

O-2.1 Endangered Habitats League

O-2.1-1 The comment states that EHL is a stakeholder in County planning endeavors, having served on the Advisory Committee for the 2011 General Plan Update and the Steering Committee for the North County Multiple Species Conservation Program (North County MSCP). The comments concludes that the project violates that basic integrity of the General Plan and should be denied. The comment provides factual background information on the commenter, and the County notes it expresses the commenter's general opposition for the project. 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. No further response is required or necessary.

O-2.1-2 The comment provides background on the County General Plan Update process and notes that “some individual development projects were proposed and incorporated into the Update, most—including the prior iteration of Newland Sierra—were rejected on planning grounds.” The comment continues that the County General Plan update “was predicated upon the assumption that the General Plan ... would be stable, and could be relied upon for a substantial period of time,” and that “[t]he Newland Sierra proposal, if adopted, would shatter the compromises and void the trust.”

The County notes the comment provides factual background information regarding the County General Plan update, and the opinions of the commentator regarding what approval of the proposed Project would constitute, 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.

Nonetheless, the County does not concur with this comment. The proposed Project was not rejected on planning grounds as part of the County General Plan Update. As the comment notes, a previously proposed project on the same project Site was denied by the County Board of Supervisors. The proposed Project represents an entirely new application and has been analyzed independently by the County of San Diego. It has been thoroughly vetted both by the County of San Diego as well as the community through numerous public meetings and the CEQA-mandated review process, including the Notice of Preparation scoping period and a 60-day public review period.

Further, as discussed in **Topical Response LU-1**, as well as Section 3.3 of the Draft EIR and Appendix DD, Land Use Consistency Analysis, despite requiring a General

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Plan Amendment, the proposed project would result in a less than significant impact to Land Use and Planning.

O-2.1-3 The comment states “There has been no data showing that the General Plan lacks housing capacity” and that the County “has a compliant Housing Element and meets its RHNA.” The comment concludes that “no change in the Housing Element is being proposed, which belies any assertion that the project is needed to supply additional housing.” The comment addresses general subject areas (proximity to transit, traffic, wildfire hazards, and biological resources), which received extensive analysis in the Draft EIR. Specifically, Section 2.4, Biological Resources, Section 2.8, Hazards and Hazardous Materials, Section 2.13, Transportation and Traffic, and Section 3.3, Land Use and Planning. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

Further, the Draft EIR discusses that, “according to RHNA’s fifth housing element cycle (January 1, 2013 to December 31, 2020; an 8-year period), the County’s land use plan provides housing capacity to meet the fifth cycle’s RHNA estimate for the San Diego region of 22,412 residential units (County of San Diego 2016).” (Draft EIR page 2.12-8.) However:

“To meet this 22,412 unit target by 2020, the County would need to approve on average 2,802 residential units per year. From 2010 through 2015, however, only 3,175 housing units were either constructed or permitted. This equates to an average of only 529 units per year (County of San Diego 2016). At this rate, the County would fail to meet the RHNA’s 2020 target by 18,180 units.

The State of California also continues to experience housing supply shortages, which contribute to rising housing prices and rents, higher cost burdens, lower homeownership rates, and worsening housing affordability (California Department of Housing and Community Development 2014). In 2015, to meet projected housing need, University of California at Berkeley Professor Carol Galante estimated that approximately 200,000 new housing units produced per year would be the minimum to accommodate increased population demand estimates for California (CBIA 2016). Meeting this estimate is a significant challenge when considering historical residential building permit issuance rates (as measured by single-and multi-family building permits).” (Draft EIR page 2.12-8.)

With respect to the comment that “no change in the Housing Element is being proposed, which belies any assertion that the project is needed to supply additional housing,” the County agrees that no such amendment to the Housing Element is proposed. The County does not update the Housing Element with every project;

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rather, consistent with State law, the County updates the Housing Element every five years, or when a complete update to the General Plan is prepared. It is anticipated that if the proposed Project is approved, the next Housing Element would include the project Site's inventory, and corresponding changes would be made to the Housing Sites Inventory. Nevertheless, as detailed in the EIR, the project would supply housing in the area when, at the rate housing has been recently permitted, "the County would fail to meet the RHNA's 2020 target by 18,180 units."

O-2.1-4 The comment states "that the San Diego region ...is actually doing fairly well [providing housing] for above-moderate income earners," and that "[t]he high end Newland Sierra project would do little or nothing to satisfy the housing needs of even those with moderate income." Initially, the County does not concur with the comment that the Newland Sierra Project would not accommodate a wide range of income levels. As stated in Table 1 of Appendix DD, Land Use Consistency Table:

"[T]he project's various neighborhoods have been planned to accommodate the housing needs of a wide range of consumer life stages and income levels. For example, the project would include 325 age-qualified housing units, 15% of the total housing proposed in the project, in its Sierra Mesa neighborhood. In addition to these age-qualified units, the project would include 762 multi-family townhome and row townhome-style units in its Town Center, Terraces, and Valley neighborhoods and 173 units in family clusters in its Valley, Knolls, and Summit neighborhoods. Finally, the project's Hillside neighborhood will include age-targeted housing units, including single-story units and units with the master living space on the ground floor. In combination, these housing types constitute over 60% of the project's proposed units, providing an important housing type for young professionals, first-time homebuyers, growing families, empty-nesters, retirees, and seniors. The balance of the project's housing would be in the form of more traditional single-family homes and accommodate many of these same demographic groups. Collectively, the project's mix of housing types includes sufficient housing options for a wide range of consumer life stages and income levels."

It should be further noted that the proposed project does not preclude the future development of affordable housing units. The typology described above, including the 762 multi-family townhome and row townhomes style units and 173 cluster units and 325 age-qualified units could be considered viable affordable housing types.

In addition, the County directs the commenter to the Market Pointe Market Analysis (<http://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/Newland%20>

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Sierra/Newland%20DEIR/Market%20Analysis.pdf), provided as additional information during public review. The analysis estimates that:

“146 of the homes proposed for Newland Sierra would be affordable to households earning less than 80 percent MFI. Approximately 55 percent of the home would be classified as workforce housing affordable to households earning between 80 and 120 percent MFI. An additional 42 percent of proposed homes would be affordable to households earning 120 to 150 percent MFI, while only 10 percent of the homes would require more than 150 percent MFI to purchase.”

