

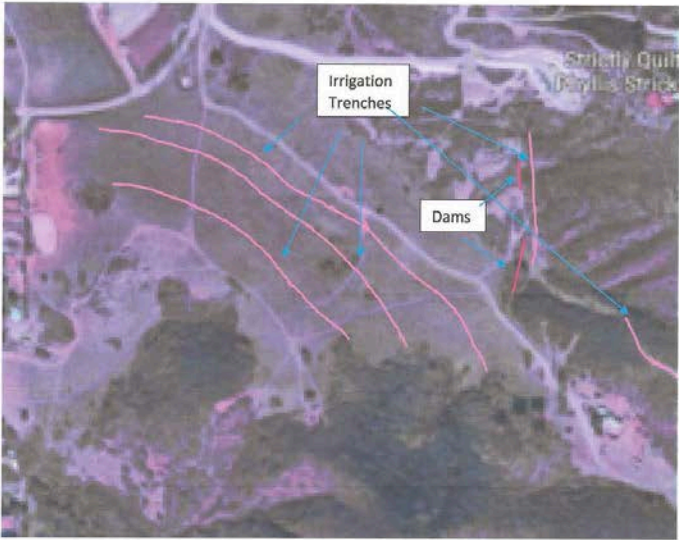


COMMENTS	RESPONSES
<p style="text-align: right;">Comment Letter I39a</p> <p>June 20, 2017 Michelle Irace Planning & Development Services County of San Diego 5510 Overland Avenue, Suite 310 San Diego, CA. 92123 Re: Harmony Grove Village South (HGVs) Draft Environmental Impact Report PDS2015-GPA-15-002, PDS2015-SP-15-002, PDS2015-REZ-15-003, PDS2015-TM-5600, PDS2015-MUP-15-008, PDS2015-ER-15-08-006 Dear County of San Diego,</p> <p>Background: The following is the general description of the project from chapter 1.0:</p> <p>"1.1 Project Objectives The purpose of the Harmony Grove Village South Project (hereafter referred to as "Proposed Project," "Project," or "HGV South") is to expand the contiguous Harmony Grove Village (HGV) to include a residential component that provides a mix of residential opportunities, and community center/limited commercial opportunities that complement existing elements of HGV and contribute to the overall functioning of the village as a whole. Integral considerations are to provide a pedestrian-oriented sustainable community that complements the natural environment, protects the community character, and integrates the residential, recreational, and public uses of both HGV and HGV South in order to create a complete and vibrant village through the development of the fourth quadrant of HGV at the Harmony Grove Road and Country Club Drive intersection. The overall objectives of the Project are to:</p> <ol style="list-style-type: none"> 1. Efficiently develop property in close proximity to an existing village to create one complete and vibrant community that would enhance and support the economic and social success of the village and Project by increasing the number and diversity of residential opportunities. 2. Contribute to the establishment of a community that encourages and supports multimodal forms of transportation, including walking and bicycling, by locating near regional employment and transit centers. 3. Preserve and enhance sensitive biological resources, habitats, and landforms in dedicated open space easements. <p style="text-align: center;">1</p>	<p>Response to Comment I39a-1 The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.</p>

