

I-368 D. Snider

- I-368-1** The comment states the proposed project is not consistent with the 2011 General Plan. The comment provides factual background information on the 2011 General Plan Update and concludes the 2011 GPU did not identify the project Site for suburban style development, rather, it limited development to 100 homes, not including the commercial area near I-15.

The County acknowledges the comment and refers the commenter to **Topical Response LU-1**.

- I-368-2** The comment states the constraints of the site are made obvious by the fact that the proposed project would move 10 million cubic yards of grading and that the EIR contains an addendum to explain the need for roadway design waivers due to topography.

The County acknowledges the comment and notes it expresses the opinions of the commentator. 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-368-3** The comment states the traffic study indicates several roadway segments and intersections will operate at LOS F and not be mitigated.

The County acknowledges the comment and notes it 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-368-4** The comment states the commenter is not even sure why the County would consider a proposal that is so contrary to the General Plan.

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-368-5** The comment introduces specific comments on the EIR.

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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-368-6** The comment states that development of 2,135 homes in an area that may become part of PAMA is contrary to the purpose of the project of preserving substantial open space and enhancing native habitat conservation.

The County does not concur with this comment. First, the proposed project would preserve 1,209 acres of the project Site as permanent, managed open space. Second, as noted by the comment, the project Site is in an area that is not currently designated as PAMA in an approved NCCP or other HCP. For additional information, please see **Topical Response BIO-1**. No further response is required or necessary.

- I-368-7** The comment states that the General Plan does not identify the project areas as a preferred location for “Village” designation and that the proposed project includes 1,594 homes on the upper reaches of the Meriam Mountains while locating commercial at the freeway which topographically discourages walking. The comment states that electric bike may not be successful or permanently funded. The comment states the project Site is not identified in SANAG’s Smart Growth Areas. Lastly, the comment states there is no guarantee the non-residential areas will be developed and notes the Town Center is referred to as part of Phase 2.

The County acknowledges the comment and offers the following responses.

With respect to the designation of the project Site as a “Village, please see **Responses to Comments** on land use generally – with specific responses addressing the project’s General Plan Village designation in **Responses to Comments O-1-377** through **O-1-495**.

With respect to the comment that electric bikes may not be successful or permanently funded, a Transportation Demand Management Program Coordinate is required to be designated as part of the Transportation Demand Management Plan to ensure that the identified plans and programs under the TDM be implemented to achieve the reductions calculated by Appendix R3. The County will ensure this through the Mitigation Monitoring and Reporting Program (MMRP) because the Project Design Features have been included as mitigation measures which will be reviewed and reported by the County.

With respect to the site not being identified by SANDAG as a Smart Growth Area, the comment provides factual background information and does not raise an issue

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within the meaning of CEQA. Further, SANAG is not a land-use jurisdiction. Nonetheless, the proposed project's compliance with the RTP/SCS is analyzed in the Draft EIR in **Section 2.7, Greenhouse Gas Emissions**, and the project was determined to be consistent with the RTP/SCS.

Lastly, with respect to the comment about the town center not developing, the comment 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-368-8** The comment states that the DEIR says the purpose of the project is to construct public facilities concurrent with demand and support public services without burden or cost to existing residents; however, other sections of the DEIR do not support this statement. The comment specifically mentions improvements to S. Santa Fe/Buena Creek/ Robellini and the future need for additional water conservation.

The County does not concur with this comment. With respect to the improvements to the referenced streets, the County refers the reader to Mitigation Measures M-TR-5, M-TR-6, and M-TR-7 in Section 2.13.12 of the DEIR. These improvements would reduce impact to roadway segments and intersection with their implementation. However, as noted in Section 2.13.13, these measures cannot be assured because the improvements are under the jurisdiction and control of the City of San Marcos, thereby, subject to their concurrence and approval.

With respect to water conservation, please see **Topical Responses UTL-1** and **UTL-2**.

- I-368-9** The comment states that because the proposed project does not propose to change the Village regional category, the DEIR should analyze the same commercial square footage as the General Plan alternative. The comment states that without doing this, the DEIR “makes it look like there is no net traffic increase for the development proposed compared to the General Plan alternative” despite the increase in homes.

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 does not concur with the comment. The proposed project includes 81,000 square feet of commercial/retail and does not propose to development

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the 2 million square feet of professional/office and commercial under the General Plan. The relative traffic volumes are correct because the increase in daily trips generated by increase residential uses are offset by the reduction of nearly 2 million square feet of commercial and professional/office uses.

- I-368-10** The comment states the DEIR should explain why the existing General Plan designated 1.8 million square feet of commercial/office professional uses so that the public can analyze what the potential impacts of this would be.

The County acknowledges the comment and notes that 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 Section 4.5, Existing General Plan Alternative, which compares the impacts of the proposed project to the existing General Plan.

- I-368-11** The comment states the proposed project would increase the population of an area that the 2011 General Plan Update identified for rural residential and does not provide justification for the proposal.