The analysis further concludes that “while the average price of a resale condominium or townhome in the CMA may be affordable to workforce households, the average price of a detached resale housing unit is not,” because “[d]ue to notable supply constraints over the past several years, new home prices in the H78 CMA over the past five years have increased significantly climbing from an average under \$437,000 in 2011 to an average of \$632,286 in the first quarter of 2016.” Thus, while the County General Plan was approved in 2011 and provides for sufficient housing according to RHNA, market forces and supply constraints have limited the availability of housing, which has driven up prices and reduced affordability throughout the market.

Lastly, the County notes that the comment raises economic, social, or political issues [provision of affordable housing] that do not appear to relate to any physical effect on the environment. The County will accordingly 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-2.1-5 The comment states the project Site, under the General Plan designation, “is a regional employment center geared to improved housing-jobs balance,” while the proposed Project, “would change this to a major residential development, turning the location into a generator of vehicle trips rather than an attractor.” As a result, the comment concludes the proposed Project “could potentially invalidate that plan’s Programmatic EIR, used for many tiering purposes under CEQA.” The County does not concur with this comment.

With respect to the portion of the comment stating that the General Plan designates over 50 acres of office commercial and 99 housing units at the Site, and that the DEIR has not compared this to the proposed Project’s 2,135 housing units and 81,000 square feet of commercial/retail; the County directs the commenter to Section 4.5, Alternatives which compares the Existing General Plan to the proposed Project. As

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stated in that analysis, the Existing General Plan would generate only approximately 6% fewer overall ADT than the proposed Project; thus, operations emissions related to Air Quality, GHG and Traffic are similar under the General Plan PEIR and proposed Project.

Further, while the County General Plan required the preparation of a CAP to mitigate GHG emissions which were based on the underlying General Plan land use designations, with Mitigation Measures M-GHG-1 and M-GHG-2, the proposed Project would become one of the first large scale master planned communities in San Diego County to completely off-set 100% of its GHG emissions; which would result in fewer GHG emissions than a General Plan compliant project based on high intensity Professional/Office and Commercial uses.

O-2.1-6 The comment states “the DEIR’s assertions of no significant impact to land use and planning are not credible. Multiple irreconcilable inconsistencies exist with the Land Use Element.” The comment addresses general subject areas (Consistency with the County General Plan Land Use Element), which received extensive analysis in the Draft EIR, notably in Section 3.3, Land Use and Planning and Appendix DD, Land Use Consistency Analysis. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The County acknowledges the comment as an introduction to comments that follow. Please see **Response to Comments O-2.1-7** through **O-2.1-11**, below, as well as **Response to Comment O-1-377** through **O-1-496**. 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.

O-2.1-7 The comment states County General Plan “Land Use Policy 1.1 requires density assignment that reinforces the Community Development Model and the designated Regional Categories,” and that “[t]urning a Rural location into ‘master planned’ suburban sprawl mocks this policy.” The County does not concur with this comment. The proposed Project’s consistency with General Plan Land Use Policy 1.1 is analyzed in Appendix DD, Land Use Consistency Table. As stated in Table DD:

The project assigns land use designations in accordance with the Community Development Model and boundaries established by the Regional Categories Map. The proposed General Plan Amendment assigns land use designation according to the three regional categories, with the highest-intensity uses located in the Village category, surrounded by medium-density and residential neighborhoods in the Semi-Rural category. Farther out, rural lands characterized by open space, habitat conservation, and recreation areas would surround the neighborhoods.

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Table DD discusses consistency with LU-1 and also addresses the project's consistency with the Community Development Model, stating:

Consistent with the Community Development Model, the densest neighborhood on Site, the Town Center, would consist of a range of commercial uses that are supported by a network of local roads containing bicycle lanes and pathways linking the neighborhoods with parks, a school site, and public areas. Spanning out from the Village, the proposed project's semi-rural areas would contain low-density residential neighborhoods. Farther out, the neighborhoods would be surrounded by rural lands characterized by open space, habitat conservation areas, recreation areas, and other uses associated with rural areas.

The proposed Project includes a General Plan Amendment to amend the locations of the Regional Category designations on the project Site. The County of San Diego allows such amendments through the General Plan Amendment process, which requires a proposed Project to demonstrate and analyze compliance with the underlying goals, policies and objectives of the County of San Diego General Plan. Please see also, Draft EIR, Section 3.3, Land Use and Planning, discussing consistency with the General Plan and concluding that the proposed Project would have a less than significant effect with respect to consistency with applicable plans, policies and regulations, including the County General Plan.

O-2.1-8 The comment states County General Plan "Land Use Policy 1.4 requires that expansion of a Village be orderly, contiguous, and reflect its character and scale." The comment states that the project "would overwhelm Twin Oaks, including development on lands *far away* from existing Village. When residents would have to drive over 2 miles to the Town Center, this itself is a *commute*." [emphasis in original]

The County does not concur with this comment. The proposed Project's consistency with General Plan Land Use Policy 1.4 is analyzed in Appendix DD, Land Use Consistency Table. As stated in Table DD, "The project is located in an area where the Community Development Model has already applied the Village Category to a portion of the project Site; therefore, the project does not propose to create a new Village, or expand or reconfigure the existing Village area." Further, as explained in **Response to Comment O-1-423**, the project Site contains a defined Village area per the Regional Categories Map (refer to Figure LU-1 of the General Plan Land Use Element). The 58.3 acres designated as Village on the Regional Categories Map is proposed to be retained in its existing configuration by the project. The project does not propose a new Village area or an expansion of the existing Village area as shown on the Regional Categories Map.

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With respect to the comment that the project, “would overwhelm Twin Oaks,” the County acknowledges the comment and notes it expresses the opinions of the commentator. Nonetheless, the Draft EIR does anticipate potential impacts within the Twin Oaks community, specifically through potential improvements and widening roadways (including Deer Springs Road/Twin Oaks Valley Road), as well as for the potential of growth inducement as discussed in Section 1.8 of the Draft EIR. The County notes this comment 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.

With respect to the comment that “[w]hen residents would have to drive over 2 miles to the Town Center, this itself is a commute,” the County acknowledges the comment and notes it expresses the opinions of the commentator. The County notes this comment does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. Nonetheless, the Draft EIR does not claim that all internal trips would be reduced as a result of the proposed Project. The TDM plan allocates a small VMT reduction (2%) for walking/bicycling internal to the project as more fully explained in Appendix R-3, Newland Sierra TDM Program. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. 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 necessary or required.

