36-118** above.

**I-36-119** The commenter states that damages to their home from blasting was not analyzed in the Draft EIR. Please refer to Topical Response NOI-1, Construction and Blasting Noise). As discussed in this section, the Draft EIR evaluates vibration and airblast/air overpressure impacts from blasting based on guides prepared by the U.S. Bureau of Mines. The Draft EIR concludes that, although "[w]hen explosive charges detonate in rock, almost all of the available energy from the explosion is used in breaking and displacing the rock mass," and that modern blasting practices mean "air-blast overpressure" rarely reaches damaging levels; there is a risk air-blast overpressure levels can reach levels that could feasibly cause some damage to nearby structures. (Draft EIR, p. 2.10-22.) . The County will include the comment as part of the Final

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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-39-120** The commenter asks how many more people the project would add to the area. As discussed in Section 1.8, using the 2020 projection as a conservative household rate, the project Site, if developed under the existing land use designations, which allows for 99 dwelling units, would yield approximately 281 people. Under the proposed land use designations and the Specific Plan, approximately 6,063 people would be introduced to the area, approximately 5,782 people more than under existing land use designations. Therefore, the proposed project would increase population to the area by 5,782 people and exceed the planned population growth allowed under the General Plan and Subregional Plans. As such, as discussed in Section 2.12, Population and Housing, of the Draft EIR, impacts to population and housing would be significant and unavoidable. 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-36-121** The commenter asks whether or not there will be road improvements at North Twin Oaks Valley Road and removal of hairpin turns at North Twin Oaks Valley Road and Camino Mayor. The project would not result in significant impacts to N. Twin Oaks Valley Road, the road would continue to operate at an acceptable Level of Service with project and cumulative project traffic, and, therefore, the project is not required to improve the road. As it relates to the road conditions along N. Twin Oaks Valley Road and its intersection with Camino Mayor, please see **Responses to Comments I-405-55** through **I-405-59**.
- I-36-122** The commenter is concerned that, with implementation of the proposed project, there will not be enough water without conservation, for the existing VWD customers. Please refer to Topical Response UTL-1 (Water Shortage/Drought). 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-36-123** The commenter asks what the correct date is on page 4-3 of the Dexter Wilson, Inc. Master Plan of Sewer (Appendix W of the Draft EIR). The text includes a date of Oct 28, 2106. The correct date is Oct 28, 2016. 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-36-124** The commenter references the Newland Sierra Offsite Water & Sewer Final Study, Final Technical Memorandum (Appendix X of the Draft EIR), and asks about the growth factors mentioned on page 38 and 39 of the study. The commenter asks how



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these factors will ensure adequate water is available for the project and for current residents of the Vallecitos Water District.

Please refer to Topical Response UTL-1 (Water Shortage/Drought) and GR-UTL-2 (Reduction in Water Consumption for Existing Residents). The Newland Sierra Offsite Water & Sewer Final Study, Final Technical Memorandum states that the ability to provide water and sewer service in the future depends upon ultimate built-out of the Project and could change depending upon the timing of the build-out, as well as annexations and build-outs of other development projects, continued reliable water supplies from the San Diego County Water Authority, the District's treatment capacity at the EWPCF, and other factors affecting growth in the District which may change over time. 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-36-125** The commenter asks how adequate water will be available to this project without conservation. Please refer to Topical Response UTL-2 (Reduction in Water Consumption for Existing Residents). 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-36-126** The comment questions how the Draft EIR concluded that 5,040 ADT per day will be added to Sarver Lane. The comment incorrectly states that 5,040 ADT will be added per day at Sarver Lane. As described in Table 13-2, on page 178 of the Traffic Impact Analysis (Appendix R1 of the EIR), ADT to Sarver Lane would be 4,600 from Mesa Rock Road to Sierra Valley and 6,300 from Sierra Valley to Deer Springs Road. As described on page 16 of the Traffic Impact Analysis, ADT volumes were derived from traffic counts conducted by LLG during April 2015 for all segments except Sycamore Avenue, where counts were conducted in September 2014. 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-36-127** The commenter believes 320 ADT is very low for Camino Major, with implementation of the project. The commenter is asking how this road will be used (i.e., emergency access, regular road, etc). Please see **Responses to Comments I-405-8** and **I-405-16**.
- I-36-128** The comment is asking whether or not easement rights exist on Camino Major.

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It is assumed that the commenter meant to say Camino Mayor. Please see **I-X-(Walker/Morris)**. The comment does not relate to a physical change to the environment; thus, it does not raise an issue within the meaning of CEQA.

- I-36-129** The commenter believes that the roads are designed for minimum standards for health and safety and that they should be built to the largest size possible.

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 comment references general issues that received extensive analysis in the EIR, specifically in Section 2.13.9.6, Traffic Hazard Analysis. 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-36-130** The commenter is asking where the staging areas will be during construction, and expresses concern that these areas will abut the commenters' property. As discussed on page 2.10-18, in Section 2.10.3.2 of the Draft EIR, 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. For further details see Topical Response NOI-1, Construction and Blasting Noise. 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-36-131** The comment expresses concern regarding glare reflecting onto their property. The comment addresses general subject areas, which received extensive analysis in the Draft EIR (see Section 2.1.3.3, Light and Glare in Section 2.1, Aesthetics). 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-36-132** The comment asks about the hours of construction.

As discussed on page 2.10-18 in Section 2.10.3.2, Project-Generated Airborne Noise, of the Draft EIR, the County's Guidelines for Determining Significance – Noise (County of San Diego 2009b) applies to the direct, indirect, and cumulative impact analysis. Construction noise. As stated in Section 36.409 of the County's Guidelines, except for emergency work, it shall be unlawful for any person to operate construction equipment or cause construction equipment to be operated, that exceeds an average sound level of 75 decibels for an eight-hour period, between 7 a.m. and 7

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p.m., when measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is being received. 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-36-133** The commenter asks if construction will be allowed during off hours and on Sundays. Please Refer to RTC I-36-132, above. 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-36-134** The comment asks whether or not there will be a right turn only option for the current residents that use Deer Springs Road. The comment 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 or necessary.

**I-36-135** The commenter is concerned about who will pay for additional schools and policemen.

The comment addresses general subject areas, which received extensive analysis in the Draft EIR (see Section 3.5, Public Services) 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. No further response is required or necessary.