COMMENTS	RESPONSES
<p style="text-align: center;">Comment Letter I39a</p> <p>4. Provide a variety of passive and active recreational opportunities in support of the County's goals to encourage healthy and active lifestyles through the creation of public and private parks, pathways, and trails that provide connectivity to the area's preserved natural lands and nearby village uses.</p> <p>5. Provide a mix of residential uses that will provide a broad range of housing choices which support a diversity of resident and land uses within the Project.</p> <p>6. Create a mixed-use development that is compatible with existing and planned development in the immediate vicinity of the property while optimizing the operational effectiveness of public facilities and services of the Project and the existing village by increasing the number and diversity of residents within the Project.</p> <p>7. Create a destination gathering place that provides a variety of land uses that encourage walkability, social interaction and economic vitality for the Project, and with the existing village and the surrounding areas.</p> <p>8. Encourage adaptive grading, whenever feasible, that utilizes grading techniques such as selectively placing development in a manner that visually and physically responds to the site's physical variables (such as steep slopes, views, streams, etc.), preserving significant topographic features and taking advantage of existing site features."</p> <p>In 1995 I purchased the residence at 2708 Country Club Drive, Escondido, and I have lived there continuously since that date. I traverse the project site several times a day since I have a dedicated easement across the site property to access my residence.</p> <p>I am a retired San Diego Police Officer (SDPD 1980-2007) with a total of 30 years of law enforcement experience with both SDPD and the San Diego County Sheriff's Department (1978-1980).</p> <p>I have been board member of The Escondido Creek Conservancy (TECC) for 12 years.</p> <p>I have developed some basic knowledge of the history of this property, understanding that much of it was converted to agriculture over 100 years ago. Thus the non-native grasslands over a significant portion of the property.</p> <p>Below is an aerial photo that I obtained from the internet which is labeled as being shot in 1928 (Figure 1). Note the presence of what appears to be vineyards on the property, the presence of a farmhouse of which the stone chimney still stands today. Below that is the most current satellite shot from Google Maps (Figure 2) which shows that in spite of the conversion of the site to agriculture, which eventually introduced non-native invasive plant species to the long ago abandoned agricultural site, the native chaparral and coastal sage scrubland has slowly reclaimed significant portions of the site without any active intervention and through recent and persistent drought. In addition, the area dominated by coastal sage scrub was used by regional residents as an off-road vehicle site throughout the 1990's, of which I was witness to. This reduced the sage scrub in the east central portion of the property to a mere fraction of what it is now, further demonstrating nature's desire to survive in spite of our best efforts to the contrary.</p> <p style="text-align: center;">2</p>	<p>Response to Comment I39a-2</p> <p>The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.</p> <p>Response to Comment I39a-3</p> <p>Comments and photographs noted. These statements are not at variance with information in the EIR. The earlier agricultural activities are discussed in Subchapter 2.4, <i>Cultural Resources and Tribal Cultural Resources</i>, as well as Section 3.2.1, <i>Agriculture</i>. The current status of native and non-native habitats on the Project site is detailed in Subchapter 2.3, <i>Biological Resources</i>.</p>

COMMENTS	RESPONSES
<div data-bbox="751 232 940 256" data-label="Text"><p>Comment Letter I39a</p></div> <div data-bbox="247 313 863 1084" data-label="Image">A black and white aerial photograph of a landscape. A river flows from the top left towards the bottom center. The land is divided into various fields and patches of vegetation. A rectangular box in the lower right quadrant is labeled "General Project Site". Above the photo, a small box contains the text "1928 Photo".</div> <div data-bbox="210 1141 407 1166" data-label="Caption"><p>Figure 1 (1928 Aerial Photo)</p></div> <div data-bbox="940 313 1003 1174" data-label="Text"><p>I39a-3</p></div> <div data-bbox="562 1312 577 1328" data-label="Page-Footer"><p>3</p></div>	

COMMENTS	RESPONSES
<p data-bbox="753 233 940 253">Comment Letter I39a</p>  <p data-bbox="953 756 1010 776">I39a-3</p> <p data-bbox="212 1138 800 1157">Figure 2 (Google Map Satellite 2017) Circled Areas Indicate Recovered Native Species</p> <p data-bbox="212 1174 926 1279">There is evidence of water collection/retention efforts by past agricultural operations with the presence of earthen dams and numerous irrigation ditches and water collection trenches on and just off of the site. There is a large Coast Live Oak on top of the largest earthen dam in the southeast corner of the property, giving some credence as to the age of the construction of this dam and the associated water collection features (Figure 3).</p> <p data-bbox="564 1317 575 1333">4</p>	

COMMENTS	RESPONSES
<p data-bbox="753 233 940 253">Comment Letter I39a</p> <div data-bbox="216 339 890 875">  <p data-bbox="533 407 617 451">Irrigation Trenches</p> <p data-bbox="638 542 701 570">Dams</p> <p data-bbox="957 656 1016 675">I39a-3</p> </div> <p data-bbox="216 889 275 906">Figure 3</p> <p data-bbox="216 922 890 963">Figure 4 is a map created to demonstrate the project borders preserved open space on 5 of the 11 properties lines on the site project.</p> <p data-bbox="569 1317 579 1333">5</p>	