- O-2.1-9** The comment states “The project would actually constitute “leapfrog” development, subject to Land Use Policy 1.2” because a “gas station is not an ‘established village.’” The County agrees that a gas station does not constitute an “established village” however, the County does not concur that the proposed Project relies upon the existence of a gas station to make such a conclusion and therefore does not concur with this comment. Please refer to **Response to Comment O-2.1-7**, above, as well as **Response to Comment O-1-423, 423, 424, and 427**. As stated in Appendix DD, Land Use Consistency Analysis:

“The Community Development Model is implemented by three Regional Categories: Village, Semi-Rural, and Rural lands. The project as proposed is consistent with the Community Development Model, because the Community Development Model has already applied an established Village Regional Category designation to a portion of the project Site. The project does not propose to create a new Village, or expand or reconfigure the existing Village area. The project is also within the established boundaries of the Vallecitos Water District.”

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Accordingly, Land Use Policy LU 1.2 is Not Applicable to the proposed Project.

- O-2.1-10** The comment states “massive grading for suburban development contradicts the directive of Land Use Policy 1.3 to ‘Designate land use designations in patterns to create or enhance communities and preserve surrounding rural lands.’” The County does not concur with this comment. The amount of grading proposed by a project does not determine consistency with Policy LU 1.3. Policy LU 1.3 is intended to promote land use development patterns; it does not address grading practices. As stated in Appendix DD, Land Use Consistency Table:

“Village Core Mixed-Use, Semi-Rural 1, and Open Space-Conservation land use designations were assigned based on the underlying regional category. The project would promote sustainability by focusing on an environmentally sensitive pattern of development. The project would integrate a range of housing types and densities while conserving open space and natural resources.”

The proposed Project preserves surrounding rural lands by conserving 1,209 acres of the project Site as open space preserve (DEIR, Figure 1-2a, Biological Open Space) which constitutes 60.5% of the project Site. Further, approximately 235 acres of the project Site would be maintained as native, unirrigated, and ungraded habitat selectively thinned for fuel modification purposes. Only 540 acres (27%) of the project Site would be graded.

- O-2.1-11** The comment states “Village expansions are modest additions to established villages, in keeping with the scale and character of the latter,” and the proposed Project is “textbook example of large-scale suburban sprawl as legitimate village expansion.” The County does not concur with this comment. Please see **Response to Comment O-2.1-7** through **O-2.1-9**, above, as well as **Response to Comments O-1-423** through **O-1-427**. With respect to the comment regarding a smaller project requiring recirculation of the General Plan DEIR, the County notes that was for a different project, and that as summarized in **Topical Response LU-1**, the proposed project would be consistent with the General Plan Goals and Policies. The impacts of the proposed project have been analyzed throughout the DEIR and recirculation of the General Plan EIR would not be required.

- O-2.1-12** The comment states “The carbon emissions from the project’s high vehicle miles traveled are proposed for ‘offsetting’ with measures primarily out-of-County and even out-of-state or in foreign countries.” The comment notes that “[t]his contradicts the General Plan’s practice of requiring GHG emissions reduction within San Diego County, as reflected in Mitigation Measure CC-1.2.” The County does not concur with this comment. Please refer to **Topical Response GHG-1 – Use of Carbon**

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Offsets, Topical Response GHG-3 – CAP Consistency, and Response to Comment O-1-142.

- O-2.1-13** The comment concludes that “Impacts to land use and planning should be considered highly significant and unmitigated.” The County does not concur with this comment. Please see above **Response to Comments O-2.1-6** through **O-2.1-12**, as well as **Response to Comments O-1-377** through **O-1-496**. The comment addresses general subject areas (Consistency with the County General Plan), which received extensive analysis in the Draft EIR, specifically in Section 3.3, Land Use and Planning, and Appendix DD, Land Use Consistency Table. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. 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.
- O-2.1-14** The comment states that the project site is designated Pre-Approved Mitigation Area (PAMA) in the draft North County MSCP) and is “one of the largest habitat blocks west of I-15” and its “function as an intact core area for wildlife populations that must be preserved.” The comment notes the project site “connects to the San Marcos Mountains to the west, to the east via an I-15 overpass and various culverts, and to the south over Deer Springs Road.” The County notes the comment provides factual background information as an introduction to comments that follow and does not raise an environmental 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.
- O-2.1-15** The comment notes that the project “targets relatively flat ground” and would result in “a single block of habitat left in the north.” The comment states “Given the edge effects upon fragments of this size, only the northern block [of open space] has the potential to retain long-term biological viability.” The comment states the “majority of the biological value of the site would be lost either directly or indirectly through habitat fragmentation and edge effects, leaving ...870 acres in the north.” The comment notes “[t]he DEIR provides no substantial evidence that the two open space areas in the south would retain species populations and ecological functions and values” and that “the DEIR confounds gross acres with ecological functions, and fails to disclose or mitigate the severe fragmentation and edge effects which reduce function.” The County does not concur with this comment.

Open space habitat blocks are described on pages 2.4-83 to 2.4-86, Subsection 2.4.12.5, Local Policies, Ordinances, and Adopted Plans, of the Draft EIR. Generally, 1,209.1 acres of open space would be established on site in three interconnected

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blocks: the 870.2-acre northern block (Block 1), the 153.9-acre eastern block (Block 2), and the 185.0-acre southern block (Block 3). Each of these blocks would be connected to adjacent open space within the draft North County Plan PAMA Core Areas and linkages. The proposed project's development areas and associated roadways and fuel modification zones were designed to maintain inter-connectivity within the project Site and retain the functionality of the reserve design for the draft North County Plan.

Block 1 includes a large block of habitat that is available for wildlife movement for a wide variety of large and small species across the north to the east and west and includes all landscape features. Without this block of land, the entire western portion of the proposed PAMA preserve would be cut off from the eastern portion (see Figure 9 of the BTR). Block 2, adjacent to I-15, maintains movement opportunities for CAGN which maintenance of stepping-stone habitat patches in this area is a goal for that PAMA unit. It maintains movement opportunities for other large and small wildlife as well for species moving north or south.

Block 3 is contiguous, but not directly connected to Block 2 except by internal Corridor B. Block 2 is directly connected to Block 1, but by comparison is relatively narrow (roughly 7,000 feet by 1,000 feet) and thus has a high perimeter-to-area ratio, which is not ideal for a stand-alone core conservation area, though is greater than a large number of other conservation areas within the region. However, as stated on page 2.4-84 of the Draft EIR, "establishing a large, contiguous biological open space (approximately 870.2 acres) in the northern portion of the Site (referred to as Block 1) would retain the connectivity to the remainder of the draft North County Plan Core Area and maintain its status as a Core Habitat Area. This northern portion of the project Site is located in the most interior part of the Core Area, and conserving it would retain the integrity of the draft North County Plan reserve design." That is, the proposed project would not preclude creation of a Core Habitat Area in the Merriam Mountains.