The County refers the commenter to the Statement of Overriding Considerations. 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-368-12** The comment states that the DEIR assertion that because fewer homes have been built per year than assumed in SANDAG's Regional Housing Needs Assessment, that more homes need to be built in the next 5 years is an unsubstantiated statement. The comment suggests there have been fewer housing starts due to market conditions and or population increase and refers to further comments below.

The County does not concur with this comment. The statement is substantiated by the following text from Page 2.12-8 of the DEIR:

“To meet this 22,412 unit target by 2020, the County would need to approve on average 2,802 residential units per year. From 2010 through 2015, however, only 3,175 housing units were either constructed or permitted. This

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equates to an average of only 529 units per year (County of San Diego 2016). At this rate, the County would fail to meet the RHNA's 2020 target by 18,180 units.”

With respect to market conditions, the County notes the 8-year period for this cycle is from 2013 to 2021, which follows the “Great Recession” and therefore would not be effected by the market conditions that resulted in fewer housing starts between 2008 and 2011.

- I-368-13** The comment states that the General Plan assumed 99 homes to be constructed, and that if the issue is that there is not enough homes, that is a response to the market. The comment states that housing should go where it is planned, and that other developers make decisions based on the General Plan when purchasing land.

The County acknowledges the comment and notes that 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-368-14** The comment states that the DEIR offers two options for Deer Springs Road. The comment states that the traffic analysis needs to consider the impact under Option A of the roadway “necking down” from 4 lanes to 2 lanes. The comment states the analysis needs to quantify the delays due to construction of the roadway.

The County agrees with the comment and directs the commenter to Section 2.13 of the Draft EIR. Specifically, Section 2.13.9.1, Construction Traffic Impact Analysis, and Section 2.13.9.5.3 – County General Plan Buildout with Project – Deer Springs Road Reclassified under Option A (With Mountain Meadow Road Connection), and Section 2.13.9.5.4 – County General Plan Buildout with Project – Deer Springs Road Reclassified under Option A (Without Mountain Meadow Road Connection). As summarized in Section 2.13.9.5.7, “with Deer Springs Road reclassified as proposed by Option A, two segments of Deer Springs Road are calculated to operate at LOS E or worse at buildout of the County’s General Plan, both with and without the Mountain Meadow Road connection, with the two-lane segments operating at LOS F.”

- I-368-15** The comment restates the EIR’s conclusions for Sycamore/Robellini/S. Santa Fe/Buena Creek Road as significant and unavoidable. The comment states the impact is greater than just traffic flow because it will impact emergency response times and evacuations. The comment concludes by stating that the proposed project and/or County should fully fund these improvements.

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The County acknowledges the comment. With respect to the impact findings of these roadways, the County notes the comment restates information contained in the Draft EIR and does not raise an environmental issue within the meaning of CEQA.

With respect to emergency response and evacuations, please see **Topical Response HAZ-1**.

With respect to funded of the improvements to mitigate these impacts, the County acknowledges the comment and notes that the County has a CIP Project for S. Santa Fe Avenue which would reduce impacts to less than significant. Accordingly, M-TR-14 would require the proposed project to participate in the County TIF program. Further, Mitigation Measure M-TR-5, M-TR-6 and M-TR-7 would serve to further reduce impacts, however, because M-TR-7 is located in the City of San Marcos, the DEIR correctly notes that this measure cannot be relied upon to reduce the proposed project's impacts.

- I-368-16** The comment states several road segments and intersections would be impacted and would impact emergency responses times and the ability to evacuate the area.

The County acknowledges the comment and refers the commenter to **Topical Response HAZ-1**, as well as **O-1.13**. Emergency Response is analyzed in the DEIR in Section 2.8.3.1, Wildlife Hazards, which determined that “the proposed project would meet the fire emergency response time objective and impacts would be **less than significant**.”

- I-368-17** The comment states the General Plan Alternative is a better alternative than the proposed project because there is no way to mitigate moving 10 million cubic yards of earth and that Merriam Mountains is not well-suited for suburban-style-development.

The County acknowledges the comment and notes that 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-368-18** The comment states that the DEIR's conclusion that the General Plan Alternative would have a greater impact to aesthetics than the proposed project is not a factual statement because although the General Plan Alternative would more intensely develop the Town Center site, the rest of the project Site would be less intensely developed. The comment notes that single family lots development tends to minimize grading.

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The County acknowledges the comment and notes that 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 agrees with that outside of the Village area, “this alternative would reduce the bulk and scale of development across the majority of the project Site, resulting in less overall contrast in visual character compared to the project when viewed from public roadways in the vicinity of the project” as stated in Section 4.5.2 of the DEIR; however, large estate lots tend to be placed in more prominent locations to maximize view opportunities, thus resulting in more visible projects. Further, the impacts at the most visible corner of the project Site (I-15 and Deer Springs Road) under the Existing General Plan Alternative would be much greater than the proposed project. Thus, the conclusion in the DEIR is accurate.