COMMENTS

RESPONSES

Comment Letter I39a

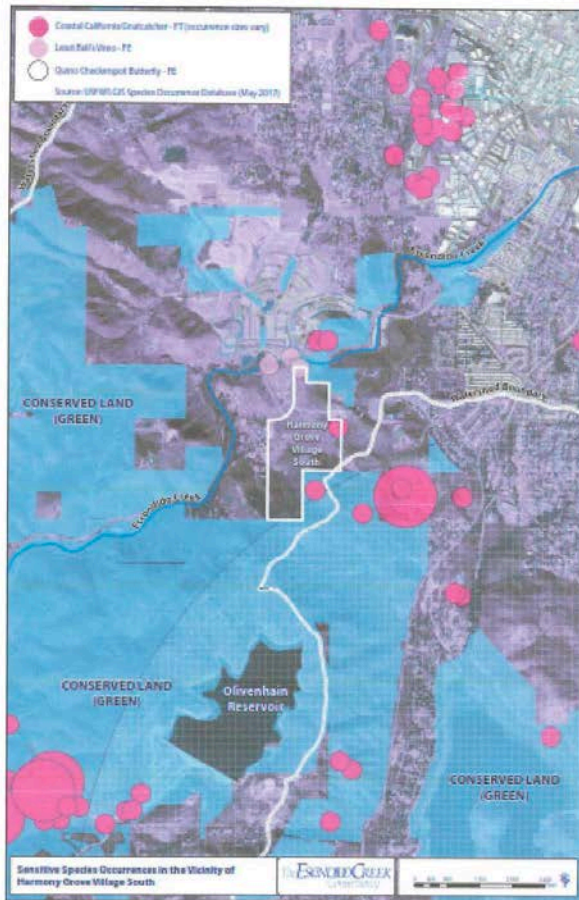


Figure 4

I39a-3

COMMENTS

RESPONSES

Comment Letter I39a

There are 17 properties that border this project site (See figure 5 below). The average size of those parcels is 24.6 acres. 10 of those parcels are developed residential lots which range in size from .5 acres to 30 acres. The average size is 5 acres. There are 5 open space preserved parcels and 2 undeveloped parcels that border the project that range from 10 acres to 168.6 acres with the average size of 52.6 acres. This works out to be 12% of the acreage adjacent to the project is occupied residential and 88% is open space or undeveloped. 80% of this acreage is dedicated open space preserve (Del Dios Highlands County Park and TECC owned OS).


Lot	Size in acres	Resident or OS	Parcel #
TECC Quarry	11	OS Preserve	23501107
TECC Hoover	10	OS Preserve	23503256
Del Dios Highlands	60	OS Preserve	23802107
Del Dios Highlands	83.8	OS Preserve	23802036
Del Dios Highlands	168.6	OS Preserve	23802037
Kesting Dairy (New Urban West)	14	OS Undeveloped	23557211
Kesting Dairy (New Urban West)	21	OS Undeveloped	23557210
Barnard	3	R	23503221
Spurgeon	5	R	23503220
Cavender	1.6	R	23801120
Cavender	0.5	R	23801121
McKim	0.56	R	23801119
Jackson	0.63	R	23801118
Bamber	30	R	23802102
Dummer	3.5	R	23801069
Dummer	4.4	R	23801070
Wolfe	1	R	23801062
OS	333.4		
OS & UD	368.4		
R	50.19		
Total	418.59		
% R	0.11990253		
% UD & OS	0.88009747		
% OS	0.796483432		


Figure 5

I39a-4

Response to Comment I39a-4

Comments noted. The lot size data do not address the environmental analyses in the EIR, which address Project-related impacts relative to existing conditions. No additional response is required.

