

CHAPTER 8 LETTERS OF COMMENT AND RESPONSES

8.1 Introduction

A Draft Environmental Impact Report (Draft EIR) for the proposed project was prepared and circulated for public review from June 15, 2017 to August 14, 2017. During that time, the County received 9 Agency comment letters, 16 Organization comment letters, and 429 Individual comment letters. Due to the volume of comments received, a separate Appendix has been added to the FEIR (Appendix JJ-0). Within that Appendix are “Volume I: Comment Letters” and “Volume II: Comment Letter Responses.” Each of these volumes has a Table of Contents in order to direct the reader to the appropriate comment and/or response. The comments have each been assigned an alphanumeric label, and the individual comments within each written comment letter are bracketed and numbered. For example, Comment Letter A contains one comment that is numbered A-1.

The County’s responses to each comment on the Draft EIR represent a good-faith, reasoned effort to address the environmental issues identified by the comments. Under the State CEQA Guidelines, the County is not required to respond to all comments on the Draft EIR, but only those comments that raise environmental issues. In accordance with CEQA Guidelines 15088 and 15204, the County has independently evaluated the comments and prepared the attached written responses describing the disposition of any significant environmental issues raised. CEQA does not require the County to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters.

Rather, CEQA requires the County to provide a good faith, reasoned analysis supported by factual information. To fulfill these requirements, the County’s experts in planning and environmental sciences consulted with and independently reviewed analysis responding to the Draft EIR comments prepared by Dudek and other experts, which include experts in planning, aesthetics, agriculture, air quality, biology, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use planning, noise, public services, transportation and traffic, utilities and service systems, energy, and environmental studies, each of whom has years of educational and field experience in these categories of environmental sciences; is familiar with the project and the environmental conditions in the County; and is familiar with the federal, state, and local rules and regulations (including CEQA) applicable to the proposed project. Accordingly, the County staff’s final analysis provided in the responses to comments are backed by substantial evidence. Likewise, the County Counsel’s Office prepared and/or independently reviewed legal analysis supplementing the responses to the Draft EIR comments.

In the case of specific comments, the County has responded with specific analysis; in the case of a general comment, or a recurring comment, the reader is referred to a series of “Topical

Responses” where applicable (see Appendix JJ-0). The absence of a specific response to every comment does not violate CEQA if the response would merely repeat other responses. Several of the comment letters repeat issues the County addressed in Topical Responses and other written responses as part of the Final EIR. Due to the repetition, the County relies on those other responses addressing the same or similar issues, even if an individual response does not reference other applicable response(s). This is justified by the voluminous comments provided, and by the same or similar issues raised in such comments. For this reason, each reviewer is encouraged to review the Topical Responses and the other written responses for further responsive information.

8.2 List of Agencies and Individuals that Commented on the Draft EIR

Please refer to Appendix JJ-0 for a comprehensive list of all written comments received during the public comment period.

8.3 Summary of Changes to the Draft EIR and Appendices

Changes have been made to the Draft EIR in strikeout/underline format in response to comments and to provide updates and clarifications to information provided herein. Consistent with CEQA Guidelines Section 15088.5(b), these revisions have been made to clarify text for consistency or revise punctuation as appropriate throughout the document, and these revisions do not result in what constitutes new significant information that would require recirculation of the document. A summary of these revisions is provided in Table 8-1 below.

In addition to the EIR changes outlined in Table 8-1, several of the Draft EIR appendices were revised based on comments received during public review and minor modifications to the project. Those appendices include:

- Appendix D – Camino Mayor Alternative Alignment Analysis
- Appendix E – Visual Resources Technical Report
- Appendix F – Agricultural Resources Technical Report
- Appendix G – Air Quality Technical Report
- Appendix H-1 – Biological Resources Technical Report
- Appendix H-2 – Resource Protection Plan
- Appendix I – Cultural Resources Report
- Appendix K – Greenhouse Gas Technical Report
- Appendix N-1 – Fire Protection Plan

- Appendix R1a – Traffic Impact Analysis
- Appendix R1b – Traffic Impact Analysis – Appendices
- Appendix R3 – Newland Sierra TDM Program – VMT Reduction Evaluation
- Appendix T – Water Conservation Demand Study
- Appendix FF – School District Analysis

The revisions to these appendices have been done in strikeout/underline format, and each revised appendix includes an errata sheet disclosing the revisions that were made.