**I-36-136** The commenter asks when the traffic counts for Deer Springs Road were performed. As stated in Appendix A-2 of Appendix R, Traffic Impact Analysis, of the Draft EIR, traffic counts at Deer Springs Road were performed on April 16, 2015.

**I-36-137** The commenter references the Vallecitos Water letter that states facilities are not reasonably expected to be available within the next 5 years, based on the capacity facilities plan of the district. The comment asks how the project will then have sufficient water and sewer capacity. See Topical Response UTL-1, Water Shortage/Drought. 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-36-138** The comment states that the Agricultural Resources Technical report references an attached study, and that the study was not included in the Draft EIR.

The County believes the comment is in reference to the Caltrans Project Study Report, which is the only references Study in the Agricultural Technical Report (Appendix F of the Draft EIR). The Project Study Report is underway with the

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California Department of Transportation (Caltrans) to study alternatives for improving the I-15/Deer Springs Road interchange. The Caltrans interchange improvements, and whether the existing park-and-ride lots are expanded, reconfigured, and/or enhanced to support transportation alternatives (e.g., ride-share, car-share, and transit), are the subject of a separate environmental review and Caltrans approval process, subject to the California Environmental Quality Act (CEQA) and the National Environmental Policy Act and under the purview of Caltrans, acting in its capacity as the lead Agency. 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-36-139** The commenter states that there are a lot of acreages listed in Appendix A and that an explanation as to where they are or who they belong to is not included. The County acknowledges the comment and notes it does not appear to relate to any physical effect on the environment. Appendix A includes the Notice of Preparation (NOP), NOP notice, as well as comment letters and the acreages listed throughout received further and extensive explanation in 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 because the comment does not raise an environmental issue.

**I-36-140** The commenter states that the Camino Mayor Alternative Routes 1&2 are in a different location than the Camino Mayor proposed alignment. The commenter adds that the organization of the EIR is difficult to follow.

Regarding the alignment of the Camino Mayor Alternatives Routes 1 and 2, the County acknowledges the apparent inconsistencies. The proposed alignment for Camino Mayor has been studied as the proposed project in the Draft EIR, and the alternative alignments were studied in Appendix D, Camino Mayor Alternative Alignment.

In regards to the organization of the EIR, the County acknowledges the comment and notes it expresses the opinions of the comment, 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-36-141 The commenter asks if any golden eagles were seen on the project site and provides a personal anecdote from 2009, when they saw one. As discussed on page 2.4-63 and 2.4-64 in Section 2.4, Biological Resources, of the Draft EIR, Although

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the project Site contains a historic nest site for golden eagles (as described in PSBS 2007), no golden eagles were reported by PSBS (2007) or others in this region for many years. There are no records of golden eagle on Site in the CNDDDB (CDFW 2014c), and the closest species occurrences are of a male eagle approximately 4.5 miles to the east in 2015/2016, and another approximately 8 miles northeast in 1991 (nest located) and 2000 (adult and young flying over) (CDFW 2014c). Additionally, the project Site is primarily composed of dense chaparral vegetation, in which eagles cannot efficiently conduct foraging activities. Impacts would be **less than significant** and no mitigation 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. No further response is required or necessary.

- I-36-142** The commenter asks why the project would use fly chemicals to deter flies rather than using biological fly larvae/pupae.

The County notes the comment asks a question 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.

- I-36-143** The comment states that there is no MSCP Plan.

The County acknowledges the comments. 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. See **Topical Response BIO-1**. 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-36-144** The comment states that there is no hardline agreement.

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. See **Topical Response BIO-1**. The County will include the comment as

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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-36-145** The comment states that there is no signoff with the wildlife agencies, including Fish and Game.

The County acknowledges the comment and notes that it provides background information and restates information in the Draft EIR. The County refers the commenter to **Topical Response BIO-1**. 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-36-146** The comment states that there is no Climate Action Plan and the commenter asks how the County can approve this project without one.

The County acknowledges the comment and refers the commenter to **Response to Comment O-1-142**, and **Topical Response GHG-3**.

- I-36-147** The comment states that Deer Springs Road should be widened to 6 lanes, not 4 lanes, and land needs to be taken from both sides of the roadway.

The comment expresses the opinion of the commenter, and addresses traffic issues, which received extensive analysis in the Draft EIR, specifically in Section 2.13 Transportation and Traffic. 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-36-148** The commenter asks where the Statements of Reason are for the 650 acres that are classified as MRZ-2 lands.

The County refers the commenter to Response to Comment I-36-92, above. 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-36-149** The commenter asks if there is going to be a golf course on site and states that Appendix C, Greenhouse Gas refers to a 1,210 acre golf course.

The County acknowledges the comment. The 1,210-acres of “golf course” correspond to the 1,209 acres of open space preserve which are proposed to remain natural open space as part of the proposed project. The County will include the comment as part of

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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-36-150** The comment states that there is no guarantee that people will use any of the ride sharing options referred to in the DEIR and therefore the project should not rely on these options as mitigation to GHG or VMT.

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.

Nonetheless, the County refers the commenter to PDF-20 of the TDM, which requires a Transportation Demand Management Plan Program Coordinator to oversee the TDM program and ensure the anticipated reductions are being realized.

- I-36-151** The comment states that the project is paying the Fire District 100% over their maximum obligation of fire fees to make the issue of fire “go away” and so the Fire District would approve the plan. The comment also states that the project can recoup all Fire Mitigation Fees and put the burden on the homebuyers.

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.

The County acknowledges further notes that comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment.

- I-36-152** The comment asks about the references to a roundabout and requests more information be provided about this.

As it relates to the references to roundabouts, in response to the Twin Oaks Valley Sponsor Group’s request that the County consider a roundabout at Buena Creek Road/Monte Vista Drive intersection, this EIR identifies two mitigation options for this intersection, a conventional signalized intersection and a roundabout. Both mitigation options mitigate the project’s impacts 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-36-153** The commenter asks why the Geotechnical Boring Log is from 10/26/2007 and if it is still relevant. The comment states that this and other studies must be from the rejected Mirriam Mountains project.

