

O-11 Friends of Eden Valley

- O-11-1** The comment provides background information on Friends of Eden Valley. The comments expresses objections to the General Plan Amendment process, including with this proposed development. The comment states, “Any project that contains large scale impacts which would remain as ‘Significate and Unavoidable’ (sic) are unacceptable and should be scaled down to an alternative project size.”

The County acknowledges the comment as an introduction to comments that follow. The County notes that the comment provides background information and 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. 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.

- O-11-2** The comment restates information from Chapter 1, Project Description, and states that the project description is misleading because it does not differentiate between “buildable” open space and “open” space, and notes that “approximately 55% of the project contains Resource Protection Ordinance (RPO)-defined steep slope lands, as well as rock outcroppings that are visually prominent from the I-15 corridor.” The comment states that, “in actuality, only approximately 17 percent of the projects (sic) ‘buildable’ acreage will actually be ‘open space,’ and all 2,135 units will be crammed onto approximately 28% of the project acreage.” The comment concludes that this is “clustering at its worst.” The comment restates information from the Draft EIR and 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. Nonetheless, the County does not concur with this comment.

As a point of clarification, the 212 acres of off-site open space are not within the project Site. The total 1,421 acres of open space is a reference to the total amount of Preserve (biological) open space that would be provided as a result of the proposed project. As noted in the comment, 1,209 acres will remain as open space at the project Site for Preserve purposes. An additional 235 acres of on-site open space would occur within the fuel modification zone, which would be non-buildable open space subject to fuel modification requirements. As a result, approximately 1,444 acres of open space will be provided on Site, which is approximately 72.7 percent of the project Site. The remainder of the project Site, approximately 541 acres, or 27.3 percent of the overall project Site, would be the portion on which the proposed project would be constructed.

As to clustering, the project was designed to concentrate development in the least environmentally sensitive areas, provide for conservation of a large block of open

Comment Letter Responses

space in the northern portion of the Site, and implement a Town Center in the location currently zoned for more intense office/commercial, consistent with the project's objectives. With respect to the difference between "buildable" and "open" space, there is no requirement to differentiate between these two terms, nor is there any physical difference to the environment that would raise an issue within the meaning of CEQA.

O-11-3 The comment states that the project description does not "mention that most of the existing surrounding residential uses are on large lots and have the ability for large animal keeping." The comment requests that the project description be revised accordingly. The County acknowledges that the comment provides factual background information and does not raise an environmental issue within the meaning of CEQA. 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.

O-11-4 The comment states that the Draft EIR omitted the existence of current residents adjacent to or within 0.25 miles of the project Site, and notes that these residents will be affected by air quality issues and should be studied. The comment asks what measures "will be in place for the existing residents, including any horses within the area?" The comment states that the required dust control measures for Harmony Grove Village were not sufficient to protect residents and horses.

The County does not concur with the comment. Refer to **Topical Response AQ-1**, which concludes that the Draft EIR's section on air quality (Section 2.3) considered and evaluated the air quality impacts of the project's construction-related activities. Based on that analysis, the project's construction-related emissions would significantly impact conformance with federal and state ambient air quality standards; therefore, the Draft EIR recommended the adoption of mitigation measures to reduce such impacts to the extent feasible. The project's construction-related activities would not result in significant impacts attributable to crystalline silica exposure, carbon monoxide hotspots, or toxic air contaminants.

Relative to horses, the County notes that state and federal air quality standards and the County's thresholds are designed to protect air quality in general, which affects humans and animals. Certain standards specifically address impacts to human health (e.g., toxic air contaminants, health-risk assessment), and the Draft EIR correctly evaluated impacts pursuant to such standards.

O-11-5 The comment restates the conclusion from the Draft EIR that noise levels will exceed County standards, which would directly impact the surrounding communities. The

Comment Letter Responses

comment states that the surrounding communities have active large animal keeping, including horses. The comment requests that the drilling and blasting notification be expanded from 200 feet to 600 feet, and for a daily blast e-alert to be sent and to include a County Inspector direct phone number for residents to report any issues during construction and blasting.

The County acknowledges the comment and directs the commenter to page 2.11-22 of the Draft EIR, which notes the following:

Additionally, to conduct blasting, a blasting permit must be obtained from the County Sheriff's Department prior to any blasting activities (County of San Diego 2008). The permit is issued in accordance with California Health and Safety Code requirements. The permit ensures that blasting is conducted in a safe manner. As part of the permit conditions, pre-blast notifications, pre-blast structure survey inspections for structures within 300 feet of the blast site, monitoring, and post-blast inspections are necessary.

Accordingly, the request for pre-blast notifications will be implemented through existing permit requirements.