Please also see **Response to Comment Letter O-1.5**. No further response is required.

- O-2.1-16** The comment states that the HLP justifies "the chopping up of one of the few remaining large blocks of habitat left in the North County MSCP . . . on the grounds that in this highly depleted landscape, there is other 'reserve' open space is of similar size." The comment is unclear as to its meaning. However, it does not appear to identify an analytical defect in the Draft EIR. Note that the Draft EIR, in Section 2.4 Biological Resources, provides an extensive analysis of fragmentation. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The County will include the

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comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

- O-2.1-17** The comment states “the project is not consistent with the explicit objectives of the North County MSCP Planning Agreement,” and that, “the wildlife agencies have not approved the project as a “hard line” for this program.” The comment addresses general subject areas (compliance with North County MSCP Planning Agreement), which received extensive analysis in the Draft EIR, specifically in Section 2.4, Biological Resources. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. 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.

Nonetheless, the County does not agree with the comment regarding the project’s compliance with the North County MSCP Planning Agreement. Per CEQA requirements, the Draft EIR analyzes in detail the proposed project for consistency with the County’s Guidelines for Determining Significance and Report Format and Content Requirements: Biological Resources (County of San Diego 2010a) and the draft North County Plan Planning Agreement (County of San Diego 2008 and 2014) on pages 2.4-80 to 2.4-93 in Subsection 2.4.12.5, Local Policies, Ordinances, and Adopted Plans. In addition, the proposed project was analyzed as a proposed hardline area, which means that the proposed project’s development areas and biological open space areas, including habitat connectivity within the project Site have been predetermined and hardlined for the purposes of preparing the draft NC MSCP (County of San Diego 2016) (p. 2.4-83 of the Draft EIR). Please refer to **Topical Response BIO-1**, as well as **Response to Comment O-1.5-6**, and **Response to Comment O-1.6-22**

- O-2.1-18** The comment restates information from the Wildlife Agencies and Dr. Megan Jennings regarding the project’s design and widening of Deer Springs Road and north-south and east-west wildlife connectivity. The comment states that widening Deer Springs Road would not enable wildlife from the north to access the I-15 culvert south of Deer Springs Road, and the only culverts under I-15 north of Deer Springs Road are opposite the Lawrence Welk development. The comment notes, “As a result of the project, the Merriam and San Marcos Mountains core areas would become isolated from core areas across the freeway.” The comment concludes that “impacts of development and roadways to connectivity have not been disclosed in the DEIR, and no adequate mitigation is offered.” The County does not concur with this comment.

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Section 2.4.12.4, Wildlife Movement and Nursery Sites, analyzed the proposed projects impacts to wildlife movement. The DEIR identified five potential significant impacts, WM-1 through WM-5, which include the following:

- Impact WM-1** Significant short-term direct impacts to potential foraging and nesting habitat.
- Impact WM-2** Significant permanent, direct impacts to the loss of potential foraging and nesting habitat.
- Impact WM-3** Significant impact to movement of large mammals from loss of wildlife corridors.
- Impact WM-4** Significant impacts to habitat connectivity for larger wildlife species.
- Impact WM-5** Significant impacts to wildlife behavior resulting from noise and/or nighttime lighting in a wildlife corridor.

Mitigation for these impacts is provided in Section 2.4.15, Mitigation Measures. These measures include **M-BIO-1**, **M-BIO-2**, **M-BIO-3**, **M-BIO-6**, **M-BIO-7**, and **M-BIO-8A** through **M-BIO-8E**, which would require biological monitoring, preparation and implementation of a SWPPP, preparation of a biological monitoring report, preparation of a revegetation plan for temporarily impacted areas, minimize nighttime and outdoor lighting, and which would provide for habitat management and conservation of open space areas that would allow for unimpeded wildlife movement and use. With implementation of these mitigation measures, Section 2.4.16.4 concludes that impacts related to wildlife movement would be reduced to less than significant.

For additional responses regarding specific issues raised by Dr. Megan Jennings, please refer to **Response to Comment Letter O-1.5**.

- O-2.1-19** The comment states “the project proposes to lose most of the occupied gnatcatcher habitat (56 of 80 acres),” which “is essential stepping stone habitat for population connectivity along I-15.” The comments states that “[t]he proposed off-site mitigation in Ramona, distant from the I-15 corridor, does nothing to mitigate for the impact.” The comment further notes that while the NC MSCP may ultimately provide for off-site mitigation, the plan is not yet approved. The comment concludes that, “the first obligation is to preserve a viable preserve segment on site. Off site mitigation can never compensate for this failure.” The County does not agree with this comment for the following reasons.

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With respect to the comment that the off-site mitigation land in Ramona does not mitigate for impacts to California gnatcatcher, the County acknowledges the comment and notes that the off-site mitigation land serves to provide like-kind mitigation for vegetation impacts; however, relative to California gnatcatcher, as indicated under Impact W-2 in Section 2.4.16 of the Draft EIR:

Impact W-2 The significant long-term direct impacts to coastal California gnatcatcher as a result of removal of suitable habitat would be reduced to **less than significant** through implementation of mitigation measures **M-BIO-8A** through **M-BIO-8E**, which would provide commensurate on- or off-site habitat management and conservation that is demonstrated to contain habitat for these species. The proposed project has been incorporated into the overall conservation strategy of the County's draft North County Plan, and the development areas and biological open space areas of the proposed project are identified as proposed hardline areas in the draft North County Plan (County of San Diego 2016). Loss of coastal sage scrub and any associated incidental take of California gnatcatcher would be authorized through the County's Section 4(d) HLP process or through Section 7 consultation with the US Army Corps of Engineers and the USFWS. A Draft Habitat Loss Permit, including 4(d) findings has been provided in Appendix H of this EIR. As demonstrated by the incorporation of the proposed project as a proposed hardline area in the draft North County Plan and by the draft HLP findings provided in Appendix H, the loss of coastal sage scrub associated with the proposed project would be consistent with the NCCP Guidelines, County's draft North County Plan, and the Section 4(d) Rule.

Accordingly, impacts to California gnatcatcher are mitigated through M-BIO-8A through M-BIO-8E, predominately as a result of the dedication of 1,209 acres of on-site habitat, as well as authorization through the Section 4(d) process or Section 7 consultation. Please see **Response to Comment O-1.6-34** and **O-1.6-35**.

