

I-85 Deborah Costanzo

- I-85-1** The County acknowledges the comment as an introduction to comments that follow. The comment expresses the opinions of the comment, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. 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-85-2** The comment states the project would sever wildlife corridors in a sensitive area if developed. Please refer to Topical Response BIO-2, Wildlife Corridors. 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-85-3** The comment states the proposed project has sought a “carve out” of the draft MSCP North County Plan prior to adoption of the plan by the applicable agencies. Please refer to Topical Response BIO-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. No further response is required or necessary.
- I-85-4** 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 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-85-5** 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 of the DEIR 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. Please refer to Topical Response TR-1. The County will include the comment as part of the Final EIR for review and consideration by the

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decision-makers prior to a final decision on the project. No further response is required or necessary.

- I-85-6** 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-85-7** 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 County does not concur with the comment. Please refer to **Topical Response UTL-2**.

- I-85-8** 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 regarding the fire hazard severity zone restates information already contained within the Draft EIR. The County does not concur with the comment. Please refer to **Topical Response HAZ-1**. The Draft EIR addresses the project's location in a VHFHSZ in Section 2.8 Hazards and Hazardous Materials. 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 the Newland Sierra project, which was prepared in coordination with the Deer Springs Fire Protection District and County of San Diego. The project Evacuation Plan 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."

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- I-85-9** 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 County does not concur with the comment. Please refer to **Topical Response LU-1**. 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 development under the Existing General Plan as an Alternative to the project. Please refer to DEIR Section 4.5 for a comparison of the impacts of the proposed project and impacts from development under the Existing General Plan. In addition, the Draft EIR acknowledges the Newland Sierra 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.
- I-85-10** The comment states that the County should not approve the project until the County's 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. Please refer to **Topical Response GHG-3**. Further, 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-21 to 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.

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