

O-3.1 Hidden Valley Zen Center Part I

- O-3.1-1** The comment states that the commenter is the President of the Board of Directors of the Hidden Valley Zen Center, and is writing on behalf of the Hidden Valley Zen Center with concerns over the proposed project.

The County acknowledges the comment as an introduction to comments that follow. The County notes that the comment 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-3.1-2** The comment states that there is no discussion in the Draft EIR about how the project's greenhouse gas (GHG) emissions would have an impact on the Hidden Valley Zen Center.

In response, GHG emissions do not result in localized impacts; rather, GHG emissions are responsible for global warming and climate change. Therefore, it is not possible to determine how the proposed project's contribution to climate change would specifically impact the Hidden Valley Zen Center.

Further, it was determined that GHG emissions impacts would be reduced to less than significant with mitigation. Section 2.7, Greenhouse Gas Emissions, of the Draft EIR states the following (page 2.7-52):

In this case, the project feasibly can achieve no net increase in GHG emissions through implementation of mitigation measures **M-GHG-1** through **M-GHG-3**. Therefore, the project would reduce all potentially significant impacts associated with GHG construction and operational emissions to a **less than significant** as compared to the existing environmental setting (see CEQA Guidelines Section 15064.4(b)(1)). And, mitigation measures **M-GHG-1** through **M-GHG-3**, above, have been incorporated into the project's Mitigation Monitoring and Reporting Program to ensure implementation and enforcement. With implementation of mitigation measures **M-GHG-1** through **M-GHG-3**, the project achieves carbon neutrality (i.e., a net zero emissions level) thereby resulting in no net increase in GHG emissions relative to existing environmental conditions. Accordingly, the project would not interfere with implementation of any of the above-described GHG reduction goals for 2030 or 2050 because. Further, the project emissions estimates presented in Table 2.7-8 through Table 2.7-14 are a conservative representation of project emissions due to the reasonably foreseeable and anticipated technological and

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regulatory advancements that will continue to advance the state's GHG policies. Therefore, the project would not conflict with any local or state plans, policies, or regulations adopted for the purpose of reducing GHG emissions and impacts would be **less than significant**.

- O-3.1-3** The comment states that under the Religious Freedom Restoration Act and Religious Land Use and Institutionalized Person Act, the Hidden Valley Zen Center would be impacted by the project.

The County notes that the comment 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-3.1-4** The comment states that the Draft EIR did not take into account the growth inducement of the project within the immediate community. The comment states that the Hidden Valley Zen Center, Golden Door Spa, and "large agriculturally used parcels" would come into play for future development, which was not studied or modeled.

With respect to the comment that the proposed project would result in growth-inducing impacts to agricultural resources, the County directs the reader to Section 1.8 of Chapter 1, Project Description, of the Draft EIR, which addresses growth-inducing impacts. As noted in Section 1.8, "the project has potential for growth inducement, which may result in subsequent adverse environmental effects as a result of such growth. Such adverse environmental effects could include impacts to visual resources, air quality, biological resources, transportation and traffic, noise, and cultural resources." Agricultural resources are not identified as potentially impacted due to the growth inducement caused by the proposed project. The commenter is also directed to Section 2.12, Population and Housing, of the Draft EIR, where growth inducement impacts are analyzed.

Further, the County is not required to engage in speculation when there are no known intensity-increasing development applications pending at the County in the immediate project vicinity (CEQA Guidelines Section 15145) (Draft EIR page 1-38). Please see also **Response to Comment O-1-42**.

The County notes that the comment expresses the opinions of the commenter regarding the potential for the Hidden Valley Zen Center, Golden Door Properties LLC, and other large agriculturally used parcels to potentially convert to future development, and does not raise an issue related to the adequacy of any specific

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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-3.1-5** The comment states that the Draft EIR did not take into account how developing a section of the County, which was set aside for rural land uses in the General Plan, would have long-lasting effects on North County.

