

I-8 Gary Anderson and Anja Pressler

- I-8-1** 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-8-2** The comment states the project would sever wildlife corridors in a sensitive area if developed. The comment restates information contained in the Draft EIR and does not raise an environmental issue within the meaning of CEQA. Specifically, Section 2.4.10 Habitat Connectivity and Wildlife Corridors, which describes existing conditions on the project site with respect to wildlife corridors, and Section 2.4.12.4 Wildlife Movement and Nursery Site, which analyzes the proposed projects impacts. The DEIR further identifies impacts WM-1 (short-term direct impacts to potential foraging and nesting habitat), WM-2 (permanent, direct impacts to the loss of potential foraging and nesting habitat), WM-3 (impact to movement of large mammals from loss of wildlife corridors), WM-4 (impacts to habitat connectivity for larger wildlife species) and WM-5 (impacts to wildlife behavior resulting from noise and/or nighttime lighting in a wildlife corridor) as significant impacts and recommends mitigation measures, including M-BIO-1, M-BIO-2, M-BIO-3, M-BIO-6, M-BIO-7 and M-BIO-8A through M-BIO-8E, which reduce the anticipated impacts to less than significant levels. 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-8-3** The comment states the proposed project has sought a “carve out” of the North County MSCP prior to adoption of the plan by the applicable agencies. The comment does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The DEIR fully analyzes the proposed projects impacts on biological resources, including the project’s compliance with Local Policies, Ordinances and Adopted Plans (See DEIR Section 2.4.12.5). Page 2.4-83 states that, “habitat loss from the proposed project would not preclude or prevent the North County Plan from achieving the preliminary conservation objectives from the draft North County Plan Planning Agreement (County of San Diego 2008 and 2014),” and that “the proposed project would not preclude or prevent preparation of the subregional NCCP, and impacts would be less than significant.” Please also see **Topical Response BIO-1**.
- I-8-4** The comment states the project would impact significant cultural sites. The comment restates information contained in the Draft EIR and does not raise an environmental issue within the meaning of CEQA. Specifically, Section 2.5.3 identifies ten significant impacts to cultural resources, including Impacts CR-2, CR-3 and CR-4 related to the widening of Deer Springs Road, and Impact CR-10 related to the potential for discovery of human remains. Section 2.5.6 identifies mitigation

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measures which reduce all impacts to cultural resources 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-8-5 The comment states that the project would add 28,000 new trips per day to the local roads and would bring I-15 traffic to level “F”. The comment restates information contained in the Draft EIR and does not raise an environmental issue within the meaning of CEQA. Specifically, Section 2.13.6 projects the anticipated project trips. Section 2.13.9 analyzes the project’s impacts to the transportation network, including impacts to freeway segments. The DEIR identified impacts TR-18 (I-15 from Deer Springs Road to Pomerado Road) and TR-41 (I-15 from Old Highway 395 to Pomerado Avenue) as a significant and unavoidable direct and cumulative impacts, respectively. Related to the project’s freeway impacts and mitigation, please see **Topical Responses TR-1 and TR-2**. Related to the project’s impacts to local roads, please see **Topical Response TR-3**.

I-8-6 The comment states that the project proposes to widen Deer Springs Road to six lanes and build a new I-15 interchange, drawing thousands of cut-through commuters. The project does not propose or require widening Deer Springs Road to six lanes. Please see **Topical Response TR-4**.

Regarding the comment that Newland plans to start building before Caltrans finishes its analysis and approval of a re-designed interchange at Deer Springs Road and I-15, the County does not agree with this comment. Please see **Topical Responses TR-1 and TR-2**.

I-8-7 The comment states that Vallecitos Water District projects a water supply deficit for the next 20 years and that the District’s Water Supply Assessment requires a 36% water supply cut to existing customers in order to serve the Newland Sierra development. The following statement was published by VWD:

“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

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the 1,624 acre-feet* 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 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."²⁰⁷

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 significance. For additional detail refer to **Topical Responses UTL-1 and UTL-2**.

I-8-8 The comment states that the project is in a "Very High Fire Hazard Severity Zone" and that the project does not provide enough emergency access routes in the event of a fire which would cause gridlock during an evacuation. First, the comment restates information already contained within the Draft EIR. The Draft EIR addresses the project's location in a VHFHSZ in Section 2.8, specifically, page 2.8-17 states, "The proposed project is situated in an area that, due to its steep terrain, heavy fuels, adjacent ignition sources, and fire history, is subject to periodic wildfire. The project Site and the nearby communities of Castle Creek, Hidden Meadows, and Lawrence Welk Resort are all located in a Very High Fire Hazard Severity Zone, as designated by CAL FIRE."

Second, with respect to emergency access, Appendix N-2 is the Evacuation Plan for Newland Sierra, which was prepared in coordination with the Deer Springs

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- Fire Protection District and County of San Diego, and does not conflict with existing evacuation and pre-plans. From Page 2.8-20 of the DEIR, “the intent of the evacuation plan is to guide implementation of an evacuation procedure such that the process of evacuating people from the Site is facilitated in an efficient manner and according to a pre-defined, practiced evacuation protocol.” See **Topical Response HAZ-2**.
- I-8-9** The comment states that the County Board of Supervisors spent millions of dollars and 10 years developing a General Plan that protected and downzoned this area, and that a few years ago the Board of Supervisors voted to approve the plan and protect this area from development. The comment does not challenge the adequacy of the Draft EIR, nor does it does not raise an environmental issue within the meaning of CEQA. However, it should be noted the Draft EIR includes the Existing General Plan as an Alternative. Please refer to DEIR Section 4.5 for a comparison of the impacts of the proposed project and the Existing General Plan. In addition, the Draft EIR thus acknowledges the project would develop more residential than permitted by the existing General Plan land use designations, but would develop substantially less commercial space and retain more open space than existing General Plan designations. Please see **Topical Responses LU-1 and LU-2**.
- I-8-10** The comment states that the County should not approve the project until the Climate Action Plan (CAP) has been completed. The comment also states that the Golden Door and Sierra Club recently won a trial court decision invalidating the County’s threshold for measuring greenhouse gas impacts. First, please refer to **Topical Response GHG-3** for additional information regarding the status of the County’s CAP and the proposed project’s consistency with the same. The project would offset one-hundred percent of its GHG emissions through a combination of Project Design Features and mitigation. As discussed herein, the County adopted its CAP in February 2018. Further, the San Diego County Superior Court 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 LLC 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-21 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.