Regarding the comment that the NC MSCP may provide for off-site mitigation, however, at this time that plan remains draft, the County concurs with this comment and notes that it does not raise an issue within the meaning of CEQA for the proposed project as the Draft EIR does not rely on the NC MSCP for mitigating impacts to California gnatcatcher.

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Finally, with respect to the comment that off-site mitigation can never compensate for failure to preserve on-site, the County acknowledges the comment and notes it expresses the opinions of the commentator, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. Nonetheless, as the comment acknowledges, through NCCP plans such as an MSCP, off-site mitigation can mitigate impacts; however, it is typically the preference to first mitigate on-site. No further response is required or necessary.

O-2.1-20 The comment states “the false assertion of 1209 acres of functional, interconnected preserve . . . is . . . proposed to justify an unprecedented exemption from Resource Protection Ordinance (RPO) compliance for wetlands.” The comment states that “[w]hile compliance with RPO for sensitive habitat lands and steep slopes is asserted, this also rests of false and unsupported statements.” The County acknowledges the comment as an introduction to comments that follow. Please see **Response to Comments O-2.1-21** through **O-2.1-26**. 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.

Nonetheless, the County does not concur with this comment. As noted in the Draft EIR (Section 2.4.11.3):

The RPO, administered by the County, regulates biological and other natural resources within the County. These resources include wetlands, wetland buffers, floodways, floodplain fringe, steep slope lands, sensitive habitat lands, and significant prehistoric or historic sites. Generally, the ordinance stipulates that no impacts may occur to wetlands except for scientific research; removal of diseased or invasive exotic plant species; wetland creation and habitat restoration; revegetation and management projects; and crossings of wetlands for roads, driveways, or trails/pathways when certain conditions are met. The same exemptions apply to impacts to wetland buffer areas and improvements necessary to protect adjacent wetlands. Sensitive habitat lands are unique vegetation communities, and support sensitive species, lands essential to the healthy functioning of a balanced natural ecosystem, or wildlife corridors. Impacts to sensitive habitat lands are permitted when all feasible measures necessary to protect and preserve the sensitive habitat lands are required as a condition of permit approval and mitigation provides at least an equal benefit to the affected species (County of San Diego 2011a).

The Draft EIR further identifies impacts to RPOs in Section 2.4.12.5”

C. The project Site includes RPO wetlands and RPO wetland buffers. As shown in Table 2.4-19, there would be permanent direct impacts to

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approximately 2.13 acres of County RPO wetlands, which would be a **significant** impact (**Impact P-1**). The RPP provides information on the RPO resources, including sensitive habitat lands, RPO wetlands, steep slope lands, floodplains, and lands containing significant prehistoric and historic sites (Appendix H). The RPP includes a discussion of the project's general consistency with the RPO and how the RPO impacts meet the exemption criteria under Section 86.605 of the RPO. The on-site and off-site resource management plans (RMPs) (BTR Appendices L and M; Appendix H to this EIR) describe the management activities for the open space preserve, which includes RPO wetlands and wetland buffers.

Section 2.4.16.4 offers the following conclusion:

The significant permanent direct impacts to RPO wetlands would be significant and avoidable through a legislative amendment to the RPO. The project's avoidance of the RPO wetlands and wetland buffers is infeasible because the development would be concentrated in the southern portion of the Site. While this results in permanent impacts to RPO wetlands, this design is intended to create a biological preserve in the northern portion of the Site, provide a core habitat block in the Merriam Mountains, and provide required improvements to Deer Springs Road. The RPP provides information on the RPO resources, including sensitive habitat lands, RPO wetlands, steep slope lands, floodplains, and lands containing significant prehistoric and historic sites (Appendix H). Impacts would be reduced to **less than significant** with implementation of **M-BIO-8D, M-BIO-8A, and M-BIO-12**. The on-site RMP provides for the management of RPO resources (M-BIO-8D). In addition, the project would include habitat preservation and management of existing populations of sensitive species, suitable habitat, and special-status vegetation communities (M-BIO-8A), and require obtaining permits from the appropriate federal and state agencies to impact jurisdictional resources (M-BIO-12).

The requested amendment to the RPO for the Project Site, while exempting the proposed Project from RPO, is based on the findings that the proposed Resource Management Plans (Appendices L and M to Appendix H, Biological Resources Report) and Resource Protection Plan would be functionally equivalent to the RPO.

O-2.1-21 The comment states that “the project’s ...open space, Resource Protection Plan (RPP), and ... Resource Management Plan (RMP) comprise grounds to allow the loss of over 2 acres of otherwise protected RPO wetlands, as well as additional wetlands buffer.” The comment states that “The statement that the project is ‘functionally equivalent and biologically superior to RPO’ is doublespeak,” because “[n]on-

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compliance with RPO means less wetlands protection, period.” The County does not concur with this comment.

The RPO states that impacts to sensitive habitat lands are permitted when all feasible measures necessary to protect and preserve the sensitive habitat lands are required as a condition of permit approval and mitigation provides at least an equal benefit to the affected species (County of San Diego 2011a). The RPO Analysis for wetlands within the RPP concludes that the project would be fully consistent with the County RPO with the exception of impacts to 2.13 acres of on-site RPO wetlands and 0.99 acre (0.92 acre of which is associated with Deer Springs Road, an essential public facility exempt from the RPO requirements) of off-site impacts with additional off-site impacts to the RPO buffers. These impacts are required given the project goals of concentrating development in the southern portion of the property to create a biological preserve in the northern portion of the property, creating sufficient FMZs for fire protection, providing a core habitat block in the Merriam Mountains, and improving Deer Springs Road as well as other off-site improvements. As described within the RPP, the majority of RPO wetlands would remain within open space preserve, and the greatest impacts would result from fuel modification activities. Approximately 3% of the 30.2 acres of RPO wetlands within the project Site would be directly impacted by the proposed development.

O-2.1-22 The comment states that other “project[s] in the County [have] successfully complied with RPO and incorporated a comprehensive resource management plan. To say that the latter obligates an exemption from the former would set an entirely new precedent for more groundless exemptions.” The comment compares the proposed Project with other projects, and addresses general subject areas (RPO compliance), which received extensive analysis in the Draft EIR, specifically in Section 2.4, as well as Appendix H to the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. 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.

Nonetheless, as stated above in **Response to Comment O-2.1-20**, the requested amendment to the RPO for the Project Site, while exempting the proposed Project from RPO, is based on the findings that the proposed Resource Management Plans (Appendices L and M to Appendix H, Biological Resources Report) and Resource Protection Plan would be functionally equivalent to the RPO. The requested exemption would be consistent with the County’s practices for granting an exemption subject to the finding of functional equivalency.