The County does not agree with the commenter's depiction of the project Site or claim that the Draft EIR did not study project effects. As described in Section 1.6.1, General Plan and Zoning Amendment, and shown in Draft EIR Table 1-11, the existing General Plan land use designations would allow approximately 99 residential dwelling units and 2,008,116 square feet of commercial space on the project Site. The project proposes to instead develop 2,135 single-family and multi-family residences and a Town Center (consisting of a maximum of 81,000 square feet of neighborhood-serving commercial uses, 95 multi-family housing units, a 6-acre school site, and park uses), while preserving approximately 1,209 acres on Site and 212 acres off Site as open space (for a total Preserve acreage of 1,421 acres, or 72 percent of the project Site) (Draft EIR pages 1-2 and 1-3). The Draft EIR, thus, acknowledges that the project would develop more residential than permitted by the existing General Plan land use designations, but would develop substantially less commercial space and retain more open space than existing General Plan designations.

The Draft EIR details that project development would require amendments to the General Plan, including a General Plan Amendment to amend the North County Metropolitan Subregional Plan Map from existing General Commercial, Office Professional, Semi-Rural 10, and Rural Land 20 designations to Village Core Mixed Use, Semi-Rural 1, and Open Space Conservation (Draft EIR Section 1.6, Project Inconsistencies with Applicable Regional and General Plans, pages 1-29 through 1-32). Each section of the Draft EIR evaluated impacts from the entire project, including from the proposed General Plan Amendment.

With the General Plan Amendment, the Draft EIR concludes that the proposed project would be consistent with the General Plan. The Draft EIR evaluates the project's consistency with the General Plan in detail in Section 3.3, Land Use and Planning (see Section 3.3.3.2, Conflict with Plans, Policies, and Regulations, page 3.3-21) and Appendix DD, Consistency Analysis. In undertaking this consistency evaluation, the Draft EIR analyzes whether the project was consistent with each of the "Guiding Principles" and policies of the County of San Diego General Plan (2011) and Subregional Plan. Based on this detailed review, the Draft EIR concluded that

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impacts would be less than significant (Draft EIR pages 3.3-21 through 3.3-36 and page 3.3-38).

In addition to evaluating the project's consistency with the Guiding Principles and policies of the General Plan, the Draft EIR directly compares the proposed project's land uses to existing General Plan land uses in Section 4.5, Existing General Plan Alternative (Draft EIR page 4-16). Section 4.5.5 determined that the Existing General Plan Alternative would result in greater significant impacts to transportation and traffic, biological resources, cultural resources, aesthetics, and mineral resources compared to the proposed project (Draft EIR page 4-24).

Concerning growth-inducing impacts, see **Response to Comment O-3.1-4**, above.

- O-3.1-6** The comment states that the Draft EIR did not study the project's cost impacts to County tax payers.

CEQA does not require that a project analyze financial or economic impacts associated with a project (CEQA Guidelines Section 15382). Accordingly, the proposed project did not analyze economic impacts associated with the proposed project. The County notes that the comment 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-3.1-7** The comment states that the Draft EIR ignores the project's fundamental conflicts with the County General Plan and dismisses the impacts as less than significant.

The Draft EIR evaluated the project's consistency with each of the Guiding Principles and policies of the General Plan and Subregional Plan. Based on this detailed review, the Draft EIR concluded that impacts would be less than significant. Refer to **Response to Comment O-3.1-5**; Draft EIR Section 3.3, Land Use and Planning; and Draft EIR Appendix DD.

- O-3.1-8** The comment states that the Draft EIR does not disclose that Caltrans does not have the money for the I-15 improvements that would be necessary to accommodate the proposed project.

The County does not concur with the comment. As stated in Section 2.13, Transportation and Traffic, of the Draft EIR (page 2.13-101):

[T]he I-15/Deer Springs Road interchange improvements are included in the County's *Transportation Impact Fee (TIF)/Transportation Needs Assessment*

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Report (2012) as a necessary improvement that will be funded partially by development.

Therefore, the County does not agree that the Draft EIR did not disclose the funding mechanisms for the I-15 improvements, which would be funded by the proposed project.

Further, mitigation measures M-TR-1 requires the following:

The project applicant, or its designee, shall coordinate with the California Department of Transportation (Caltrans) to improve the Interstate 15/Deer Springs Road interchange to implement the lane configuration ultimately selected by Caltrans subject to their PID, PA&ED, and PS&E processes required for the planning, environmental review, design, and construction of the new interchange.