Lastly, in addition to Appendix JJ-0 (discussed above; consists of the comment letters and associated responses), the following appendices have been added to the EIR (in Appendix JJ) to support the responses with additional information, and to further support the EIR analysis based on comments received. Those appendices include:

- Appendix JJ-1 – Hardline Projects in MSCP and MHCP Subarea Plans
- Appendix JJ-2 – CARB Scoping Plan Appendix B Consistency Analysis
- Appendix JJ-3 – PRA Correspondence and Memo
- Appendix JJ-4 – Newhall Ranch GHG Reduction Plan
- Appendix JJ-5 – Newhall Ranch Section 4 (List of Preparers and Agencies Consulted)
- Appendix JJ-6 – Inclusion of Proposed Offsite Road Improvements in Regional Air Quality and Transportation Plans
- Appendix JJ-7 – Four-Lane Deer Springs Road Traffic Results
- Appendix JJ-8 – Accident Analysis and Pedestrian and Bicycle Activity
- Appendix JJ-9 – Addendum to Newland Sierra VMT Analysis to Respond to SB 743
- Appendix JJ-10 – Newland Sierra Project, Existing and Planned Infrastructure and Services in Project Vicinity
- Appendix JJ-11 – Camino Mayor Dwelling Unit Yield Study
- Appendix JJ-12 – ITE Trip Generation Manual, 1st Edition
- Appendix JJ-13 – Innovate 78 Regional Profile
- Appendix JJ-14 – Caltrans Lilac Hills Ranch Revised EIR Letter (October 22, 2014)
- Appendix JJ-15 – Newland Sierra Response to Caltrans Comment Letter
- Appendix JJ-16 – Caltrans Letter on Newland Sierra RTCs, EIR Revisions

- Appendix JJ-17 – Caltrans Response to Latham and Watkins (Golden Door) on VMT Analysis
- Appendix JJ-18 – Newland Sierra Existing GP Alternative GHG Emissions Analysis
- Appendix JJ-19 – Golden Door Properties, LLC v. Vallecitos Water District, Appellate No. D072280
- Appendix JJ-20 – Newland Sierra CAP Checklist
- Appendix JJ-21 – County CAP Documents
- Appendix JJ-22 – Monte Vista Drive and Foothill Drive Intersection Operations
- Appendix JJ-23 – Estimated Fiscal Benefits of Newland Sierra Project
- Appendix JJ-24 – Newland Sierra Annual Fiscal Revenues Analysis
- Appendix JJ-25 – Deer Springs Oaks Mobile Home Estates Masonry Fence Analysis
- Appendix JJ-26 – Newland Sierra Attainability Analysis

Table 8-1
Summary of EIR Text Changes

Section (Page)	Change
<i>Summary</i>	
Table S-1	Revisions to Mitigation Measures consistent with revisions to Final EIR
Table S-2	Revisions to Project Design Features consistent with revisions to Final EIR
<i>1.0, Project Description</i>	
1.2.1.6 (pg. 1-11)	Revised description of Deer Springs Road Option B from Continuous to “Intermittent” turn lanes.
1.2.1.7 (pg. 1-12)	Included clarifying language in PDF-6, PDF-13, and PDF-17
1.2.1.8 (pg. 1-14)	Clarified electric vehicle charging requirements (PDF-23)
Table 1-10 (pg. 1-49)	Revised Table 1-10 to clarify Project “” is San Marcos Highland project in City of San Marcos
<i>2.1, Aesthetics</i>	
2 (pg. 2.1-1, 2)	Clarifying proposed I-15 interchange improvements and responsibilities of proposed project and Caltrans.
2.1.1.1 (pg. 2.1-3)	Revised description of steep slopes on project Site.
2.1.3.2 (pg. 2.1-38)	Description of when landscape anticipated to reach maturity
<i>2.2, Agricultural Resources</i>	
2.2.3.1 (2.2-10)	Corrected acreage.
2.2.6 (pg. 2.2-18)	Revised M-AG-2 to clarify role of Caltrans.
Table 2.2-2 (page 2.2-19)	Updated Cumulative Projects to only include cumulative projects that have agricultural resources onsite.
<i>2.3, Air Quality</i>	
2.3.4.2 (pg. 2.3-22)	Insertion of footnote explaining why construction assumptions with a Jan. 2018 start date are conservative.
2.3.4.3 (pg. 2.3-27)	Corrected Appendix reference