- I-368-19** The comment restates that the DEIR found that wildlife corridors would be better under the proposed project than the Existing General Plan Alternative. The comment states there is no basis for this conclusion. The County does not concur with this comment.

As stated in Section 4.5.2 of the DEIR, “open space would decrease by approximately 273 acres and disturbed area would increase by the same acreage under the Existing General Plan Alternative compared to the project.” Further, as depicted in Figure 4-2, the Existing General Plan Alternative would severely restrict north/south wildlife movements and would not create corridors for wildlife movement like the proposed project would. Accordingly, the DEIR found that, “An increase in internal roadways could result in a greater impediment to wildlife movement through the project Site.” No further response is required or necessary.

- I-368-20** The comment states that the DEIR found that the Existing General Plan Alternative would have a greater impact on gnatcatcher than the proposed project but that there is no basis for this statement.

The County does not concur with this comment. As stated in Section 4.5.2, “The commercial area in the southeastern portion of the project would impact coastal California gnatcatcher ..., and the coastal California gnatcatcher biological ladder along the I-15 corridor.” Please see **Response to Comment O-1-524**.

- I-368-21** The comment states that Appendix S, Water Assessment Report (WSA), should have analyzed no more than 100 residences for the General Plan Alternative and applied a per-home factor of 312 gallons per day (gpd) instead of assuming 800 gpd for the

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1,895 acres. The comment states this would result in a daily usage of approximately 31,200 gpd instead of the 1,500,000 gpd assumed in the Existing General Plan Alternative.

The County does not concur with this comment. Please see Response to Comment O-1-298, which explains how the 2015 Urban Water Management Plan (UWMP) and the WSA account for the Newland Sierra project's projected water demand based on County-approved General Plan land uses and zoning maps and VWD's water demand factors in compliance with Water Code Sections 10910(c)(2) (see, e.g., 2015 UWMP, pages 4-2 through 4-3). The DEIR accurately calculates and compares the estimate water usage under the approved, 2011 County General Plan for the Existing General Plan Alternative.

I-368-22 The comment states the commenter concurs with a letter that is being circulated and concludes that the proposed project is the wrong project, wrong time and wrong location.

The County has reviewed and considered the comment and the cited document and refers the commenter to **Response to Comments I-368-23** through **I-368-36**, below. The County acknowledges the comment and notes it expresses general 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-368-23 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-368-24 The comment states the proposed project would severe wildlife corridors. The County does not concur with this comment. Please see **Topical Response BIO-2**.

I-368-25 The comment states the project applicant has sought special treatment to be carved out from the North County MSCP before the plan has been adopted. The County does not concur with this comment. Please see **Topical Response BIO-1**.

I-368-26 The comment states the proposed project would impact significant cultural resources along Deer Springs Road. The County acknowledges the comment and notes that it 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.

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- I-368-27** The comment states the proposed project would generate 28,000 new trips per day on local roads. The County acknowledges the comment and notes that it 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-368-28** The comment states the proposed project would bring traffic on I-15 to a Level of Service F because no new freeway lanes and transit infrastructure are proposed. The County does not concur with this comment. Please refer to **Topical Response TR-1**.
- I-368-29** The comment states the proposed project would widen Deer Springs Road to six lanes and build a new I-15 interchange which would draw thousands of cut through commuters; however, the comment states the proposed project would start building before Caltrans can finish analyzing and approving a re-designed interchange. The County does not concur with this comment. Please see **Topical Response TR-2**.
- I-368-30** The comment states VWD projects a water supply deficit for the next 20 years. Please see **Topical Response UTL-1**.
- I-368-31** The comment states that VWD's Water Supply Assessment requires a 36% water supply cut to existing customers to serve the proposed project. The County does not concur with this comment. Please see **Topical Response UTL-2**.
- I-368-32** The comment restates that the proposed project is in a very high fire hazard severity zone and does not provide enough access routes in the event of a fire which would result in gridlock in the event of an evacuation. The County does not concur with this comment. Please see **Topical Response HAZ-1**.
- I-368-33** The comment states the County spent 10 years and millions of dollars updating the General Plan, which downzoned the project Site to protect this area from development. The County does not concur with this comment. Please see **Topical Response LU-1**.
- I-368-34** The comment states that the County has not completed its Climate Action Plan (CAP) and therefore should not consider the proposed project until the CAP is complete.
- The County refers the commenter to **Topical Response GHG-3** regarding the County's 2018 CAP. The County adopted its CAP on February 14, 2018.
- I-368-35** The comment states the Golden Door and Sierra Club won trial court decisions invalidating the County's threshold for measuring GHG impacts.

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The County notes the comment provides 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 concerning the adequacy of the Draft EIR.

I-368-36 The comment restates information from Comment I-269-33, above, and urges the County to recommend against the proposed project.

Please see **Topical Response LU-1**. The County acknowledges the comment and notes it expresses general 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.