In addition, as stated in the Draft EIR on page 2.13-105, “the project applicant has initiated this three three-phase process with Caltrans. At the conclusion of this process, the project applicant will build the necessary interchange improvements.”

The County also directs the commenter to Section 2.13.13, Conclusion, where the Draft EIR discloses that Impacts TR-1A and TR-1B to the Deer Springs Road/I-15 northbound and southbound ramps would be significant and unavoidable because the required mitigation measure (M-TR-1) is under the jurisdiction and control of Caltrans and cannot be ensured by the County.

Related to I-15, the Draft EIR identified an individually significant impact at the segment from Deer Springs Road to Pomerado Road (Impact TR-18) (Draft EIR page 2.13-112), and a cumulative impact from Old Highway 395 to Pomerado Road (Impact TR-41) (Draft EIR page 2.13-117). Concerning both of these impacts, the Draft EIR discusses that “there is no Caltrans program in place to provide funding and implement the necessary improvements into which the Project could contribute a fair share, and, thus, there is no feasible mitigation that would reduce the identified impacts to less than significant. Therefore, the impacts are considered **significant and unavoidable**” (Draft EIR pages 2.13-112 and 2.13-117, see also pages 2.13-122 and 2.13-125).

Accordingly, the Draft EIR has accurately discussed the proposed project’s impacts relative to I-15. No further response is necessary or required.

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- O-3.1-9** The comment states that the Draft EIR does not analyze the impacts of the proposed uses on Sarver Lane. The comment states that this was an oversight of the Draft EIR consultant and developer to not include the traffic impacts to Sarver Lane.

The County does not agree with this statement. The Draft EIR identifies Sarver Lane as an access road to the project Site. Section 2.13 of the Draft EIR states the following (page 2.13-54):

Thirty five percent of the residential traffic would be distributed to the west of Sarver Lane, and 62 percent to the east of Mesa Rock Road, on Deer Springs Road. Therefore, most of the traffic destined to the west would use Sarver Lane and most of the traffic destined to the east would use Mesa Rock Road. Depending on the point of origin on Site and the proximity to the two access roads, drivers would use the nearest access point to their home.

The Deer Springs Road/Sarver Lane intersection was identified as a key intersection in the traffic study. Impacts were identified at this intersection; however, it was determined that mitigation measure M-TR-3 would mitigate the project's impact to the intersection of Deer Springs Road/Sarver Lane (Impact TR-3) to less than significant (Draft EIR pages 2.13-120 and 2.13-123).

Therefore, the County concludes that impacts to Sarver Lane were adequately assessed in the Draft EIR.

- O-3.1-10** The comment states that the Transportation Demand Management (TDM) Program measures described in the Draft EIR are for urban areas and are not applicable to the project, and therefore there will be more trips than forecasted in the Draft EIR.

The County does not agree with these statements. The comment states that because the TDM measures are for urban areas they are not applicable, but does not explain the reasoning for this conclusion. The comment does not explain why more trips would be forecasted than disclosed in the Draft EIR.

Nonetheless, as explained in **Response to Comment O-1.4-46**, the analysis presented in Appendix D, Newland Sierra TDM Program – VMT Reduction Evaluation (Fehr & Peers, February 2017), of Draft EIR Appendix K, Greenhouse Gas Technical Report, was performed using methodologies contained in the California Air Pollution Control Officers Associations' (CAPCOA) Quantifying Greenhouse Gas Mitigation Measures (2010) (see pages 3 and 4 of Appendix D to Appendix K). All calculations were performed using the CAPCOA report's suburban area input, and the methodologies were specifically applied to vehicle miles traveled (VMT) associated with the "user" of the TDM Program measure (see pages 7 through 20 of Appendix D to Appendix K).

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As stated in **Response to Comment O-1.4-48**, and also described in **Response to Comment O-1.16-7**, the project Site is not located in a rural area; rather, the project Site is located within the North County Metropolitan Subregional Plan area, which includes the communities of Twin Oaks and Hidden Meadows. Relatedly, the project Site is less than 1 mile from the municipal boundaries of the cities of San Marcos and Escondido, two cities that support a combined population of approximately 250,000. Due to the project's suburban location, the TDM Program centered on land use strategies for suburban areas, such as offering land use diversity on Site to encourage residents to walk, bike, or take transit within the Project Area.