The information is relevant as the Geotechnical Report has been updated and previous materials were reviewed to confirm their applicability. The 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-36-154** The comment states that the Water Availability Notice says that water is not available in the next 5 years.

The comment restates information contained in the Draft EIR and does not raise an environmental issue within the meaning of CEQA. Regarding the proposed projects impacts to water supply, the DEIR analyzes water supply in Section 2.14.1, Water Supply and Service. The proposed project would increase overall demand for potable water; however, the DEIR compares the planned water usage for the project Site with the estimated water demand based on the proposed project land uses and water conservation measures and concludes the impacts to water supplies would be less than significant. For additional information on water supply impacts, please refer to **Topical Response UTL-1**. 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-36-155** The comment states that VWD Project Facilities states that sewer facilities would not be expected to be available within the next 5 years. The commenter also asks where will the sewerage go and if the project will have its own water treatment plant.

As described in Section 2.14, Utilities and Service Systems, according to the Vallecitos Water District Project Facility Availability dated November 7, 2016, the Vallecitos Water District does not have adequate capacity to service the future needs of the proposed project based solely on Vallecitos Water District's capital facility plans. However, as demonstrated by the Vallecitos Water District Offsite Water and Sewer Study (included as Appendix X to this EIR), specific improvements required to serve the project have been identified but are not contained in the capital facility plans; construction of these facilities would ensure the Vallecitos Water District could provide service to the proposed project and the impacts resulting from the construction of these facilities have been disclosed throughout this EIR. Impacts to wastewater infrastructure was determined to be less than significant. The County will



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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-36-156** The commenter asks who will be maintaining the Public and Private Parks.

As explained in the updated Specific Plan, Appendix C of the Draft EIR, Section 4.4.2:

“The public facilities and services required to support the Community will be available and financed as needed using various sources and methods of public and private financing. Table 13, Maintenance Financing Mechanisms and Responsible Parties, summarizes on-Site and off-Site services required to be available at the time of need, as well as a description of the recommended financing options(s) for their implementation. The recommended financing mechanisms are provided as guidelines and should not be considered as final recommendations. Actual implementation of a specific financing mechanism will be accomplished pursuant to proceedings as established by special districts, the County of San Diego, and relevant state and federal laws.”

As excerpted below, the last two rows of Table 13 note that the County of San Diego would maintain Public Parks while the HOA would maintain Private Parks. 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.

**Table 13**  
**Public Facilities Maintenance and Public Services Financing Mechanisms and Responsible Parties**

Public Facility or Service	Financing Mechanism(s)	Responsible Party
Public Parks	HOA Dues or Maintenance CFD	County
Private Parks, Rec. Facilities, and Trails	HOA Dues	HOA

SW = stormwater; HOA = homeowner's association; VWD = Vallecitos Water District; SMUSD = San Marcos Unified School District EUSD = Escondido Union School District; EUHSD = Escondido Union High School District; CFD = Community Facilities District

\* Fire service to the Sierra Farms Park will be provided by San Marcos Fire Department.

**I-36-157** The commenter asks why there is a total of 173 properties that will need heat deflective walls.

The County does not concur with the comment that 173 properties will have heat deflecting walls. Figure 7-1 of Appendix N-1, Fire Protection Plan, shows that only 3 residences will require heat-deflecting walls. As stated in Appendix N-1, “there are

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up to 170 lots that cannot provide a full 30 feet of setback from top of slope for two story homes (Figure 7-1). *Some of these lots* are adjacent to internal slopes and as those slopes may be landscaped and maintained absent of native fuels, they *will not be provided heat deflecting walls.*” (pg. 69) (*emphases added*).

**I-36-158** The commenter asks how the project will help the “affordable housing” issue.

The proposed project does not preclude the future development of affordable housing units. The 762 multi-family townhome and row townhomes style units and 173 cluster units and 325 age-qualified units could be considered viable affordable housing types. 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-36-159** The commenter asks if the DEIR will have to be recirculated as the DEIR states that the school would be a Charter School. The commenter states that the school will now be a regular school but the project is still in negotiations with the School District.

As stated in Section 3.5 Public Services on page 3.5-17, the project has reserved a 6-acre site for a school. There is no mention of the school being a charter school and language discussing the school site have been consistent throughout the DEIR. Therefore would not require recirculation of the DEIR. 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-36-160** The commenter states that the Water Facilities Availability states that facilities to serve the project are not reasonably expected to be available within the next 5 years. The commenter asks where the water for this project will come from for the project and its associated park and construction activities.

Regarding the proposed projects impacts to water supply, the DEIR analyzes water supply in Section 2.14.1, Water Supply and Service. The proposed project would increase overall demand for potable water; however, the DEIR compares the planned water usage for the project Site with the estimated water demand based on the proposed project land uses and water conservation measures and concludes the impacts to water supplies would be less than significant. For additional information on water supply impacts, please refer to **Topical Response ULT-1**. 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-36-161** The comment states that there are several County of San Diego policies regarding siting of development next to mineral resource extraction areas and asks why the project is sited here.

The County notes the comment provides factual background information 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.

- I-36-162** The comment states that pile driving involved in building the Town Center would result in noise impacts to the nearby elderly living at the Deer Springs Oaks Mobile Home Park and the school site.

The County does not concur with the comment. The comment addresses general subject areas, Noise, which received extensive analysis in the Draft EIR, specifically pg. 2.10.22. As concluded therein, “Based on duration and distance, impulsive noise levels are anticipated to be below the County’s 82 dBA threshold. Thus, impacts would be **less than significant**.”

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-36-163** The commenter asks if a roundabout will be built at Sarver Lane.

There is no reference to a roundabout planned for Sarver Lane. As it relates to other references to roundabouts, in response to the Twin Oaks Valley Sponsor Group’s request that the County consider a roundabout at Buena Creek Road/Monte Vista Drive intersection, this EIR identifies two mitigation options for this intersection, a conventional signalized intersection and a roundabout. Both mitigation options mitigate the project’s impacts 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.

- I-36-164** The commenter states that traffic mitigation measures such as shared bike, park and ride, transit subsidies, and car share will not work and therefore impact results for VMT are not accurate.

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

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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-36-165** The comment states that Impact N-7 mentions damage to nearby structures can be potentially significant and asks what measures are going to be employed if damages occur to current residents of Twin Oaks.