**Table 8-1
Summary of EIR Text Changes**

Section (Page)	Change
2.3.5.2 (pg. 2.3-33)	M-AQ-2 updated to clarify that <u>all</u> diesel-powered equipment would be Tier 4 Final, and when not available, applicant will have to check with three construction fleet owners to demonstrate that Tier 4 Final for a specific piece of equipment is not feasibly attainable. M-AQ-2 also updated to include catalytic reduction for gas powered equipment and signage to be posted for queuing areas and idling limit. Lastly, minor text revisions were made to M-AQ-2.
2.3.5.2 (pg. 2.3-37)	Revised M-AQ-5 to clarify role of Caltrans.
2.3.5.2 (pg. 2.3-40)	Included clarifying language in PDF-6, PDF-13, and PDF-17
Table 2.3-3 (p. 2.3-68)	Table updated to reflect 2008 federal ozone standard from "Marginal" to "Moderate" nonattainment status.
<i>2.4, Biological Resources</i>	
2.4.1 (pg. 2.4-4)	Clarified location off off-site Ramona Parcel
2.4.7.2 (pg. 2.4-24)	Updated reference to survey dates to include 2017.
2.4.8.2 (pg. 2.4-37)	Deletion
2.4.12.1 (pg. 2.4-64)	Included analysis of Impact CWA-4 from Appendix H
2.4.12.1 (pg. 2.4-65)	Corrected table references
2.4.12.4 (pg. 2.4-80)	Clarified location off off-site Ramona Parcel
2.4.12.5 (pg. 2.4-92)	Clarified location off off-site Ramona Parcel
2.4.14.1.2 (pg. 2.4-103)	Corrected table references
2.4.14.1.2 (pg. 2.4-1-4)	Included Significance of Impact CWA-4 from Appendix H
2.4.15.1 (pg. 2.4-108)	Revision to M-BIO-1 to add monthly updates
2.4.15.1 (pg. 2.4-110)	Revision to M-BIO-5 to add "blasting"
2.4.15.1 (pg. 2.4-111)	Clarification of timing for surveys
2.4.15.1 (pg. 2.4-113)	Revision to M-BIO-6 for seed sourced from project Site
2.4.15.1 (pg. 2.4-116)	Revision to M-BIO8B to remove Exception 1
2.4.15.1 (pg. 2.4-120)	Revision to M-BIO-10
2.4.16.1.2 (pg. 2.4-127)	Corrected table references
2.4.16.1.2 (pg. 2.4-128)	Corrected table references
2.4.16.3 (pg. 2.4-129)	Included Impact CWA-4 from Appendix H
2.4.16.2 (pg. 2.4-133)	Clarification on RPO Exemption for Essential Facility
2.4.16.3 (pg. 2.4-134)	Revised "unimpeded" to "adequate"
2.4.16.5 (pg. 2.4-135)	Revised "unimpeded" to "adequate"
Figure 2.4-5	Revised Figure to show location of Spadefoot Toad
Figure 2.4-8	Added culvert under Deer Springs Road
<i>2.5, Cultural Resources</i>	
Various	Revised "reinternment" to "reinterment"
2.5 (pg. 2.5-2)	Added three historic-age built environment resources
2.5 (pg. 2.5-2)	Clarified location of a portion of CA-SDI-4558 within Deer Springs Road right-of-way.
2.5.1.2 (pg. 2.5-4)	Added description of 2017 pedestrian survey results