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-3.1-11** The comment states that the commenter could not find the proposed Sarver Lane alignment in the Draft EIR.

The commenter is directed to Chapter 1, Project Description, Figure 1-3 of the Draft EIR. Further, the Tentative Map and Preliminary Grading Plan were available online under "Additional Items" at <https://www.sandiegocounty.gov/content/sdc/pds/ceqa/SP-15-001/NSDEIR.html>.

- O-3.1-12** The comment states that the project will cause I-15 to be gridlocked and will not contribute money to mitigate this impact. The comment states that the monetary impacts need to be addressed.

Please refer to **Response to Comment O-3.1-8** and the responses to **Comment Letter O-1.10**, which discuss that no feasible mitigation exists relative to mainline I-15 impacts. The County acknowledges the remainder of the comment and notes that it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. 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-3.1-13** The comment states, "The EIR did not model or study the air quality/air pollution impacts on Hidden Valley Zen Center." Please refer to **Topical Response AQ-1** and **Topical Response AQ-3**.

- O-3.1-14** The comment states that the project would modify the floodplain on land owned by the Hidden Valley Zen Center. The comment states that the Hidden Valley Zen Center will not allow the project to modify lands owned by the Hidden Valley Zen Center.

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The project would not involve modification of land owned by the Hidden Valley Zen Center. Rather, Figure 3.2-2 in Section 3.2, Hydrology and Water Quality, of the Draft EIR depicts the location of the existing 100-year floodplain, which intersects Hidden Valley Zen Center land.

- O-3.1-15** The comment states that Sarver Lane was not analyzed in the noise analysis, that impacts along the alignment were not modeled, and that 6,000 trips would have a significant impact. The County does not agree with this comment for the following reasons.

The Draft EIR does include Sarver Lane in the off-site noise analysis. A receiver location (O9) is located at a church on Sarver Lane. From Section 2.10.3.1, of the Draft EIR:

At the church on Sarver Lane (Receiver O9), the traffic noise level is predicted to increase by 3 dBA from 54 dBA CNEL to 57 dBA CNEL with the proposed project. However, as noted above, an increase of 3 dBA or greater is considered a significant impact only if the site is a “documented noisy site.” In this case, both the existing and existing with project noise levels (54 and 57 dBA CNEL, respectively) would not exceed the County noise standard for churches of 65 dBA CNEL.

In recognition of the potential influence of traffic from Deer Springs Road on uses at the southern end of Sarver Lane (such as the church at Receiver O9) compared to residential uses farther north on Sarver Lane, a supplemental analysis was prepared to represent additional off-site noise-sensitive land uses on Sarver Lane. The following table shows the noise levels at receivers for various model year scenarios, consistent with those analyzed in the Draft EIR.

Receiver	Modeled Noise Levels on Sarver Lane Only (dB CNEL)					
	Existing	Existing with Project	Future without Project	Future with Project	Noise Level Increase – Existing with Project vs. Existing	Noise Level Increase – Future with Project vs. Future without Project
Hidden Valley Zen Center	50	59	54	59	9	5
Residence Sarver Lane 1	48	55	50	55	7	5
Residence Sarver Lane 2	47	59	50	60	12	10

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Residence Sarver Lane 3	46	58	49	58	12	9
Residence Sarver Lane 4	47	50	49	51	3	2
Residence Sarver Lane 5	46	53	48	53	7	5

As shown in this table, the predicted noise level increases for both existing and future year scenarios are below the County’s threshold of 10 dBA for all receivers with the exception of “Residence Sarver Lane 2” and “Residence Sarver Lane 3.” Both of these properties are owned by the project applicant, and are proposed to be demolished as part of the project (they are at the location of a proposed park site). Therefore, these would not be considered sensitive receptors, and no impact would occur. For all other receivers, although the noise level increases would be greater than 3 dBA, they would not equal or exceed the County’s Noise Compatibility Guidelines and Standards for the underlying land uses; thus, the impact would be less than significant, as concluded in the Draft EIR. No further revisions are required or necessary.

Please also see **Responses to Comments O-1.15-6, O-1-222, and O-1-223.**

O-3.1-16 The commenter thanks the County for assisting with the assessment of a proper EIR.

The County acknowledges that the comment is a conclusion to the comment letter 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.

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