The County acknowledges the comment and refers the reader to Mitigation Measure M-N-5, which requires the following (DEIR, pg. 2.10-32):

**M-N-5** Prior to approval of the grading permit for any portion of the proposed project, the project applicant or the designated contractor shall prepare, or cause to be prepared, a blast drilling and monitoring plan. The plan shall include estimates of the drill noise levels, maximum noise levels ( $L_{max}$ ), air-blast overpressure levels, and groundborne vibration levels at each residential property line within 1,000 feet of the blasting location, and shall be submitted to the County of San Diego (County) for review prior to the first blast. Blasting shall not commence until the County has approved the blast plan. Where potential exceedances of the County's Noise Ordinance are identified, the blast drilling and monitoring plan shall identify mitigation measures shown to effectively reduce noise and vibration levels (e.g., altering orientation of blast progression, increased delay between charge detonations, presplitting) to be implemented to comply with the noise level limits of the County's Noise Ordinance, Sections 36.409 and 36.410, and the vibration-level limits of 1 inch per second peak particle velocity. The identified mitigation measures shall be implemented by the applicant or its designee prior to the issuance of the grading permit. Additionally, all project phases involving blasting shall conform to the following requirements:

- All blasting shall be performed by a blast contractor and blasting personnel licensed to operate in the County.
- Each blast shall be monitored and recorded with an air-blast overpressure monitor and groundborne vibration accelerometer that is located outside the closest residence to the blast and is approved by the County.

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- Blasting shall not exceed 1 inch per second peak particle velocity at the nearest occupied residence, in accordance with County of San Diego's Noise Guidelines, Section 4.3 (County of San Diego 2009a).

As concluded on pg. 2.10-36 of the Draft EIR:

“It is feasible that some damage to nearby structures may occur due to blasting activities (Impact N-7 and N-9). M-N-5 would require a blast drilling and monitoring plan to identify mitigation measures shown to effectively reduce noise and vibration levels (e.g., altering orientation of blast progression, increased delay between charge detonations, presplitting), and implementation of those measures to comply with the noise level limits of the County's Noise Ordinance, Sections 36.409 and 36.410, and the vibration-level limits of 1 inch per second PPV. Therefore, with implementation of M-N-5, impacts from blasting (Impact N-7 and N-9) would be **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.

- I-36-166** The commenter asks if there will be any nighttime activities on the jobsites such as construction equipment upkeep, etc.

The proposed project would be required to comply with the County of San Diego Noise Ordinance, which establishes Sound Level Limits for daytime and nighttime activities. The Noise Ordinance, as stated on pg. 2.10-6 of the DEIR, states:

### Section 36.408

Except for emergency work, it shall be unlawful for any person to operate or cause to be operated, construction equipment:

- (a) Between 7 p.m. and 7 a.m.
- (b) On a Sunday or a holiday. For purposes of this section, a holiday means January 1st, the last Monday in May, July 4th, the first Monday in September, the fourth Thursday in November and December 25th. A person may, however, operate construction equipment on a Sunday or holiday between the hours of 10 a.m. and 5 p.m. at the person's residence or for the purpose of constructing a residence for himself or herself, provided that the operation of construction equipment is not

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carried out for financial consideration or other consideration of any kind and does not violate the limitations in sections 36.409 and 36.410.

- I-36-167** Commenter asks how the demolition of the 4 homes on Sarver Lane will be conducted and states concern over whether there was any lead, asbestos, or pesticides found on the properties.

The demolition of existing structures on Starver Lane and the potential for hazardous materials to be present have been analyzed in Section 2.8, Hazards and Hazardous Materials. Specifically, this potential impact would be mitigated with the completion of a hazardous building material survey (M-HZ-5) which is described on page 2.8-36. 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-36-168** The comment states that the Population and Housing tables from 2012 seem very outdated.

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-36-169** The commenter asks who will be paying for the new water tanks.

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

- I-36-170** The commenter asks what kind of water (grey water, recycled water, or potable water) would be used during the construction phase for dust remediation.

Construction water will be provided by the grading contractor. It is anticipated construction water would be potable water; however, the County notes that the proposed project would comply with all requirements to ensure BMPs are implemented during grading and construction. The comment does not raise any specific issue regarding the analysis in the Draft EIR and, therefore, no more specific response can be provided or is required. The County will include the comment as part

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of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

**I-36-171** The commenter asks how much water will be used during the construction phase.

The amount of construction water used is too speculative as the precise number of days of grading, amount of rain during grading operations, acres of grading each day and other factors such as amount of wind are not possible to determine. 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-36-172** The comment states that the Section 2.14, specifically page 2.14-58, states there are two locations where on-site easements would be dedicated to VWD to maintain gravity flow and asks where are these two locations in the DEIR.

The County acknowledges the comment and refers the commenter to Appendix W, Master Plan of Sewer, Figure 4-2, which shows the connections between the Hillside and Valley neighborhoods, and the Knoll and Valley neighborhoods.

**I-36-173** The commenter asks if there is adequate sewage capacity.

Wastewater production is analyzed in detail in Section 2.14, Utilities of the Draft EIR. As described in 2.14.2.4, Wastewater Analysis, Vallecitos Water District has the capacity to treat the projected average daily flow (0.54 mgd) and the projected peak wet-weather flow anticipated to be generated by the proposed project (1.57 mgd). The DEIR concludes that impacts related to wastewater would be 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.

**I-36-174** The commenter asks how a mitigation bank in Ramona would help the displaced animals in the project area.

As described in Section 2.4, Biological Resources, 2.4.12.4, Wildlife Movement and Nursery Sites, the off-site open space located in Ramona within the draft North County MSCP area provides a 211.8-acre block of continuous habitat situated between segments of the Cleveland National Forest and San Diego County Parks land. The off-site mitigation area in Ramona would aide in the connection of segments of the Cleveland National Forest and San Diego Parks, and provide protection for continued use by a variety of wildlife. 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-36-175** The commenter asks if a Community Facilities District (CFD) / Mello Roos be needed for fire fees, roads, schools, etc.?