**Table 8-1
Summary of EIR Text Changes**

Section (Page)	Change
2.5.1.4 (pg. 2.5-10)	Added three historic-age built resources
2.5.1.4 (pg. 2.5-14, 15)	Added descriptions of three historic-age built resources
2.5.1.4 (pg. 2.5-15)	Added description of 2018 reconnaissance survey for historic-age built resources
2.5.3.1 (pg. 2.5-34)	Changed "APE" to impact acre
2.5.3.1 (pg. 2.5-36)	Add impact analysis for historic-age built resources
2.5.3.1 (pg. 2.5-36, 37)	Clarified design of park as "natural park" for CA-SDI-4558
2.5.3.1 (pg. 2.5-42)	Added summary of impacts to historic-age built resources
2.5.6 (pg. 2.5-48)	Added M-CR-2a applicable to CA-SDI-4558
2.5.6 (pg. 2.5-49)	Clarified M-CR-5
2.5.6 (pg. 2.5-50)	Corrected error; now reads "Dust Control Plan"
2.5.6 (pg. 2.5-53)	Deleted "if feasible"
2.5.6 (pg. 2.5-56)	Clarified M-CR-9 applicable to CA-SDI-4558
2.5.6 (pg. 2.5-58)	Clarified role of Caltrans in M-CR-12
Table 2.5-1 (pg. 2.5-61)	Revised description of recommended mitigation measures applicable to CA-SDI-4558.
<i>2.6, Geology and Soils</i>	
2.6.2 (pg. 2.6-7)	Updated reference to CBC from 2013 to 2016
2.6.2 (pg. 2.6-7)	Updated reference for ASCE from 7-05 to 7-10
2.6.6 (pg. 2.6-22)	Clarified role of Caltrans in M-GE-6
2.6.7 (pg. 2.6-23)	Deleted "if necessary"
Figure 2.11	Show blasting locations
<i>2.7, Greenhouse Gas Emissions</i>	
2.7.2 (p. 2.7-16)	Second paragraph – updated information regarding CARB's <i>Second Update</i> to the Climate Change Scoping Plan.
2.7.2 (p. 2.7-22)	Second and third paragraph – updated information regarding SANDAG's RTP/SCS and the lawsuit filed by the Cleveland National Forest Foundation.
2.7.2 (p. 2.7-26)	County of San Diego Climate Action Plan – provided updated information on the Climate Action Plan that was adopted by the Board of Supervisors on February 14, 2018, following the public review period for the project.
2.7.3.2 (p. 2.7-44)	Added "Consistency with County of San Diego Climate Action Plan" discussion to include information regarding the project's consistency with the County's Climate Action Plan adopted February 14, 2018.
2.7.6 (p. 2.7-50)	Edits to M-GHG-1 renaming VCS to Verra, and clarifying that if carbon offsets cannot be purchased through the Climate Action Reserve, the American Carbon Registry, Verra or any registry approved by CARB under the state's cap-and-trade program, then offsets may be purchased through a reputable registry or entity that is acceptable to the Director of Planning and Development Services Department.
2.7.6 (p. 2.7-51)	M-GHG-2: first paragraph added "As to operational GHG emissions, to effectuate a total offset of 1,304,940 MT CO ₂ E over the 30-year life of the project consistent with this measure,..."
2.7.6 (p. 2.7-52)	Edit to the "true up" clause in M-GHG-2 to clarify several points of the clause, and to clarify that any "true up" analysis must go to the Board of Supervisors.
2.7.7, Table 2.7-7 (p. 2.7-61)	Clarified that solar installation would offset approx. 3,453 MT CO ₂ E/yr in GHG emissions, and that no credit was taken for solar to be installed on community facilities or for solar street lighting.