COMMENTS	RESPONSES
<p data-bbox="753 233 940 253">Comment Letter I39a</p>  <p data-bbox="216 1222 344 1242">Figure 7 (Option 2)</p> <p data-bbox="982 768 1037 787">I39a-5</p>	<p data-bbox="1094 167 1470 191">Response to Comment I39a-5</p> <p data-bbox="1094 203 1995 267">The commenter’s account of the circumstances surrounding the planning for the adjacent Harmony Grove Village (HGV) project are noted.</p> <p data-bbox="1094 310 1995 760">Relative to the cited “unmitigated impacts” to existing properties, no specifics are provided and no specific response can be given, but please refer in particular to Chapters 2 and 3 of the EIR, which contain analyses regarding potential Project effects on neighboring properties as applicable (for aesthetics, noise, air quality, etc.). Regarding the Project’s objectives, the Project allows for pedestrian and bicycle use as well as being within 3 miles of the Nordahl Transit Center. For clarification, the document does not say that the Project is independent of vehicular travel. The Project would, however, allow for access to HGV amenities and open space areas to the south by foot and/or bike. The Project is close enough to a transit center such that bike commuters could access it. For motorists, the proximity of the transit center would allow a short drive prior to accessing public transportation.</p> <p data-bbox="1094 802 1995 943">The County acknowledges the comment and opposition to the Project. The Project does propose a General Plan/Community Plan Amendment (GPA) that would result in an increase in density in the area. Please see the Global Response to Project Consistency with General Plan Policy LU-1.4.</p>

COMMENTS	RESPONSES
<p data-bbox="753 233 940 256">Comment Letter I39a</p> <p data-bbox="216 310 940 553">From 2002-2011 there was a focused effort to re-zone/up-zone several properties in the Harmony Grove area, in part, from the General Plan Update process and, simultaneously, and an application for a General Plan Amendment by New Urban West for what is now Harmony Grove Village (HGV). As this process progressed in 2003, County Department of Planning Services (DPS) assigned two planners, Howard Blackson and Dahvia Rubenstein, to meet with the Harmony Grove Community to receive input on these proposed up-zones. After several input meetings, Mr. Blackson developed two maps of the community with two development options (See Figures 6 & 7 Below). Figure 6 was option one, a split development with the bulk of the units on the north side of Escondido Creek where Harmony Grove Village is currently sited and a smaller nodule of units on the south side of Escondido Creek where Harmony Grove Village South is proposed. Figure 7 was another option which focused all of the units and increased density on the north side of the creek where HGV is currently sited.</p>  <p data-bbox="216 1268 348 1291">Figure 6 (Option 1)</p> <p data-bbox="569 1317 583 1339">8</p> <p data-bbox="968 769 1024 792">I39a-5</p>	

COMMENTS	RESPONSES
<p style="text-align: center;">Comment Letter I39a</p> <p>The underlying thought on these plans was for the community to accept its fair share of increased units under the GP process in the most acceptable way in order to preserve the rural character of the community.</p> <p>The unanimous choice of the community was to support option 2, with all of the increased development north of Escondido Creek and to preserve the rural densities south of the creek where HGVS is proposed. This effort was codified in the GP process with the Harmony Grove Community Plan, which was adopted as part of the GP process.</p> <p>Further, the HGV plan was laid out in a fashion so as to contain the urban and suburban densities in the center of the project, and on the outer part of the project, the densities became semi-rural and rural (multi-acre lots). These larger lots matched up to what exists in the community and reduced the impact to existing residences at the borders of the project. In the few places in which urban and suburban densities border existing residences, Country Club Drive is in between new and existing residences, and these new residences replace former industrial agricultural operations (two egg ranches and a dairy), which arguably resulted in less impact to the adjacent existing residences.</p> <p>Further, the community has put a high value on preserving open space habitat in the area, with a group of local residents forming The Escondido Creek Conservancy in 1991, which, along with other NGO's and other governmental agencies, acquired over 3,500 acres of open space habitat in and around the community over the intervening years. The development pattern of HGV and the standards and policies put in place under the Community Plan was also designed with minimal impact to open space habitat in mind. Containing urban and suburban densities to the north side of Escondido Creek in Harmony Grove was considered a critical part of this plan.</p> <p>This process was codified in the Harmony Grove Community Plan (http://www.sandiegocounty.gov/content/dam/sdc/pds/gpupdate/docs/BOS_Aug2011/C.2_17a_ELFIN_FOR.HARM_GROVE_08_03_11.pdf).</p> <p>Option 1, which was rejected by the community, still had much less impact than the proposed HGVS project, in that it only had 92 units in the nodule south of the creek where HGVS (453 units) is proposed.</p> <p>While the proponents of HGVS argue this project is a logical extension of HGV, HGVS creates much more intense urban and suburban densities that border existing rural densities, something that was avoided in the HGV plan. This creates significantly more unmitigated impacts to the existing properties, both rural residential and open space, that border the proposed project, than the HGV project.</p> <p>Point 2 of the project description states, "2. Contribute to the establishment of a community that encourages and supports multimodal forms of transportation, including walking and bicycling, by locating near regional employment and transit centers". By incorrectly describing the project as "near" employment and transit centers it gives the impression that this would be a less than completely vehicle dependent project. In fact, both transit centers are located over 3 miles away from the project site and would not facilitate access to transit any more than if it were 10 miles away from a transit center. If 3 miles away is "near" to this project, then impact both positive and negative of this project should be considered for at least a 3 mile radius from the site.</p> <p>In summary, the HGVS project is an immitigable violation of the historic planning process that the community of Harmony Grove engaged in with the County Planning Department. That planning process</p> <p style="text-align: center;">10</p>	<p style="text-align: center;">I39a-5</p>

