

## **Comment Letter Responses**

---

### **I-419 Steven and Christina Wickman**

- I -419-1** The commenter thanks the County for the opportunity to respond to the Draft EIR. The commenter explains that they have a list of key concerns.

The County acknowledges the comment as an introduction to comments that follow. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

- I -419-2** The comment states that the Project would generate 28,000 new trips to local roads.

The comment is general in nature and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. Given that the comment is general, a general response is all that is required. (*Paulek v. California Dept. Water Resources* (2014) 231 Cal.App.4th 35, 47-52.) Therefore, no further response is required or needed.

- I -419-3** The comment states that the Project would bring I-15 traffic to a level “F” because no new freeway lands and no new transit infrastructure is proposed.

Traffic impacts and proposed improvements are disclosed in Section 2.13 Traffic and Transportation. There are a number of roadway, interchange, and signal improvements that are included as part of the proposed project. 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 -419-4** The comment states that the Project proposes to widen Deer Springs Road to six lanes and would build a new I-15 interchange which would draw thousands of cut through commuters. The comment states that the Project construction would begin before Caltrans finishes its analysis and approval of a redesigned interchange at Deer Springs Road and I-15.

The commenter is referred 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.

- I -419-5** The comment states that the Vallecitos Water District projects a water supply deficit for the next 20 years.

Please refer to Response to Comment I-419-6.

## **Comment Letter Responses**

---

- I-419-6** The comment states that the District's Water Supply Assessment requires a 36% water supply cut to existing customers to serve the Project.

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

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

The VWD's correction is quoted below in full:

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

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

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

## **Comment Letter Responses**

---

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

Regardless of development in our community, we encourage all residents to continue to make water conservation a permanent way of life. Click on the links for more information about conservation or the District's Master Plan or contact us at (760) 744-0460.”<sup>233</sup> (Italics added.)

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

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

- I -419-7** The comment states that the Project is proposed in a “Very High Fire Hazard Severity Zone.” The comment states that the Project does not provide enough emergency access routes in the event of a fire and gridlock would compromise the safety of the region.

The County acknowledges the comments and notes that it addresses general subject areas, wildland fire evacuation, which received extensive analysis in the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

---

<sup>233</sup> The VWD’s “Correction of Misinformation” is incorporated by reference and available for public review upon request to the County. It is also available for review at VWD’s website: <http://www.vwd.org/Home/Components/News/News/2358/18> (last accessed November 8, 2017.)

## **Comment Letter Responses**

---

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

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

- I -419-8** The comment states that the County Board of Supervisors spent millions of dollars and 10 years developing a General Plan that downzoned the Project area and voted to approve the plan.

The County acknowledges the comment and notes it expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

- I -419-9** The comment states that the County has not completed its Climate Action Plan; therefore, the County should not consider the project until the Climate Action Plan is approved. The comment states that Golden Door and Sierra Club recently won a trial court decision invalidating the County’s threshold for measuring GHG impacts.

The County refers the commenter to **Topical Response GHG-3** regarding the County’s 2018 CAP. The County adopted its CAP on February 14, 2018. The County also notes it expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

Nonetheless, the County does not concur with the comment regarding approval of projects which require a GPA until the CAP is approved. The General Plan EIR did not enforce such a mitigation measure for future projects. Further, the County notes

## **Comment Letter Responses**

---

that since the 2011 GPU, projects have been approved with fewer housing units and, thereby the amount of GHG, compared to the 2011 General Plan Update. Lastly, the Board of Supervisors approved the Climate Action Plan on February 18, 2018.

- I -419-10** The comment states that the Project is proposed in a wildlife sensitive area and if developed critical north/south and east/west wildlife corridors would be severed.

For information on wildlife corridors and connectivity refer to **Topical Response BIO-2 (Wildlife Corridors)**. 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 -419-11** The comment states that the Project has sought special treatment, or a “carve out” of the regional biological mitigation plan, before the plan has been adopted.

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 (North County MSCP)**. 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 -419-12** The comment states that the Project would result in significant impacts to cultural resources, by expanding Deer Springs Road, including impacting a site with Native American human remains.

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

The County acknowledges the comment and notes it does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

## **Comment Letter Responses**

---

**I -419-13** The commenters thanks the County for consideration of their comments.

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