With respect to the request for the notification area to be expanded, the County acknowledges the comment and notes that the Draft EIR has identified a potentially significant impact (Impacts N-8 and N-9) related to groundborne vibration, and includes appropriate mitigation (M-N-5 and M-N-8). As stated in Section 2.10.7.3 of the Draft EIR:

M-N-8 would require preparation of a vibration monitoring plan that would require data be sent to the County noise control officer. The officer would then take the steps necessary to ensure that future vibration levels do not exceed applicable limits, including suspending further construction activities that would result in excessive vibration levels until either alternative equipment or alternative construction procedures have been identified that would reduce vibration levels to below County standards. Therefore, with implementation of MN- 7, vibration impacts during construction (Impact N-8) would be less than significant.

As the blasting locations, necessary geotechnical data, or blasting and materials handling plans are not known at this time, it is not possible to conduct a noise analysis assessing the proposed blasting and materials handling associated with the proposed project (Impact N-9). As previously discussed, M-N-5 would require preparation of a blasting plan requiring compliance with applicable standards. Additionally, M-N-8 is proposed,

Comment Letter Responses

which would require a vibration monitoring plan and require data be sent to the County noise control officer who would take the steps necessary to ensure that future vibration levels do not exceed applicable limits, including suspending construction activities that would result in excessive vibration levels until either alternative equipment or alternative construction procedures have been identified to reduce vibration levels below County standards. Therefore, with implementation M-N-5 and M-N-8, vibration impacts from blasting (Impact N-9) would be less than significant.

Thus, the impacts have been appropriately mitigated, and no expansion of the notification area is required.

- O-11-6** The comment states that horses are perceptive animals and, given the number of equestrian sites located near the project Site, measures must be taken to prevent any injury to horse or rider. The comment requests the Draft EIR be revised to “analyze all potential impacts with regard to the existing horse population, and create a viable mitigation process similar to other projects mentioned here,” and suggests “a licensed equine vet be onsite during all blasting to help mitigate any unforeseen situations created by the blasting.” The comment notes a similar measure was implemented as part of another project.

The County acknowledges the comment and notes that CEQA does not require such analysis. As noted in **Response to Comment O-11-5**, impacts associated with blasting are adequately mitigated by M-N-5 and M-N-8, as well as through compliance with the County of San Diego Sherriff’s Departments requirements for blasting permits. 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.

- O-11-7** The comment requests the Draft EIR to evaluate the safety and welfare of large animals and riders related to the impact of construction traffic on Deer Springs Road, Twin Oaks Valley Road, and Sycamore Road.

The Draft EIR evaluates construction traffic in Section 2.13.9.1, Construction Traffic Impact Analysis, including on Deer Springs Road and Twin Oaks Valley Road (pages 2.13-59 and -60). A Traffic Control Plan (PDF-39) is required, which would provide for “the reasonably safe and efficient movement of road users through or around temporary traffic control zones while reasonably protecting workers, responders to traffic incidents, and equipment” (Draft EIR page 2.13-58). The Traffic Control Plan (TCP) would incorporate the following measures:

Comment Letter Responses

- During peak periods of construction activity, construction shifts shall be staggered to the extent feasible such that worker and contractor arrivals and departures from the project Site avoid the peak hours of the day (i.e., arrive by 7:00 a.m. and leave by 4:00 p.m.).
- The TCP shall identify delivery vehicle routes for all vehicles delivering materials and equipment to the project Site or off-site work zones. Unless directed otherwise by the Director of Public Works, heavy trucks and the delivery of heavy equipment shall use the nearest interchange and/or arterial road (e.g., the Deer Springs Road/I-15 interchange) to gain access to and from the project Site and off-site construction zones. To the extent feasible, the delivery of materials and equipment shall occur outside the AM and PM peak hours of traffic.
- In off-site construction zones, where possible, construction vehicles, contractors, and workers shall remain confined to active work areas for movement throughout the construction zone to minimize impacts on those portions of the road that remain open to through traffic.
- Vehicular access to nearby communities shall be maintained at all times. To the extent feasible, one lane in each direction on all roadways subject to construction shall remain open at all times. In the event that temporary lane closures require that only a single lane can be open for traffic in both directions, such a condition shall be limited to off peak hours and temporary traffic signals/stop lights and flaggers shall be used as a traffic control measure.
- Where applicable, the TCP shall include traffic control measures specific to each phase or sub-phase of work associated with the improvements.
- The TCP shall identify sufficiently sized staging areas and construction worker parking areas. Construction worker parking along off-site roads (outside of designated construction worker parking areas as described in the TCP) shall be prohibited.
- Construction activities requiring travel on local roads, including worker commute trips, shall be limited to off-peak hours to the extent possible.
- Temporary traffic signals/stop lights, if necessary, shall be installed in the event traffic volumes and safety concerns warrant such an installation.
- Signage for advance noticing of pending major construction activities or any temporary lane closures shall be placed along affected roadways in accordance with the Traffic Control Plan at least two weeks prior to the start of construction.

Comment Letter Responses

- The disruption of use for any pedestrians and/or bicyclists along the affected roadway shall be limited to the extent feasible. Wherever possible, along roads with existing sidewalk improvements, safe, through pedestrian access shall be maintained on one side of the affected roadway at all times. Temporary closures of pedestrian access along both sides of a roadway shall be noticed at least two weeks in advance. Permanent pedestrian access improvements shall be constructed as soon as is feasible in the construction process.

