

I-67 Marc Capitano

- I-67-1** The comment asks for justification as to why it's proposed to permit 2,135 homes in an area zoned for 99. See **Topical Response -LU-1 (General Plan Consistency)**. 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-67-2** The comment states that it's in an area that lacks infrastructure and that San Diego deserves a better plan than Newland Sierra. 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-67-3** The comment states that Golden Door and Sierra Club reported that the County has not completed its Climate Action Plan and that the County should not consider Newland Sierra until it's done. The San Diego County Superior Court recently rejected arguments from the Sierra Club et al. to enjoin San Diego County from processing and approving projects (including the Newland Sierra project) prior to the adoption of a lawful CAP and corresponding CEQA significance thresholds. The Superior Court held that an injunction prohibiting the "County from undertaking its planning process is too broad." (See *Sierra Club v. County of San Diego* (Case No. 2012-0101054) and *Golden Door Properties LLV v. County of San Diego* (Case No. 2016-0037402). See also the August 10, 2016 letter from the County of San Diego Office of County Counsel to Jan Chatten-Brown of Chatten-Brown & Carstens LLP regarding "Request to Postpone Projects." Relevant documents from these judicial proceedings, as well as the referenced letter, are included in Appendix "JJ" of the Final EIR.) As such, there is no legal prohibition on the County's planning and processing activities in the absence of an adopted CAP. Please refer to Topical Response GHG-3.
- I-67-4** The comment states that the County spent millions of dollars and 10 years to develop the General Plan that down zoned the area. See **Topical Response LU-1 (General Plan Consistency)**. 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-67-5** 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.

Comment Letter Responses

I-67-6 The comment states that they have enjoyed the peace and tranquility at the Hidden Valley Meditation Center and that it would be a crime to allow rare resources of open space, peace, and quiet to be destroyed. 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.