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O-2.1-23 The comment states that “[a]nother rationale offered for the [RPO] exemption is to achieve “project purposes” of concentrating development in the south, preserving habitat in the north, and improving roads.” The comments states that “[t]he first two “purposes” hardly require destroying RPO wetlands,” and that “[t]he last “purpose” is not, in fact, a project objective, and RPO itself allows encroachment into wetlands for roadways, when there is no other option and prescribed mitigation occurs.” The County does not concur with this comment for the following reasons.

With respect to the impacts to RPO wetlands as a result of the underlying project purpose and objectives, please refer to **Response to Comment O-2.1-15**, above regarding habitat blocks created by preserving open space in the north and concentrating development in the South. The impacted wetlands occur in the flatter areas of the Valley neighborhood, as well as in the Town Center neighborhood. The Town Center is located in an area identified by the County General Plan for Office/Professional uses.

With respect to the “improvement of Deer Springs Road” not being a project objective, the County agrees with the comment and notes the Final EIR has been revised to clarify that this improvement is a required essential facility identified in the County’s General Plan as a Mobility Element Road. Such impacts for essential facilities are permitted by the County of San Diego as the comment notes. Mitigation for impacts to RPO wetlands is provided by M-BIO-8A through M-BIO-8E (discussed below under **Response to Comment O-2.1-25**) and M-BIO-12, which requires 401/404 and 1602 permits to be obtained from the appropriate agencies prior to any grading and improvement plans and issuance of associated construction permits:

Accordingly, impacts to wetlands will be mitigated as required by applicable permitting agencies, in compliance with all federal, state and local regulations.

O-2.1-24 The comment states that relative to steep slopes, “the DEIR admits that allowed encroachments are exceeded, yet calls into pay (sic) the RPO provision that allows such encroachment ‘to avoid impacts to significant environmental resources that cannot be avoided by other means, provided no less environmentally damaging alternative exists.’” The comment states that “[b]ecause the alternatives analysis...has not demonstrated that a reduced footprint is infeasible, this reasoning fails.” The County does not concur with this comment. Each of the Alternatives analyzed in Section 4.0 of the Draft EIR would impact RPO steep slopes. Accordingly, impacts to ROP steep slopes cannot be avoided due to the underlying topography of the proposed project site. As noted in the comment, several reduced footprint alternatives were analyzed, including the Mulit-Family Town Center alternative, and CDFW Land

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Planning Alternatives A, B and C. CDFW Land Planning Alternative A was identified as the Environmentally Superior alternative. However, these alternatives would not meet the Project Objectives. Specifically:

The Multi-Family Town Center Alternative:

“would not satisfy Objective 2 because all of the residential, interrelated neighborhoods would be removed and thereby eliminate all single-family and age-qualified residences. The “Village” designation in the General Plan for this project Site, however, would be satisfied with regard to a multi-family Town Center. In addition, this alternative would not satisfy Objective 6, which calls for the provision of a diverse range of housing opportunities. The alternative would not provide for the construction of any single-family or age-qualified residential units. The project’s objective of providing for a diverse range of housing opportunities is supported by a consumer survey of buyer preferences and demand over a consumer life stage (John Burns Real Estate Consulting 2016). The survey was used to inform the applicant of the variety of residential products to be proposed for each neighborhood. Of the consumers surveyed, an average of 80 percent indicated a preference for a traditional detached single-family home.” (DEIR, Section 4.10.3, p. 4-71; DEIR, Section 4.12.3, p. 4-88, 89 63)

For CDFW Land Planning Alternatives A and C:

“due to the removal of the Town Center and the elimination of three planning areas, which are interrelated with other neighborhoods, this alternative would not meet Objectives 2 and 6. Further, the project contains a Village designation, and under this alternative, elimination of the Town Center from the project would not be desirable from a General Plan or community benefits standpoint. In addition, under this alternative, eliminating the three planning areas from a project with interrelated neighborhoods would frustrate the entire Community from an overall land planning standpoint. Further, under CEQA (Public Resources Code, § 21159.26), a public agency may not reduce the proposed number of housing units as a project alternative for a particular significant effect on the environment if it determines there is another feasible project alternative that would provide a comparable level of mitigation — a factor for the County to consider in whether to approve the project or a project alternative. Moreover, this alternative would reduce the use of the electric bike-share program, bike lanes, and pedestrian features due to the change in internal circulation. Pass-by trips and other trip-reduction benefits also would be altered due to such changes in circulation. On balance, the alternative

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would not attain the project’s underlying purpose to implement a new, mixed-use, interrelated planned community.” (DEIR, Section 4.11.3, p. 4-79, 80)

Finally, for CDFW Land Planning Alternative B:

“this alternative would eliminate three planning areas, which are interrelated with other neighborhoods; and, thus, the alternative would not meet Objectives 2 and 6. In addition, under this alternative, eliminating the three planning areas from a project with interrelated neighborhoods would frustrate the entire Community from an overall land planning standpoint. Further, under CEQA (Public Resources Code, § 21159.26), a public agency may not reduce the proposed number of housing units as a project alternative for a particular significant effect on the environment if it determines there is another feasible project alternative that would provide a comparable level of mitigation — a factor for the County to consider in whether to approve the project or a project alternative. Moreover, this alternative would reduce the use of the electric bike-share program, bike lanes, and pedestrian features due to the separation of the Town Center and the change in internal circulation. Pass-by trips and other trip-reduction benefits also would be altered due to changes in internal circulation. On balance, the alternative would not attain the project’s underlying purpose to implement a new, mixed-use, interrelated planned community.” (DEIR, Section 4.9.3, p. 4-62, 63)

- O-2.1-25** The comment states that under RPO, “If loss of occupied habitat is to occur ... it must invoke all feasible protective measures and provide mitigation of “equal or greater benefit to the affected species.” The comment states the feasible protective measure of avoidance has not been achieved, and that the proposed mitigation does not provide for “equal or greater benefit” because, “the proposed mitigation site is unoccupied by gnatcatchers and contains only habitat outside the known range and elevational tolerance of the species.” The comment also notes that the RPO’s prohibition regarding wildlife corridors is not “overcome by a site design that ...block connectivity and has not feasibly reduced impacts.”

The proposed Project would mitigate for impacts to California gnatcatcher through implementation of M-BIO-8A through M-BIO-8E, which would require the preservation and management of 1,209 acres of on-site open space.

As noted in **Response to Comment O-2.1-19**, impacts would be mitigated to less than significant with implementation of the above mitigation measure.