**Table 8-1
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Section (Page)	Change
2.7.7 (p. 2.7-54)	Edit to M-GHG-1 and M-GHG-2 re: priority of where offsets would come from (local up to international in geographic scope).
2.7.7 (p. 2.7-55)	Edit to Table 2.7-4 re: vegetation removal to clarify GHG emissions over entire construction period.
Tables 2.7-6, -8, -9, -10, -11, -12, -13, -14	Updated "Water Demand" to "Water Supply and Wastewater"
2.7.7 (p. 2.7-49)	Edit to M-GHG-2 to clarify total offsets that would occur under this measure.
2.7.7 (p. 2.7-54)	Clarifying edits to "Conclusion" regarding CARB's <i>Second Update</i> to the Climate Change Scoping Plan.
Table 2.7-7 (pg. 2.7-62)	Included clarifying language in PDF-6, PDF-13, and PDF-17
Varies	Corrected the requirement for EV charging equipment – required in "all private residential garages" rather than "the garages of all single-family units"
<i>2.8, Hazards and Hazardous Materials</i>	
2.8.3.2, (pg. 2.8-20)	Added description for Zone 1 for FMZ.
2.8-36	Clarified role of Caltrans in M-HAZ-6
Appendix D of Appendix N-1	Added map
<i>2.9, Mineral Resources</i>	
N/A	No changes to this Section
<i>2.10, Noise</i>	
2.10.3.2 (pg. 2.10-15)	Added chipping and grinding of landscape trimmings
2.10.3.2 (pg. 2.10-16)	Clarification that project would include a school <u>site</u> .
2.10.6.2 (pg. 2.10-33)	Clarified role of Caltrans in M-N-7
Figure 2.10-11	Added figure showing blasting locations
<i>2.11, Paleontological Resources</i>	
2.11.6 (pg. 2.11-10)	Clarified role of Caltrans in M-PR-2
<i>2.12, Population and Housing</i>	
N/A	No Changes to this Section
<i>2.13, Transportation and Traffic</i>	
2.13.1 (pg. 2.13-4, 5)	Clarified Caltrans process
2.13.1.1 (pg. 2.13-6)	Revised description of impact to Deer Springs Road/I-15 ramps
2.13.1.2 (pg. 2.13-8, 9)	Revised description of impact to Deer Springs Road from Mesa Rock Road to I-15 ramps
2.13.1.3 (pg. 2.13-11)	Revised description of direct impact to I-15 Mainline
2.13.1.6 (pg. 2.13-16)	Revised description of cumulative impact to I-15 Mainline
2.13.1.7 (pg. 2.13-17)	Clarified date of SANDAG's most recent RTP/SCS (2015)
2.13.8 (pg. 2.13-57)	Described SANDAG's plans for the extension of its Bus Rapid Transit Service from Temecula to Escondido
2.13.9.1 (pg. 2.13-58)	Clarified improvements to I-15 interchange from "new" to "upgraded or improved"
2.13.9.1 (pg. 2.13-61)	Clarified Caltrans process
2.13.12.1 (pg. 2.13-105, 106)	Revised M-TR-1 to add EDU Threshold and clarify Caltrans role and process

**Table 8-1
Summary of EIR Text Changes**

Section (Page)	Change
2.13.12.1 (pg. 2.13-108)	Clarified M-TR-6
2.13.12.1 (pg. 2.13-113 – 115)	Add additional justification for why improvements to I-15 are not feasible
2.13.12.2 (pg. 2.13-119, 120)	Add additional justification for why improvements to I-15 are not feasible
2.13.12.1 (pg. 2.13-122)	Clarified role of Caltrans in M-TR-17
2.13.13.1 (pg. 2.13-125)	Add additional justification for why improvements to I-15 are not feasible
2.13.13.2 (pg. 2.13-128)	Add additional justification for why improvements to I-15 are not feasible
Table 2.13-1 (pg. 2.13-131)	Corrected existing intersection traffic control at Twin Oaks Valley Road/Camino Mayor to MSSC
Table 2.13-21 (pg. 2.13-157)	Corrected traffic volume
Table 2.13-26 (pg. 2.13-159)	Corrected delay times and LOS associated with delay
Table 2.13-27 (pg. 2.13-162)	Corrected street name, classifications, and V/C
Table 2.13-29 (pg. 2.13-167)	Corrected volumes and V/C
Table 2.13-30 (pg. 2.13-169)	Corrected values in table
Table 2.13-31 (pg. 2.13-171)	Corrected volumes
Table 2.13-35 (pg. 2.13-179)	Corrected delay
Table 2.13-36 (pg. 2.13-180)	Corrected LOS
Table 2.13-39 (pg. 2.13-184)	Corrected delay and LOS
Table 2.13-41 (pg. 2.13-186)	Corrected delay
Table 2.13-42 (pg. 2.13-186)	Corrected volumes
<i>2.14, Utilities and Service Systems</i>	
2.14.1.2 (pg. 2.14-14)	Changed "Central Valley Project" to "Colorado River Aqueduct"
2.14.1.2 (pg. 2.14-15)	Changed "Central Valley Project" to "Colorado River Aqueduct"
2.14.1.2 (pg. 2.14-20)	Changed "Meadowlark Reclamation Facility" to "Encina Water Pollution Control Facility"
2.14.1.3 (Pg. 2.14-27)	Updated reference
2.14.1.4 (pg. 2.14-34)	Changed 1,200 to 1,500
2.14.1.4 (pg. 2.14-39)	Deleted "Thus"

