

I-48 Patricia Borchmann

- I-48-1** 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.
- I-48-2** The comment states that the General Plan predicated Pre-Approved Mitigation Areas (PAMA) in the pending Draft MSCP. The comment states that the MSCP was carefully developed with close coordination between local, state, and federal wildlife agencies. The comment also states that precise impacts on the sub-regional conservation plan are more specifically described in comments prepared by Eco San Diego, Endangered Habitats Leagues, and Hamilton Biological. These comment letters are identified as O-2.1 (Endangered Habitats League), O-2.2 (Hamilton Biological); and O-9 (Eco San Diego), respectively, and responses have been provided. For issues pertaining to biological impacts and mitigation, please also see **Topical Responses BIO-1 and BIO-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-48-3** The comment states that the marketing rhetoric and superficial incentives applied in the Draft EIR do not translate to accepted technical methods of developing accurate traffic calculations, or applied realistic evidence-based vehicle generation rates. As stated in Section 2.13, Transportation and Traffic on page 2.13-48, “The project trip generation was calculated using the trip rates published by SANDAG in the *(Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region*, April 2002 (“SANDAG Guide”).” For additional information on methodology, see Sections 2.13.6, Project Trip Generation and 2.13.7, Project Trip Distribution. 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-48-4** The comment states that the Draft EIR contains unsupported conclusions, imaginary human behavior patterns, and oversimplifications that are not supported by verifiable evidence contained in the Draft EIR. 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.
- I-48-5** The comment states that the number of expected vehicle trip reductions is exaggerated because only a limited number of people would walk the steep topography in the high temperatures that are not only limited to the summer months. The comment states that it would require super-human strength and stamina to reach the commercial amenities from the residential neighborhoods, and that this extreme

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level of strength is not typical of average modern residential homeowners. 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. Please also see **Responses to Comment Letter O-1.16**. 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-48-6 The comment states that the Draft EIR contains unrealistic descriptions and falsely indicates the number of residences that will be impacted by traffic congestion. Potential traffic impacts have been adequately analyzed in Section 2.13 Transportation and Traffic. Please also see **Topical Response TR-3**. 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-48-7 The comment states that polished marketing brochures display attractive architecture, pedestrian friendly landscaped parkways, and people with attractive and active lifestyles; all of which are ideal conditions and are all unproven assurances. 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.

I-48-8 The comment expresses concern over evacuation during a wildfire and that the Draft EIR is silent or inaccurate regarding the threats from fire due to the absence of a functional secondary emergency access. As stated in Section 1.0 Project Description on page 1-8, “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.” In addition, as stated in Appendix N-2, Evacuation Plan, the proposed project’s evacuation roadway network, including internal roads 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. Also 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-48-9 The comment states that the extent of analytical flaws and oversights in the Draft EIR are severe and it should be revised and recirculated pursuant to CEQA Guidelines Section 15088.5 prior to any discretionary action or certification of the EIR. 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

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

- I-48-10** The comment states that a similar project (Merriam Mountains) was previously proposed and denied by the County Board of Supervisors in 2012. Please see **Topical Responses LU-1 and LU-2**.
- I-48-11** The comment states that the project owners/investors have consistently chosen to refuse to redesign the project in a meaningful way to conform to the comments from state and federal wildlife agencies that were received on the NOP. The County disagrees with this comment. Provided in Chapter 4, Project Alternatives are three different land planning alternatives that were analyzed in response to comments received during the NOP public scoping period. The three wildlife agency alternatives that were analyzed were (1) CDFW/USFWS Land Planning Alternative A, (2) CDFW Land Planning Alternative B, and (3) CDFW Land Planning Alternative C. See Chapter 4 for an analysis of these alternatives as proposed by the wildlife agencies. 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-48-12** The comment states that the project fails to meet conformance finding with San Diego's 2015 General Plan despite clear evidence that many public stakeholders in San Diego County highly value. A Land Use Consistency Analysis (Appendix DD) was provided in the Draft EIR, which evaluates the project's conformance with the General Plan's Guiding Principles, goals, and policies. Section 3.3, Land Use, also includes a project conformance/consistency analysis with the General Plan. 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-48-13** The comment states that voter preferences and patterns in 2016 were overlooked as many voters chose to limit high residential density to urban infill areas where existing infrastructure is located. The comment also states that the Draft EIR generally overlooks the recent denial of the Lilac Hills Ranch project. The proposed project has no bearing on the Lilac Hills proposal in Valley Center. Nonetheless, 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 requiring any further response under CEQA.