Relative to the off-site mitigation property, as described in **Response to Comment A-3-18**, the offsite mitigation property in fact provides higher function and value

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habitat in a regionally significant wildlife corridor area compared to the location and quality of the habitat the project would impact onsite. The County conditionally allows for off-site mitigation areas that provide equivalent or higher quality vegetation communities and habitat types compared to the habitat being impacted by a project. As described in the Newland Sierra Off-Site Mitigation Memorandum (Appendix K to Appendix H of the Draft EIR), the mitigation site is comparable to or better than the habitat that is being impacted on the Newland Sierra Project Site. The mitigation site includes a variety of topographic relief, a comparable suite of vegetation communities, and rock resources and serves as an important connecting property for wildlife movement between the North County and East County MSCP Subareas.

With respect to the comment that the loss of functioning wildlife corridors “is not overcome by a site design that...blocks connectivity and has not feasible reduced impacts,” the County does not concur. The comment addresses general subject areas, site design and wildlife connectivity, which received extensive analysis in Section 2.4, Biological Resources, of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. As noted in the comment, please refer to **Response to Comment O-2.1-18**, above, as well as response to **Comment Letter O-1.5**.

Furthermore, the Draft EIR describes existing conditions on the project site with respect to wildlife corridors, and explains how the project’s proposed open space maintains connections between blocks of habitat in the Draft EIR at Section 2.4.1, Proposed Open Space Design; Section 2.4.3, Existing Conditions; and Section 2.4.10, Habitat Connectivity and Wildlife Corridors. (Draft EIR, pp. 2.4-1– 2.4-5; pp. 2.4-50– 2.4-54.) As described in the Draft EIR, the project would preserve three blocks of habitat, including an 870-acre Block 1, 153.9-acre Block 2, and 185-acre Block 3. (Draft EIR, p. 2.4-2.) The blocks would be situated within the northern half and along the eastern boundary of the project, with a third large block in the center of the site that connects the above mentioned blocks to open space east and south. (Draft EIR, p. 2.4-2 – 2.4-3, Figure 2.4-1, Proposed Open Space Design and MSCP Preserves.) Block 3, in the south-central portion of the site, is particularly unique as it provides a diversity of topography and microhabitat features that few, if any, preserves in the vicinity provide; it is directly connected to adjacent pre-approved mitigation area (PAMA) lands; and it is larger than nearly all of the other preserves in the vicinity. (Draft EIR, p. 2.4-76 – 2.4-77.)

These blocks would provide live-in habitat as well as movement habitat for species. (Draft EIR, 2.4-2.) Block 2 and 3 would be directly connected by a 1,600-foot wide connection, which wildlife would be able to use for movement. (Draft EIR, p. 2.4-

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77.) These open space blocks of habitat would be “internally linked through Corridors A through D.” (Draft EIR, p. 2.4-51), as shown in Figure 2.4-8, Wildlife Connectivity, and described as follows:

“Corridor A would include an approximately 1,000-foot by 400-foot linkage. Corridor B would include an approximately 700-foot by 750-foot area. Corridor C would include an approximately 1,500-foot by 800-foot linkage. Corridor D would include an approximately 2,250-foot by 200-foot linkage.” (Draft EIR p. 2.4-51.)

The Draft EIR analyzes the project’s potential impacts with respect to wildlife corridors in Section 2.4.12.4, Wildlife Movement and Nursery Sites. Despite incorporating preservation of the above-described habitat blocks and internal corridors, the Draft EIR identifies the following significant impacts to wildlife movement and nursery sites: 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). (Draft EIR, p. 2.4-72 - 2.4- 80, 2.4-105.) Sections 6.2.2 and 6.2.3 of the Draft EIR Technical Appendix H, Biological Resources Technical Report, pages 6-4 through 6-10, further detail anticipated project effects to connectivity between blocks of habitat and the creation of non-natural movement corridors.

To reduce the project’s impacts to less-than-significant level relative to wildlife movement and nursery sites, the Draft EIR identifies the following 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. (Draft EIR, p. 2.4-106 – 2.1-119.) With incorporation of these mitigation measures, impacts to wildlife movement would be reduced to less-than-significant levels. (Draft EIR p. 2.4-125 - 2.4-127.)

O-2.1-26 The comment states “the proposed Habitat Loss Permit findings... concerning “preserve” size and function, connectivity, and coastal sage scrub functions and values... are not supported.” The comment notes that “While the standard of practice in HLPs is that loss of gnatcatcher-occupied coastal sage scrub is mitigated in-kind with occupied habitat in the same vicinity, the draft HLP provides nothing of the kind.” The County does not concur with this comment. As noted in **Response to Comment O-2.1-25**, impacts to California gnatcatcher would be mitigated to less than significant with implementation of required mitigation measures. Please further see response to **Comment Letter 2.2**. In addition:

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- the project would result in the loss of one gnatcatcher in an isolated pocket of coastal sage scrub in the southeastern corner of the project Site adjacent to I-15 and north of Deer Springs Road, however, because the gnatcatcher is already sufficiently conserved in large, interconnected preserves elsewhere in the County, the loss of this single gnatcatcher would not jeopardize the long-term survival of the species;
- (ii) the coastal sage scrub found on the project Site has been mapped as having intermediate value for long-term conservation;
- (iii) the project would preserve coastal sage scrub that is designated as Critical Habitat for the California gnatcatcher in the northern portion of the Site and maintain generational movement of California gnatcatcher across the Site; and, finally,
- (iv) the project's proposed onsite and offsite conservation of 1,421 acres of native habitat, including preservation of 1,209 acres onsite and 212 acres offsite of coastal scrub habitat, in conjunction with its biological mitigation measures, would minimize impacts to the California gnatcatcher, including its suitable habitat.

Accordingly, the evidence supports the HLP findings and no further response is required or necessary.

O-2.1-27 The comment refers to Comment Letter O-2.2. The County has reviewed and considered the comment and the cited document. Please see response to **Comment Letter 2.2**. No further response is required or necessary.

O-2.1-28 The comment states that “The Existing General Plan Alternative does not comport with the Conservation Subdivision Program,” and thus the Draft EIR, “under-reports the amount of open space that must be achieved through effective consolidation and lot sizes” and does comply with the requirement to “site development in the least sensitive portion of the site, the identification of which would include avoiding or minimizing gnatcatcher impacts.” The County does not concur with this comment. Please refer to **Response to Comment A-3-7**, and **Response to Comments O-1-521** through **528**, which are summarized below.