As explained in the updated Specific Plan, Appendix C of the Draft EIR, Section 4.4.2:

“The public facilities and services required to support the Community will be available and financed as needed using various sources and methods of public and private financing. Table 13, Maintenance Financing Mechanisms and Responsible Parties, summarizes on-Site and off-Site services required to be available at the time of need, as well as a description of the recommended financing options(s) for their implementation. The recommended financing mechanisms are provided as guidelines and should not be considered as final recommendations. Actual implementation of a specific financing mechanism will be accomplished pursuant to proceedings as established by special districts, the County of San Diego, and relevant state and federal laws.”

As excerpted in Table 13, CFDs will be utilized to finance on-site parkways, medians, swales, pathways, new off-site storm drain and water quality detention basin improvements, on-site drainage/stormwater management, preserve areas, and public parks. 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.

**Table 13**  
**Public Facilities Maintenance and Public Services Financing Mechanisms and Responsible Parties**

Public Facility or Service	Financing Mechanism(s)	Responsible Party
Parkways, Medians, Swales, Pathways (On-Site)	HOA Dues/Maintenance CFD	HOA/County
New Storm Drain & Water Quality/Detention Basin Improvements (Off-Site)	Maintenance CFD	County
Drainage/SW Management (On-Site)-Cat. III	Maintenance CFD	County
Preserve Areas	Endowment or Maintenance CFD	Preserve Manager
Public Parks	HOA Dues or Maintenance CFD	County



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- I-36-176** The comment states that Transportation and Traffic Policy M-10.3 says to maximize on street parking. The commenter states that there should be no on street parking for safety reasons especially if there was a fire and mass evacuation was necessary.

This comment is identifying a County of San Diego General Plan Mobility Element Policy and does not appear to relate to the environmental analysis of the EIR. Regarding emergency evacuations, the County notes that there is no parking on the main process access roads, Mesa Rock Road and Sarver Lane. For additional information on evacuation, please see **Topical Response HAZ-1**. 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-36-177** The comment states that County of San Diego General Plan Mobility Element Policy M-10.4 Shared Parking should not be acceptable.

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-36-178** The commenter asks why some mitigation measures are going to happen before the 58<sup>th</sup> dwelling unit is built before Deer Springs Road is widened. The comment states that Deer Springs Road should be widened before any homes are built because construction traffic will cause major gridlock.

The County notes the requirement for the improvements on Deer Springs Road are related to when the proposed Project would trigger an impact, i.e., the proposed project would result in an impact with occupancy of the 58<sup>th</sup> EDU; therefore, to avoid the potential impact, the improvements must be completed prior to the issuance of the certificate of occupancy for the 58<sup>th</sup> EDU.

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-36-179** The commenter asks where the 60 day public review for the 60 acres that are classified as MRZ-2 lands.

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The County acknowledges the comment and notes that it does not raise an issue within the meaning of CEQA. The County clarifies the 60-day public review period applied to the proposed project, not only the area classified as MRZ-2. The 60-day period is required for the Statement of Reasons in accordance with SAMRA. 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-36-180** The commenter asks why there are no sound attenuation walls either during construction or at buildout for current residents of Deer Springs Road on their driveways like the previous Merriam Mountains project had proposed.

The comment addresses potential noise impacts, which received extensive analysis in the Draft EIR. The Noise Technical Report for the project prepared by Dudek (Appendix Q to the EIR) provides recommendations for the use of sound attenuating walls when necessary (where such features are proposed, visual relief would be provided by proposed landscaping), incorporates the noise standards of the City of San Marcos, used the traffic analysis, and assessed potential noise impacts from project development. 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-36-181** The comment states that PM4 crystalline silica emissions are approximately 5:5 of the PM 10 emissions or 2.8 lbs. per day, from page 102 of the air quality appendix.

The comment restates information contained in the Draft EIR 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 or necessary.

- I-36-182** The commenter asks if there is a cancer risk by the school, why put the school there. The comment also states that there will be no playground or benches at the school and construction staging areas will be located away from noise sensitive land uses.

As described in Section 2.8, Hazards and Hazardous Materials on page 2.8-23, direct impacts to human health and the environment from accidental spills of small amounts of hazardous materials from construction activities would potentially occur. However, compliance with federal, state, and local regulations, including the California Division of Occupational Safety and Health and the San Diego County Department of Environmental Health requirements that provide safety and control measures for

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those materials handled on-site, would ensure that potentially significant impacts would not occur.

As to project operation, the proposed land uses do not typically handle large quantities of hazardous materials. Potential hazardous materials present during operation would be limited to commercially available products, oils, and pesticides. Although a portion of the project Site would be within 0.25 mile of the proposed school, the quantities and type of hazardous materials handled during operation would be minimal and would not present substantial potential for adverse effects.

Further, while the proposed school site is located approximately 1,200 feet from the off-site ARCO gas station, the potential for contaminated soils within the project Site resulting from the ARCO station do not pose a risk to human health. Further, a Health Risk Assessment, which analyzes potential for toxic air contaminants impacts to the proposed school resulting from operation of the ARCO station, concluded that risks to human health at the school would be below significance thresholds (refer to Section 2.3, Air Quality, and Appendix G). 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-36-183** The comment states that they are within 200 feet of the Park #14 and abut the park. The commenter asks if a vibration monitoring plan will be submitted on their property.

As described in Section 2.10, Noise, 2.10.6.3 Groundborne Vibration, in accordance with M-N-8, prior to beginning construction of any project component within 200 feet of an existing or future occupied residence, the project applicant or its designee shall require preparation of a vibration monitoring plan for submittal to the County of San Diego (County) noise control officer for review and approval. At a minimum, the vibration monitoring plan shall require data be sent to the County noise control officer or designee on a weekly basis or more frequently as determined by the noise control officer. The vibration monitoring plan shall be prepared and administered by a County-approved noise consultant. In addition to the data described previously, the vibration monitoring plan shall include the location of vibration monitors, the vibration instrumentation used, a data acquisition and retention plan, and exceedance notification and reporting procedures. 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-36-184** The commenter asks how the blasting can be less than significant with mitigation.

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The comment addresses general subject areas, which received extensive analysis in Section 2.10.3.2 and 2.10.3.3 of 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.

- I-36-185** The comment states that the Noise Study reference to 620 Deer Springs Road is stated as a residence when it is not a residence. The comment states that it is a Newland owned property where a nursery was demolished without a Demolition Permit.