**Table 8-1
Summary of EIR Text Changes**

Section (Page)	Change
2.14.1.4 (pg. 2.14-42)	Clarified water savings of at least 20% would be per Water Code Section 10608.16.
2.14.1.4 (pg. 2.14-45)	Added “gpd”
2.14.1.4 (pg. 2.14-45)	Revised table reference
2.14.1.8 (pg. 2.14-52)	Clarified role of Caltrans in M-UT-5
2.14.2.4 (pg. 2.14-56)	Corrected table reference
2.14.2.4 (pg. 2.14-57 – 58)	Inserted clarifying new text as requested by VWD
<i>2.15, Significant Irreversible Environmental Changes</i>	
p. 2.15-2	Clarified that “Fossil fuels would represent the primary <u>non-renewable</u> energy source associated with construction and on-going operation of the project...”
<i>3.1, Energy</i>	
3.1.3 (p. 3.1-13)	Cross reference provided to Section 2.7, Greenhouse Gas Emissions, specifically to PDF-22 re: solar power. Cross reference to Section 2.12, Pop Housing re: regional growth forecasts as it relates to energy use.
3.1.3 (p. 3.1-13, 14 and 17)	Cross reference to Section 2.12, Pop Housing re: regional growth forecasts as it relates to energy use.
3.1.3 (p. 3.1-17)	Cross reference to Section 2.12, Pop Housing re: regional growth forecasts as it relates to energy use.
<i>3.2, Hydrology and Water Quality</i>	
N/A	No Changes to this Section
<i>3.3, Land Use and Planning</i>	
3.3.2.2 (pg. 3.3-9)	Revised reference from Table 3.3-1 to Appendix DD
3.3.2.2 (pg. 3.3-11)	Revised Description of Specific Plans
<i>3.4, Parks and Recreation</i>	
3.4.3.3 (pg. 3.4-13)	Added reference to Appendix DD
<i>3.5, Public Services</i>	
3.5.1 (pg. 3.5-4)	Added school district acronyms and the school district that each school is located within
3.5.3 (pg. 2.5-15)	Added reference to participating in City of San Marcos CFD 2001-01 or payment of in-lieu fee.
3.5.3 (pg. 3.5-17)	Revised K-8 student totals based on updated Student Generation Rates
3.5.3 (pg. 3.5-16)	Revised discussion of public facilities impact fees – not applicable in County
3.5.3 (pg. 3.5-19)	Summarized potential school impacts
Table 3.5-2 (pg. 3.5-25)	Revised K-8 student totals based on updates Student Generation Rates
<i>4.0, Alternatives</i>	
4.5.4 (4.5-23)	Deleted sentence
<i>5.0, References</i>	
pg. 5-13	Added reference for 2014 MSCP
pg. 5-13	Added reference for 2016 “insert”
<i>6.0, List of Preparers</i>	
N/A	No Changes to this Section
<i>7.0, List of Mitigation Measures and Environmental Design Features</i>	
Various	Revisions to Mitigation Measures consistent with revisions to Final EIR

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