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I-48-14 The comment states that the Draft EIR grossly underestimates the number, and geographic scope of readily foreseeable planned projects, pending projects, and unbuilt approved projects in north San Diego region. The comment also includes a graphic from a San Diego Union Tribune article, which displays “San Diego County Developments” (2015 Michelle Gilchrist). As stated in Section 1.0 Project Description, on page 1-33 of the Draft EIR,

“CEQA Guidelines Section 15130 allows for the use of two alternative methods to determine the scope of projects to analyze cumulative impacts. A combination of these methods was used as part of the Draft EIR’s cumulative impact analysis.

List Method: A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the lead agency.

General Plan Projection Method: A summary of projects contained in an adopted general plan or related planning document, or in a prior environmental document, that have been adopted or certified and that describe or evaluate regional or area-wide conditions contributing to the cumulative impact.”

The cumulative projects are shown in Figure 1-46, Cumulative Projects Map, and listed in Table 1-10. All projects are 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.

I-48-15 The comment states that the cumulative analysis for the Draft EIR should address non-residential projects (industrial, office, retail, etc.) in addition to residential projects. Specifically the comment suggests that the Innovate Highway 78 Corridor Plan projects be included because they would generate foreseeable traffic impacts in north San Diego County. As identified in Section 1.0, Project Description in Table 1-10, non-residential projects included in the cumulative analysis include, but are not limited to, the Pala Shopping Center, Singh Power Plant, North County Environmental Resources Recycle Center, Dai Dang Meditation Center, Dougherty Pet Resort, Valley Center Community Church, etc. Specific to the Innovate Highway 78 Corridor Plan, this plan is a marketing plan prepared by the north county cities along Highway 78. This plan does not confer any land use approvals upon the 78

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corridor. Related to traffic impacts of cumulative projects, please see **Topical Response TR-3**.

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-48-16** The comment states that the alternatives analysis in the Draft EIR has not been developed enough to conclude that some potential impacts have been sufficiently mitigated to reach a level of less than significant. The comment also states that the Draft EIR fails to recommend the most environmentally appropriate alternative (as recommended by wildlife agencies). As stated in Chapter 4, Project Alternatives on page 4-4, “According to CEQA Guidelines Section 15126.6(b), the alternatives discussion should focus on those alternatives that, if implemented, could eliminate or reduce any of the significant environmental impacts of the project. The alternatives will be evaluated to determine if, as anticipated when selected as alternatives, they eliminate any significant adverse environmental effects or reduce them to a less-than-significant level.”

The statement that the Draft EIR fails to recommend the most environmentally appropriate alternative is incorrect. As stated in Section 4.3, Environmentally Superior Alternative, “The No Project (No Build) Alternative would result in the least environmental impacts and would be the environmentally superior alternative. However, CEQA Guidelines Section 15126.6(e)(2) states that if the environmentally superior alternative is the “no project” alternative, the EIR also must identify an environmentally superior alternative among the other alternatives. In this case, the environmentally superior alternative is CDFW/USFWS Land Planning Alternative A.” 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-48-17** The comment states that the mitigation site for gnatcatcher is inappropriate as it’s over 20 miles away and has no gnatcatchers observed on site. The comment also states that impacts to wildlife corridors were not acknowledged or mitigated for, such as connectivity and significant edge effects. The project’s on-site preserve area, Mitigation Measures BIO-1 through BIO-13, and the project’s proposed dedication of 212 acres of high quality habitat mitigate the project’s biological impacts to less than significant.