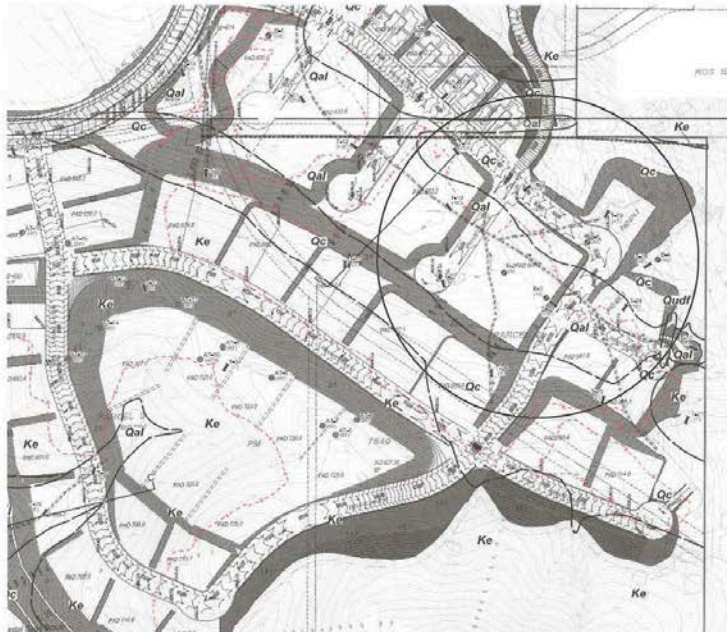
COMMENTS	RESPONSES
<p style="text-align: center;">Comment Letter I39a</p> <p>resulted in the Harmony Grove Village (HGV) project. HGV was designed, in cooperation with the community, to serve as an urban/suburban limit line, and was touted as a way to preserve most of the open space/rural character of the valley. Urban/Suburban densities outside of the village limit line defeats the purpose of design of HGV.</p> <p>The HGVS project as proposed violates the policies and standards in the Harmony Grove Community Plan on file with the County Planning Department and adopted by the Board of Supervisors as part of the GP in August of 2011.</p> <p>Geology Section 3.1.2:</p> <p>The below bolded text is from the DEIR's Geology section and refers to an area in the east central area of the project which is at the base of a steep slope originating on adjacent parcels to the east. The conclusion of the section states that the site is not susceptible to landslides. On site evidence tends to suggest that there may have been a landslide to create this colluvium deposit with depths of up to 21.5 feet. Below is a section of Figure 3.1.2-1 from the DEIR focused in on this area and labeled "Qc" (Figure 8). Encircled on Figure 8 is the area of concern, which appears to be a landslide that may have occurred over 100 years ago. Evidence of this event is also noted on Figure 9, a zoomed in version of the 1928 aerial photo from Figure 1. An onsite inspection may reveal that not only was this a landslide at some prior time, with significant deposits still present, but a similar event could occur slightly south of the location. It appears that this hillside to the south is still "fully loaded" and, under the right conditions, could cause a major landslide that would impact the footprint of the proposed development under similar depths of over 20 feet of colluvium soil.</p> <p>"Alluvium (Map Symbol Qal)</p> <p>Quaternary alluvial materials occur within a number of drainage courses located throughout the Project site. These deposits generally consist of relatively loose (unconsolidated) to medium dense, silty sands, with varying amounts of gravel and cobbles derived from bedrock units. The maximum observed depth of alluvial deposits was approximately 19 feet in the east-central portion of the site, with some of the deeper alluvial materials exhibiting higher levels of consolidation.</p> <p>Colluvium (Map Symbol Qc)</p> <p>Colluvial materials are deposited by gravity and are present along the base of most on-site hillsides located above alluvial drainages. These deposits typically consist of loose sandy clays and clayey sands, with cobbles and occasional boulders (and most larger rocky materials more angular in nature than those associated with alluvium). The maximum observed depth of colluvium is approximately 21.5 feet in the east-central portion of the site, with more highly cemented colluvium in the eastern portion of the site. These consolidated materials occur both surficially and at depth, and consist of dense silty to clayey sands and gravel.</p> <p style="text-align: center;">11</p>	<p>Response to Comment I39a-6</p> <p>Based on geotechnical review of the area, the colluvial/debris flow deposit identified appears very old (likely Pleistocene) due to its significant thickness and dense to very dense, well consolidated nature. In this regard, a significant period of time would have been required to accumulate this deposit, which is in excess of 20 feet thick, and for the natural consolidation process to result in its dense and erosion-resistant nature, as encountered during the project's technical investigation (see Boring Nos. 4 and 5 from 2015 geotechnical report). A review of aerial photographs indicates the colluvial/debris flow deposit and surrounding area has been relatively unchanged for almost 90 years with the exception of relatively shallow surface erosion features that can be observed to increase over time.</p> <p>With respect to the slope area south of this deposit that is described as "fully loaded," the potential for a landslide originating from this area and impacting the proposed development is considered low since the conditions discussed above that resulted in the existing colluvial/debris flow are not present. Further, a review of aerial photography of the surrounding and adjacent terrain area suggest that the mapped colluvial apron/debris flow is an isolated feature compared to similar-shaped natural slope areas. Since the natural slope above the eastern Project margin does exhibit several pronounced drainage channels, proper control of surface runoff from a civil engineering perspective is recommended (brow ditches, storm runoff collector devices, etc.) to reduce the effects that erosion may have on the proposed development.</p>