The Draft EIR concludes on page 2.13-63 that, with these traffic-control measures, construction-related traffic would result in less-than-significant impacts in both Phase 1 and Phase 2, which would benefit drivers, pedestrians, bicyclists, and equestrians.

Traffic hazards are analyzed in Section 2.13.9.6 of the Draft EIR. As noted on page 2.13-82:

The project's proposed improvements to Deer Springs Road and Twin Oaks Valley Road include a ten-foot-wide multi-use pathway and dedicated bicycle lanes that would connect directly to the project's internal network of pathways and trails, and the bicycle lanes on Sarver Lane and Mesa Rock Road as well as to the existing multi-use pathway and bicycle path along Twin Oaks Valley Road heading into the City of San Marcos. Compared to existing conditions where facilities do not exist or only partially exist, these pedestrian and bicycle improvements would create safer conditions for these two alternative forms of travel along the project's off-Site road improvements.

As detailed in Appendix C, Specific Plan, Section 3.7-10 to 3.7-11 and Figures 66 and 82 of the Draft EIR, the proposed multi-use pathways would accommodate pedestrians, cyclists, and equestrians, per the County's Community Trails Master Plan. Accordingly, as concluded on page 2.13-83, "Compliance with applicable Public Road Standards, the County's Mobility Element safety-related policies, and other applicable engineering requirements, and incorporation of the project's TDM [Transportation Demand Management] measures and transportation-related project design features would ensure that the project results in less than significant impacts related to traffic hazards."

- O-11-8** The comment requests the Draft EIR consider a scenario in which "all road segments on Deer Springs Road and Twin Oaks Valley Road would be widened prior to any new home construction to mitigate the effects of long-term construction traffic for existing residents."

Comment Letter Responses

In response, the Draft EIR identifies the mitigation measures, including road improvements, necessary to mitigate the project's identified significant impacts. The timing of implementing each mitigation measure is based on the number of equivalent dwelling units (EDUs) that would trigger a significant impact (Draft EIR page 2.13-104). The trigger for improvements to Deer Springs Road is issuance of certificates of occupancies for the 40th EDU (between Twin Oaks Valley Road and Sarver Lane) and 58th EDU (Sarver Lane to Mesa Rock Road), and the trigger for improvements to Twin Oaks Valley Road is the 41st EDU. Accordingly, the proposed project would implement the improvements at the beginning of occupation of homes (less than 3 percent of the overall homes proposed). However, because improvements to Twin Oaks Valley Road would be within the City of San Marcos, and therefore not under the jurisdiction or control of the County of San Diego, the Draft EIR has conservatively concluded that these impacts would be significant and unavoidable because their implementation cannot be ensured.

- O-11-9** The comment requests the EIR to evaluate the traffic impact to the equestrian property located at 630 Deer Springs Road, including ingress and egress of a long-bed dually truck hauling a 40-foot trailer with live animals. The comments notes that any widening with a concrete median are not practical at this location due to concerns over evacuating horses from the property.

The Draft EIR evaluates potential impacts related to the design features and physical configurations of roadways in its analysis of traffic hazards in Section 2.13, Transportation and Traffic. As stated in Draft EIR, the project would comply with applicable "public road standards, the County's Mobility Element safety-related policies, and other applicable engineering requirements, and [would] incorporat[e] the project's TDM measures and transportation-related project design features [to] ensure that the project results in less than significant impacts related to traffic hazards. Additionally, as each cumulative project would reasonably be expected to comply with established road and engineering standards, cumulative impacts relating to traffic hazards would be less than significant" (Draft EIR page 2.13-83).

Further, the County notes that the comment raises concerns about a single person/property. Under CEQA, "the question is whether a project will affect the environment of persons in general, not whether a project will affect particular persons" (*Mira Mar Mobile Community v. City of Oceanside* (2004) 119 Cal.App.4th 477, 492). Accordingly, the Draft EIR evaluates impacts to the environment, and does not specifically undertake analysis of impacts to each individual person or property.

Comment Letter Responses

- The County acknowledges the comment, which will be 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.
- O-11-10** The comment requests clarification regarding an easement and how it will be used, and whether it would be expanded. The comment requests the EIR to analyze potential impacts and identify mitigation measures for properties that have the equivalent of a gated private driveway. The comment further requests the EIR to analyze the impacts of construction, utilities, and other traffic that might use this easement. The County acknowledges the comment and notes that it does not raise an issue within the meaning of CEQA. See **Response to Comment O-11-9**, above. 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.
- O-11-11** The comment expresses support for the Draft EIR's evaluation of the No Project (No Build) Alternative, the Existing General Plan Alternative, CDFW/USFWS Land Planning Alternative A, CDFW Land Planning Alternative B, and CDFW Land Planning Alternative C. The County acknowledges the comment and notes that it does not raise an issue within the meaning of CEQA. 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.