Regarding the statement that wildlife corridors were not acknowledged or mitigated for, the Draft EIR analyzes the effects of the proposed wildlife corridors on movement between the habitat blocks within the project site and to off-site undeveloped lands on pages 2.4-74 to 2.4-78, Subsection 2.4.12.4, Wildlife Movement and Nursery Sites, While the internal corridors noted above would provide

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movement habitat between the three on-Site habitat blocks for many species, the proposed Project would adversely affect wildlife movement (mostly large mammals) compared to existing conditions where movement is mostly unencumbered, especially in the central and southern portions of the Site. Speed limits on internal roads would be low to help reduce the chance of vehicle collisions. The Draft EIR concludes that impacts to smaller mammals, reptiles, and birds are not expected to be significant, but impacts to connectivity between blocks of habitat would be potentially significant for larger wildlife species (Impacts WM-3 and WM-4). The Draft EIR also analyzed the effects of lighting and noise on wildlife movement on pages 2.4-78 and 2.4-79, Subsection 2.4.12.4 Wildlife Movement and Nursery Sites, and concluded that such effects would be potentially significant along wildlife corridors (Impact WM-5). Mitigation for these impacts include mitigation measures M-BIO-8A through M-BIO-8E (habitat preservation and management), described in full on pages 2.4.115 to 2.4-119, Section 2.4.15, Mitigation Measures. In addition M-BIO-7 would require lighting to be directed away from open space. 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-48-18 The comment states that comments from technical consultants prepared in response to the Draft EIR indicate that the project's design violates terms of the Planning Agreement with natural resource agencies, and is inconsistent with the Draft MSCP. Per CEQA requirements the Draft EIR analyzes in detail the proposed project for consistency with the draft North County Plan Planning Agreement (County of San Diego 2014) on pages 2.4-80 to 2.4-93 in Subsection 2.4.12.5, Local Policies, Ordinances, and Adopted Plans. 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-48-19 The comment states that the Draft EIR is flawed and attempts to piecemeal analysis by failing to include the Deer Springs Road I-15 interchange. The comment states that the Draft EIR fails to assess foreseeable project impacts from the widening of Deer Springs Road to 6-lanes and the I-15 interchange improvements. Buildout of Deer Springs road to the County General Plan Mobility Element width of 6-lanes is not required nor proposed as part of this project. Please see **Topical Response TR-4**. Related to the project's impacts and proposed mitigation for the I-15/Deer Springs Road interchange, please see **Topical Responses TR-1 and TR-2**.

Regarding the comment that the Draft EIR fails to include impacts from the Deer Springs Road improvements, the project applicant has identified the Right of Way needed for the widening of Deer Springs Road for both Option A and Option B. Consideration of the impacts to these properties due to road widening have been included in the Draft EIR. Regarding impacts as a result of the I-15 interchange

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improvements, potential impacts have been analyzed throughout 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-48-20 The comment is in regards to the I-15 interchange improvements and the Draft EIR's Executive Summary Table S-1, Summary of Significant Impacts. The comment states that the impact discussions for the I-15 interchange improvements indicate uncertainty and that the proposed mitigation measures have vague unenforceable language. The County does not concur with the comment. Please see **Topical Responses TR-1 and TR-2**.

I-48-21 The comment states that there are six significant and unmitigable impacts and asks if the County Board of Supervisors will be required to adopt Findings of Overriding Considerations pursuant to CEQA. The commenter is correct, as stated in Chapter S.0, Summary, on page S.0-5 "Impacts to aesthetics, air quality, mineral resources, noise, population and housing, and transportation and traffic remain significant and unavoidable, and feasible mitigation would not reduce such impacts to less-than-significant levels." CEQA Guidelines Section 15091, Findings, states that "No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding." Also, as stated in CEQA Guidelines Section 15093 Statement of Overriding Considerations, "CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a propose project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable'." Thus, the County Board of Supervisors will be required to consider the Findings of Fact and a Statement of Overriding Considerations for the proposed project's significant unavoidable impacts. 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-48-22 The comment states that Overriding Considerations, forming the basis for certification of a Final EIR, are often vague, unspecific, or aspirational measures that are not measureable or enforceable. The comment states that they are in favor of CEQA reform. 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

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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-48-23** The comment summarizes CEQA Section 15088.5, Recirculation of an EIR Prior to Certification and states that based on technical comments, it is expected that ‘new information’ will be added to the Draft EIR. The comment also includes subdivision (a)(3) and (a)(4) from CEQA Guidelines Section 15088.5, which are examples of “significant new information,” requiring recirculation. Based on technical comments received on the Draft EIR, it is anticipated that the Final EIR will include new information; however, it will not be new “significant” information that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project. No recirculation 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.