The County acknowledges the comment and notes the zoning for the property in question is residential. Regarding the remainder of the comment, the County notes the comment does not relate to the proposed project and does not raise an issue within the meaning of CEQA.

- I-36-186** The comment states that asbestos, lead, and pesticides were found in the soil due to a nursery being on site for many years. The commenter describes the asbestos and lead abatement that was done before demolition but states that they have no confidence that remediation will be done better for this project and that the developer lied about doing everything “to the letter of the law.”

The County notes the comment does not relate to the proposed project and does not raise an issue within the meaning of CEQA. The County refers the comment to mitigation of hazardous materials impacts, specifically Section 2.8.6, for M-HZ-4 and M-HZ-5 for measures pertaining to asbestos, lead-based paint and pesticides.

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-36-187** The comment states that according to the Vector Management methods, trash and garbage will be stored in tight lid containers until off ground disposal is possible. The commenter asks where trash and garbage will be stored until then.

The location of such containers will be determined at the Site Plan stage. The design of the Site Plan will be required to comply with all applicable County requirements and standards related to siting and setbacks.

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The comment does not raise any specific issue regarding that the analysis in the Draft EIR 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-36-188** The commenter asks, regarding pesticides, why the project is going to use Py-Tech or Sybneda products and not a natural “fly predator” product.

The comment restates information in the Draft EIR. The comment does not raise any specific inadequacy regarding the 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-36-189** The commenter asks why the corrals will only be cleaned weekly and asserts that they should be cleaned daily like any equestrian facility is cleaned.

The comment addresses general subject areas, 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.

- I-36-190** The commenter asks where the Deer Springs Fire Evacuation Plan is located.

The commenter is referred to Appendix N-2, Wildland Fire Evacuation Plan.

- I-36-191** The commenter asks how the Fire Response time is down to 5 minutes now when the old Merriam Mountains project was 7 minutes with a new fire station on site.

The comment addresses general subject areas, wildfire evacuation, which received extensive analysis in Section 2.8, Hazards and Hazardous Materials, of 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.

Nonetheless, the County notes that the proposed project would be on a smaller footprint, proposes approximately 600 fewer units and would provide for a more direct access to the project Site on Mesa Rock Road rather than pioneering a new “Merriam Mountains Parkway” to provide access from existing Deer Springs FPD Station #12.

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**I-36-192** The commenter asks if there is a current Water Supply Assessment for the project, noting the only letter is dated June 5, 2014.

The most recent Water Supply Assessment is located in Appendix S of the EIR. For additional information on the water supply assessment, please refer to **Topical Response UTL-1**.

**I-36-193** The comment states that the project property is entirely in a Very High Wildfire Severity Zone.

The comment restates information contained in the Draft EIR and does not raise an environmental issue within the meaning of CEQA. For additional information regarding wildfire and evacuation, please refer to **Topical Response HAZ-1**. 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-36-194** The commenter asks if existing residents will be required to hook up to sewer.

The County acknowledges the comment and notes it raises 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-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

**I-36-195** The commenter asks if existing residents' access ingress and egress to their property change and will the easement road Deer Springs Place need to be vacated.

Access to existing parcels will be maintained as required by the County's Grading Ordinance. The County acknowledges the comment and notes it raises an issue that does 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-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

**I-36-196** The commenter asks if existing residents will become part of any Mello Roos or Community Facilities District.

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-makers prior to a final decision on the project. No

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further response is required because the comment does not raise an environmental issue.

- I-36-197** The commenter asks how any of the neighborhoods in the project be directed to use Camino Mayor or the Camino Mayor Alternative.

Please refer to **Response to Comment O-1.13-4**. 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-36-198** The comment states that they would never heard the term “Shelter in Place” again.

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-36-199** The comment states that there is no mention of how the current Twin Oaks Residents and their numerous horse trailers and animals would evacuate along with the new residents of Newland Sierra.

Please refer to **Response to Comment O-1.13-15**. 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-36-200** The commenter asks why the project is relying on Deer Springs Fire Safe Council for fire education.

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 because the comment does not raise an environmental issue.

- I-36-201** The commenter asks why the County buried the ROW info for Deer Springs Road and Twin Oaks Valley Road residents in an 8,000+ page document under Additional Items and asks why there has been no community outreach.

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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 because the comment does not raise an environmental issue.

- I-36-202** The comment states that the Site Vegetation map (Figure 4) of the Fire Protection Plan for Sierra Farms Park #14 states that the Clubhouse could be used for Community or Private events. The commenter asks what that means.

The County acknowledges the comment and notes it raises an issue that does 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-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

- I-36-203** The comment states that the Fire Protection Plan states the use of the Community Building for a private event could generate up to 260 visits once a month or 3,120 visitors per year, with weekends generating up to 24,960 visitors per year. The commenter asks how they can enjoy a quiet lifestyle with these activities being open to the public for private events and does not think this should be allowed.

The County acknowledges the comment and notes it raises an issue that does 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-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

- I-36-204** The comment states that the Fire Protection Plan also states the Community Building could be a high occupancy building when used for private or public events.

The comment restates information contained in the Draft EIR 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 or necessary.

- I-36-205** The commenter asks where the Newland Sierra Master Planned Community Evacuation Plan is located.

The County refers the commenter to Appendix N-2, Wildland Fire Evacuation Plan.



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**I-36-206** The commenter asks if the DEIR states a specific time when the 2<sup>nd</sup> Phase Town Center will be built by.

As stated in Chapter 1, Project Description, build out of the Community is anticipated to occur in two phases over approximately 10 years in response to market demands and in accordance with a logical and orderly expansion of roadways, public utilities, and infrastructure. 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-36-207** The commenter asks how it is safe from an air quality standard to build the Town Center by the freeway.

The comment addresses general subject areas, which received extensive analysis in Section 2.3, Air Quality, of 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.

**I-36-208** The commenter asks why the project boundary in Figures 2.10-5B and 2.10-6B are in the wrong area.

The County takes the comment to mean the area shown in purple-dashed lines. The County notes the area in focus is not the project boundary; rather, it is off-site areas showing the 60 dBA, 65dBA, and 70 dBA noise contours. 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-36-209** The comment states the School Availability Letter states that schools may exceed capacity. The commenter asks what the project will do until the school is built on site and where the children will go if there is on spaces at local schools for children in the interim.