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<p style="text-align: center;">Comment Letter I39a</p> <p>Analysis</p> <p>The Project site is not located within or adjacent to any County Landslide Susceptibility Areas (County 2007d), and the Project geotechnical report concludes that there is no evidence of ancient landslide deposits at the site (Geocon 2015a). Additionally, the geotechnical investigations included a stability analysis for manufactured fill slopes, which concludes that:</p> <p>(1) fill slopes constructed with approved material and at a maximum grade of 2:1 (horizontal to vertical) per the Proposed Project design, would exhibit a factor of safety of at least 1.5 as required by current County guidelines (and other related industry standards); and (2) cut slopes with maximum grades of 1.5:1 and maximum heights of 90 feet are anticipated to exhibit factors of safety of at least 1.5 (per current standards). A number of additional design and construction measures related to cut and fill slope stability are also identified in the report, including standard requirements for proper compaction and surface treatment of fill slopes, height limitations, over-excavation or -blasting for cut slopes in granitic rock (to reach unweathered and stable rock exposures), field observation and design/construction modification where applicable (as noted above under the discussion of Ground Shaking), and use of drought-tolerant landscaping and irrigation controls (refer to Chapter 8.0 of Appendix I;</p> <p>3.1.2-9</p> <p>Harmony Grove Village South Project Section 3.1.2</p> <p>Draft Environmental Impact Report Geology/Soils Geocon 2015a). These standard recommendations are included in the Project description as design considerations (see Table 1-2 of this EIR). Implementation of standard engineering and construction practices, as well as conformance with County guidelines and other applicable regulatory/industry standards, would avoid or reduce potential Project-related impacts associated with landslides and slope stability to less than significant levels."</p> <p style="text-align: center;">12</p>	<p>Response to Comment I39a-7</p> <p>The cited EIR text is accurate. As shown in the figures attached, the area is largely within the development footprint of the Project. As stated in Table 1-2, <i>Project Design Features</i>, under the heading "Geologic Hazards -- Construction," and in Chapter 7, <i>List of Mitigation Measures and Project Design Features</i>, the following elements are incorporated into Project design and would be Conditions of the Project.</p> <p><i>Acceptable factors of safety for manufactured slopes will be achieved through standard measures and the Project geotechnical investigations; including efforts such as: (1) constructing fill slopes with approved material (engineered fill) and surface treatments, using drought-tolerant landscaping and irrigation controls, and limiting grades to a maximum of 2:1 (horizontal to vertical); and (2) designing/constructing cut slopes with maximum grades of 1.5:1 and maximum heights of 90 feet, and oveexcavation or blasting of cut slopes in granitic rock to reach unweathered and stable rock exposures. This process will include verification through standard plan review and site-specific geotechnical observation and testing during Project excavation, grading, and construction activities.</i></p> <p>These standard requirements for site-specific review, and slope design and construction, as well as retention features such as potential retaining walls, as indicated on Figure 2.1.7a, <i>Preliminary Retaining Wall Placement</i>, for this general area, would ensure impacts would be less than significant.</p>