Table 81.401.1 of the Subdivision Ordinance contains minimum percent avoidance percentages of 75% and 80% for SR-10 and RL-20 designated areas, respectively. Subdivision Ordinance Section 81.401, Design of Major Subdivisions, subsection (r)(6)vii states:

As part of the processing of a conservation subdivision, the following uses may be allowed in the avoided area: passive recreation, trails for non-motorized uses, native landscaping, resource preservation, project mitigation and buffers, MSCP preservation/mitigation, agriculture, wells, water storage tanks, utilities, pump stations, water and sewer facilities, or infrastructure and access roads

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necessary for any of these uses. In addition to these uses, leach fields and brush clearing may be allowed in SR-10 and RL-20 designations only (emphasis added).

Therefore, the maximum total impact area under the Existing General Plan Alternative within the SR-10 and R-20 designated areas allowed (with exceptions noted above in the Subdivision Ordinance) is 444.3 acres. The Existing General Plan Alternative as designed and presented in the Project Alternative's section of the EIR falls substantially below this acreage, limiting grading impacts to 213 acres total (including the commercial/office development area—refer to Figure 4-2 in the EIR), which is approximately 11% of the project Site and less than half of the allowed impact. The fuel modification areas (Zone 1, Zone 2, and Special Maintenance Areas) under the Existing General Plan Alternative amount to an additional 836.2 acres. These fuel modification areas are a permitted use in the “avoided area” as defined by the Subdivision Ordinance (refer above to Section 81.401, Design of Major Subdivisions, subsection (r)(6)vii).

As discussed in **Responses to Comments O-1-396 and O-1-398**, the subdivision design in the Existing General Plan Alternative complies with the applicable provisions of the Subdivision Ordinance governing conservation subdivision design and what uses are permitted inside the 75% and 80% conservation areas by limiting the grading impacts to approximately 11% of the project Site, by complying with the Rural Subdivision Design and Process Guidelines, and by complying with the County's zoning, road, and other regulatory requirements.

As shown in the Draft EIR at Section 4.5.2, the Existing General Plan Alternative would result in 272 more acres of biological impacts compared to the proposed project, including greater impacts to native habitats found onsite, greater fragmentation, and greater impacts on wildlife movement. Further, in addition to the 1,209 acres of habitat onsite, the project proposes to preserve 212 acres of habitat in a core biological linkage area offsite. Therefore, the project results in a significantly greater biological preservation outcome compared to the Existing General Plan Alternative.

Finally, the County agrees that the Existing General Plan Alternative would have to comply with the HLP, similar to the proposed Project. However, as the Existing General Plan Alternative would result in a greater Disturbed Area than the proposed project, impacts to California Gnatcatcher would be greater and require additional mitigation compared to the proposed Project.

O-2.1-29 The comment recommends additional review of CDFW alternatives A, B, and C. The comment contends that the Draft EIR does not provide a “serious examination” of

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these alternatives. The comment also states that “reduced-footprint alternatives are given short shrift, with no effort made for community-focused redesign or for mitigation of fire hazard.” The comment concludes that, “While CEQA demands alternatives that reduce impacts, the alternatives as described often do the opposite. The DEIR’s alternatives exercise is one of bad faith.” The County does not concur with the comment.

First, with respect to the comment that “no effort was made for community-focused redesign,” the County notes, consistent with CEQA Guidelines 15082(b)(1)(A), the County has included the three CDFW and USFWS alternatives as requested by these agencies.

Second, with respect to comment suggesting alternatives section of the Draft EIR does not evaluate alternatives that reduce environmental impacts, this is incorrect. Consistent with CEQA, the Draft EIR generally evaluates alternatives that (1) meet most of the project objectives, (2) are feasible, and (3) avoid or substantially lessen the significant impacts resulting from the project. Table 4-1 compares the effects of the alternatives to those of the proposed project, and demonstrates that six of the nine alternatives would reduce or lessen an impact compared to the proposed project. Specifically concerning CDFW/USFWS alternatives: the CDFW Land Planning Alternatives A and C would reduce impacts to Aesthetics, Air Quality, Biological Resources, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Noise, Paleontological Resources, Population and Housing, Public Services, Utilities and Service Systems, and Energy; and CDFW Land Planning Alternative B would have the same reduced impacts as CDFW Land Planning Alternative A with the exception of Paleontological Resources. In addition, the Multi-Family Town Center Alternative would reduce impacts to Hydrology and Water Quality, Mineral Resources, and Paleontological Resources.

Third, responding to the comment regarding mitigation for fire hazard, as explained in **Response to Comment O-1-540**, the DEIR did not consider the inclusion of a fire station on the project Site under any of the project alternatives analyzed because Deer Springs Fire Protection District (Deer Springs FPD) Station #12 currently exists immediately across the street from the project Site along Mesa Rock Road, and Deer Springs FPD has no plans to move the fire station to a new location or add a fire station in the project area. Moving fire stations and/or incorporating new fire stations into a given area requires an analysis of the District’s ability to meet response times, not only within that area, but to other areas of the District. It is not an efficient use of District capital and operating funds to add fire stations wherever gaps in response capability exist without conducting this analysis as part of that process of determining

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where new fire stations should best go to optimize the District's ability to meet response times to the greatest amount of its residents as possible.

More generally, it is considered an inefficient distribution of facilities to have two fire stations within close proximity to each other. In the case of the USFWS/CDFW Alternatives, each of these alternatives would require a new fire station at the Sierra Farms site or inside either the Valley, Knoll, or Summit neighborhoods on the western end of the project Site in order for Deer Springs FPD to be able to meet response times to these neighborhoods. This would place a new station (that would presumably replace Station #12) on the western edge of its territory and further away from existing, more populated areas that it currently serves, including Deer Springs Oaks Mobile Home Estates, Champagne Village, Lawrence Welk, and portions of Hidden Meadows to the east. Without other adjustment across the District's service territory to compensate for this potential reduction in response capability, it would be impractical to arbitrarily include a new fire station in each of these USFWS/CDFW Alternatives.

O-2.1-30 The comment is a concluding comment which states the proposed Project is a “test of whether the General Plan is worth the paper it is written on.” The comment states the project leaves “insufficient habitat and connectivity for the North County MSCP” and should be “firmly rejected.” The comment restates comments expressed elsewhere in this comment letter, please refer to **Response to Comments O-2.1-1** through **O-2.1-29**, above. The County acknowledges that the comment provides concluding remarks in opposition to the project that do not raise new or additional environmental issues concerning the adequacy of the Draft EIR. For that reason, the County provides no further response to this comment.

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