The comment addresses general subject areas, school services, which received extensive analysis in Section 3.5 of 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.

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- I-36-210** The commenter asks if there is a noise analysis for blasting and what areas will be blasted.

The comment addresses general subject areas, which received extensive analysis in Section 2.10, Noise, of 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 further refers the commenter to **Topical Response – NOI-1**. 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-36-211** Please refer to previous Response I-36-147.

- I-36-212** The comment states that there are too many issues with this project and that it should be denied.

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-36-213** The commenter states that they feel the DEIR needs to be revised and recirculated because it has failed to disclose and analyze the project's potential and significant impacts and that it does not conform to the CEQA principles.

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-36-214** The comment summarizes an email exchange between community member and a Newland representative and states that they have to search 1,687 pages to find the answers to four questions. The commenter states that the public was not helped in getting information on the project.

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.

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**I-36-215** The comment presents a list of questions included in an email exchange between a Newland Representative and community member, asking questions regarding the Draft EIR. Issues and questions included in the comment include discussion of the General Plan and land uses in the Draft EIR, the number of dwelling units that trigger interchange upgrades, the location of the Health Risk Assessment, and location of the visual simulation. The original commenter, Karen Bins, is concerned that the Newland Representative did not adequately answer the community member's questions, because the links provided by the Newland Representative included too many pages of discussion.

The County disagrees with this comment. The Newland representative answered the community member's questions in this comment and pointed the community member to the correct locations of the Draft EIR where their concerns were addressed. As such, the comment addresses general subject areas, 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. No further response is required or necessary.

**I-36-216** The commenter is concerned that the Draft EIR at the San Marcos Library did not include hard copies of the appendices and maps, but that those were included on CDs. The commenter is also concerned that the hard copy that was supposed to originally be sent to San Marcos Library was sent to Vista Law Library on Melrose Street in Vista instead, which created delays.

In regards to hard copies, CEQA Guidelines (Section 15087), to make copies of EIRs available to the public, Lead Agencies should furnish copies of draft EIRs to public library systems serving the area involved. In addition, as generally set forth in State CEQA Guidelines (Section 15006), it is also the intent of CEQA to reduce paperwork. Therefore, in balancing these two CEQA guidelines, the County routinely makes hard copies of the EIR and a CD of the appendices available at a library or libraries serving the area involved. In addition, copies of the Draft EIR were delivered to both the San Marcos and Vista County Libraries on June 15, 2017. The County has confirmed that each of the two libraries contain several computers with CD drivers that can be used to view the CDs. 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-36-217** The commenter is requesting a 30 day extension to the comment period.

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The County acknowledges the comment and notes that the comment period for public review of the Draft EIR was 60 days, rather than 45 days, required by CEQA. The County has elected to respond to comments received after the close of the public review period, which are termed as “late comments” per Section 15088(a) of the State CEQA Guidelines. 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-36-218** The commenter is concerned that abutters to the project site do not know if their property is eminent domain.

The County acknowledges the comment and refers the commenter to **RTC I-36-85**

- I-36-219** The commenter is concerned that the developer did not make proper presentations about the project, and not within the correct timeframes.

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-36-220** The commenter is concerned that it is difficult to find things in the EIR and that there are too many appendices.

The County acknowledges the comment and notes it expresses the opinions of the comment, 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-36-221** The commenter states that the developer’s representatives did not answer their questions during meetings.

The County acknowledges the comment and notes it expresses the opinions of the comment, 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-36-222** The commenter states that it took several days for the County and developer to answer their questions by email.

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The County acknowledges the comment and notes that 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-36-223** The commenter is requesting a 30-day extension to the public review period. The commenter adds that other nearby projects have received extensions. Please refer to **RTC I-36-217**.

**I-36-224** The commenter is concerned that the Draft EIR at the San Marcos Library did not include hard copies of the appendices and maps, but that those were included on CDs only.

Please see **Response to Comment I-28-216**, above. The County included appendices as CDs, attached to the hard copies of the EIR, which is standard and allowed by CEQA. The DEIR and all appendices were also available on the County's website.

The County acknowledges the comment and notes that 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-36-225** The commenter states that there was a mix-up between libraries where the hard copy of the EIR was sent. The commenter adds that providing the appendices as CDs is a great inconvenience, as computers at the library were not working. The commenter adds that other Draft EIR hard copies include appendices in hard copy form.

The County acknowledges the comment and refers the commenter to **RTC I-36-216** and **I-36-224**.

**I-36-226** The commenter states that the Draft EIR at the San Marcos Library is missing 71 pages, including the List of Preparers as well as the list of Mitigation Measures and Environmental Design Considerations.

The County acknowledges the comment and refers the commenter to **RTC 1-36-62**.

**I-36-227** The commenter adds that they will be awaiting a reply for a comment period extension.

The County acknowledges the comment and refers the commenter to **RTC I-36-217**.

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**I-36-228** The comment is an attachment from August 2, 2017, and includes a letter from the commenter to the County. The commenter thanks the County for a response to their previous comments, and continues to request a 30-day extension to the comment period, or at least a 14-day extension.

The County acknowledges the comment and refers the commenter to **RTC I-36-217**.

**I-36-229** The commenter cites the County's response regarding their question about eminent domain. The County provided two documents, which disclose the right of way needed to be acquired for Twin Oaks Valley Road and Deer Springs Road. The commenter states that the abutters of the project should not have to read through these documents to have their question answered, and that they are still not sure that eminent domain is going to happen.

The County acknowledges the comment and refers the commenter to **RTC I-36-85** regarding eminent domain.

**I-36-230** The commenter is concerned that their private road, using ingress and egress from Deer Springs Road will be affected.

The County acknowledges the comment and refers the commenter to **RTC I-36-101**.

**I-36-231** The commenter states that most people don't know that their properties will be affected, without reading the EIR page by page.

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-36-232** The commenter states that their ingress and egress and security gate, as well as their neighbors' will be affected by the project. See RTC I-36-101. In terms of their security gate, The County acknowledges the comment does not raise issues that appear to relate to any physical effect on the environment 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.