COMMENTS

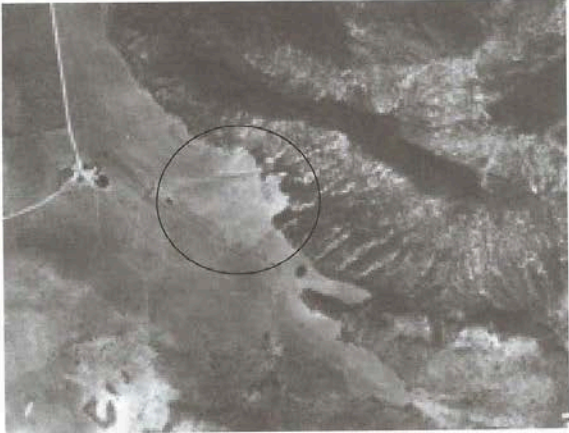
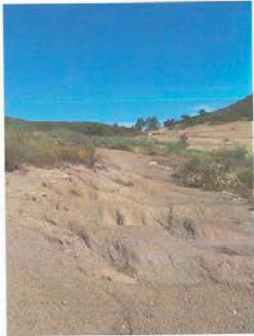
RESPONSES



Comment Letter I39a




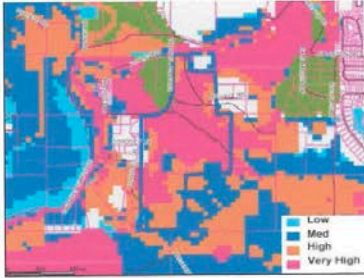
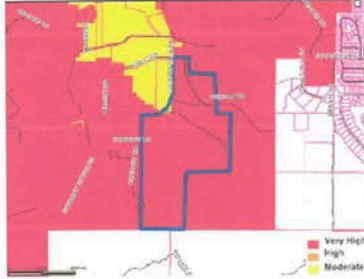
I39a-7

Figure 8 (Snapshot of Figure 3.1.2-1)

COMMENTS	RESPONSES
<p data-bbox="753 233 940 253">Comment Letter I39a</p>  <p data-bbox="218 751 917 797">Figure 9-note the area above the circled colluvium deposit is shows a notched out area of the hillside above which seems to indicate loss of material from that hillside.</p> <p data-bbox="218 846 669 865">Below are two photos of the same area taken from ground level:</p>  <div data-bbox="543 972 829 1065"> <p>Colluvium deposit several feet thick east/central portion of the project site.</p> </div> <p data-bbox="951 742 1008 761">I39a-7</p> <p data-bbox="575 1317 596 1333">14</p>	