**I-36-233** The comment states that the developer did not have enough meetings with the community.

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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-36-234** The comment cites the County's response regarding the mix-up between libraries that the EIR was sent to prior to the start of public review.

The County acknowledges the comment and refers the commenter to **RTC I-36-216**.

- I-36-235** The comment provides the commenter's NOP comments regarding the project. The comment states that a proposed park would abut their property, and that the commenter has horses and a rooster.

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-36-236** The comment expresses concern that the size of the park abutting their property is too large and that the proposed school is too small. The commenter disagrees with the statement that neighborhood parks surrounding the community eliminates driving, and believes that the park could include softball fields and thus lead to noise and pollution.

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. Regarding park activities, see RTC I-36-80. 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-36-237** The commenter believes that parks can be a haven for drug deals and gang violence. The commenter believes this would make their horse an attractive nuisance.

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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**I-36-238** The commenter believes that the park abutting their property is too big.

The County acknowledges the comment and refers the commenter to **RTC I-36-236**.

**I-36-239** The comment asks about the difference between a public and private park and how people would be prevented from entering a private park.

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.

Regarding parks specific to this project, public parks would be dedicated to the County and constructed as turnkey facilities and maintained as County public recreational facilities, but maintained in perpetuity by the Homeowner's Association (HOA). In addition, private parks would be maintained by the HOA throughout the Community. Public multi-use trails also would be part of the Community and would be maintained by the HOA.

**I-36-240** The commenter believes the park needs to be inside and not outside the development because of the avocado trees that need spraying.

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-36-241** The comment introduces an NOP letter sent from the commenter to Kevin Johnson. 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-36-242** The comment explains the commenter is writing in regards to a phone conversation on Friday, March 6, 2015, regarding the NC 42 study area, or the Newland Sierra project site. 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.



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**I-36-243** The commenter is opposed to having their property rezoned and opposed to the increase of density from what is listed in the General Plan. Please refer to Topical Response LU-1, General Plan Consistency. 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-36-244** The commenter states that their property was rezoned when the General Plan was approved, and that now the County wishes to change it back to its original zoning to help the developer. Please refer to Topical Response LU-1, General Plan Consistency. 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-36-245** The commenter is opposed to the change of zoning and land use designation on their property.

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-36-246** The commenter states that their property has had the same zoning since 1987.

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-36-247** The commenter is concerned that by changing their land use and zoning designation, they will no longer be allowed to have chickens, roosters, and livestock, and that their health plans and doctors will change.

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-36-248** The commenter states opposition to the NC 42 Study Area. 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.

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- I-36-249** The commenter states that if the project was built to the General Plan, there would not be issues to consider. The commenter believes the project is all about making money for the developer.

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. Regarding General Plan Consistency, please refer to Topical Response LU-1. 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-36-250** The commenter states that all curbs within the project area should be red curbs with no street parking, due to fire concerns and that enough parking should be provided for each home and visitors, in garages or driveways so that firemen can have access in case of a fire.

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. Wildfire hazards were extensively analyzed in Section 2.8, Hazards and Hazardous Materials, of the Draft EIR and a Fire Protection Plan and Evacuation Plan were provided for the project (see Appendix N1 and N2, respectively, in 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-36-251** The comment states that all roads should be wider than the “minimum standard” throughout the entire development.

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-36-252** The comment states that the project would be adding about 8,000 – 10,000 more people in a “very severe wildfire area.”

The comment inaccurately restates information contained in the Draft EIR and does not raise an environmental issue within the meaning of CEQA. The County further refers the commenter to **Topical Response – HAZ-1**. 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 or necessary.

- I-36-253** The comment states that there are going to be people fleeing their homes during an evacuation, so more congestion on the streets resulting from allowing street parking isn't needed.

The County further refers the commenter to **Topical Response – HAZ-1**. 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-36-254** The comment states that if the County is going to allow a 4,000% increase in density over the General Plan during a severe drought, each home should be equipped with a hot water recycling pump so people don't have to wait several minutes for hot water.

Regarding consistency with the General Plan, please refer to **Topical Response-LU-1**.

Regarding hot water recycling pumps, the County acknowledges the comment and notes it expresses the opinion of the commenter, and that it raises an issue that does 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-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

- I-36-255** The comment states that due to the severe drought, the developer should be required to have recycled water to be used during the grading, blasting, crushing and hauling periods. The comment also states that there should be recycled water used for planting of vegetation as well as the water upkeep of the green areas.

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-36-256** The comment states the last iteration of the Merriam Mountain project there was no purple line availability and that is an example of why large developments should not be urbanizing the back country where there is no purple line infrastructure.

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

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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-36-257** The comment states when development is allowed on the sides of mountains they need to increase the amount of water due to erosion factor on these sites and not using drinking water.

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-36-258** The comment states that developers know the zoning of the property when they buy it and know how many homes are allowed to be built on the property. The commenter asks how the County can consider a 4,000% increase in zoning and states that it is all about tax money even though there are many consequences of massive developments.

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

- I-36-259** The commenter asks how this is fair to people like them who purchased large parcels at a premium price intending to have animals on their property and have a rural lifestyle who knew the zoning when they chose the property.

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-36-260** The commenter asks what this does to the Community Character of an area just so a developer can make money.

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

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decision-makers prior to a final decision on the project. No further response is required or necessary.

- I-36-261** The commenter asks how you differentiate between a Public Park and a Private Park and aren't all parks public.

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.

Regarding parks specific to the project, public parks would be dedicated to the County and constructed as turnkey facilities and maintained as County public recreational facilities, but maintained in perpetuity by the Homeowner's Association (HOA). In addition, private parks would be maintained by the HOA throughout the Community. Public multi-use trails also would be part of the Community and would be maintained by the HOA. Refer to Section 3.4.3 for additional detail regarding public and private parks within the project.

- I-36-262** The commenter states that parks should be centralized in the neighborhoods they serve in this development so that people do not have to get into their cars and drive to the park.

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.

Regarding connectivity between parks and neighborhoods specific to the project, a Community-wide park and trail network acts as the connective thread that unites the various neighborhood parks, creating a link to open space trails as well as walkability throughout the Community. Refer to Section 2.4.3 for additional detail regarding park connectivity and trails within the project.

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