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<div data-bbox="218 313 451 620">  </div> <div data-bbox="537 375 821 464"> <p>Colluvium deposit several feet thick east/central portion of the project site.</p> </div> <div data-bbox="743 230 945 259"> <p>Comment Letter I39a</p> </div> <div data-bbox="926 289 947 786">  </div> <div data-bbox="940 509 1010 539"> <p>I39a-7</p> </div> <div data-bbox="210 695 907 771"> <p>Has the stability of this site been properly evaluated? What would the impact to the proposed residences if material further south on this hillside suddenly slid onto the site as the material to the north appears to have done?</p> </div> <div data-bbox="562 1313 596 1339"> <p>15</p> </div>	

COMMENTS	RESPONSES
<p style="text-align: center;">Comment Letter I39a</p> <p><u>Biology and Impacts to Adjacent Open Space:</u></p> <p>The project description outlines these following goals in Chapter 1:</p> <p>"3. Preserve and enhance sensitive biological resources, habitats, and landforms in dedicated open space easements.</p> <p>4. Provide a variety of passive and active recreational opportunities in support of the County's goals to encourage healthy and active lifestyles through the creation of public and private parks, pathways, and trails that provide connectivity to the area's preserved natural lands and nearby village uses."</p> <p>In 2010, this property was submitted as part of the GP referral process with a specific up-zone request from the GP update zoning (a zoning which was a result of the GP update which took 8 years to complete at a cost of approximately \$18 million). Below is the characteristics of the property as described by county planning staff in the discussion section of the referral (bold for emphasis):</p> <p>"Nearly one-half of the property is constrained by steep slopes, is nearly entirely constrained by High and Very High Habitat Value, and within the Very High Fire Hazard Severity Zone. The VR2 designation is not supported by the Elfin Forest / Harmony Grove Town Council or the San Dieguito CPG. In addition, the property is outside the Harmony Grove Village boundary proposed in the San Dieguito Community Plan. This Village boundary is the result of several public workshops that developed a compromise position to assign additional density within the Village boundary surrounded by Semi-Rural and Rural Lands. The Harmony Grove Town Council and the San Dieguito CPG support the PCC / Staff Recommendation, which proposes a combination of SR2, SR4, and RL20 designation. Under this recommendation, the SR2 designation is applied to the area adjacent to the Harmony Grove Village where there is less steep slope. The RL20 designation is applied in the southern portion where there is the most steep slope and SR4 to the remaining areas. The applicant is requesting a compromise position of Semi-Rural 0.5, which would be the same base density, but would result in fewer units because of the slope restrictions. The following is an estimate of the potential dwelling unit yield under each of the alternatives:</p> <ul style="list-style-type: none"> • Existing General Plan — 20 - 27 units • PC / Staff Recommendation — 22 - 26 units • Referral Map — 214 units • Property Owner's request (SR0.5) — 168 - 180 units" <p style="text-align: center;">16</p>	<p>Response to Comment I39a-8</p> <p>The cited Project objectives are correct. The planning history information does not address the environmental analysis in the EIR. No response is required.</p> <p>The commenter is reminded that the County's Habitat Evaluation Model is a regional model that is not intended to be used to interpret site-specific (i.e., parcel level) biological resources value. Further, the model is based on GIS data generally mapped at a regional scale of 1:24,000 (i.e., 1 inch on the map is equivalent to 24,000 inches on the ground) and also affords greater weight to certain resources that are targeted for conservation in the planning area (e.g., federally endangered Stephens' kangaroo rat [SKR] [<i>Dipodomys stephensi</i>]) and/or expressed by the large-scale data (e.g., grasslands). The model also does not necessarily take into account current species' range information. For example, the model may identify the grasslands on the Project site as having Very High Value because grasslands are afforded greater weight due to their association with SKR. However, SKR is not expected to occur on the site due to range restrictions, and therefore, the grasslands would not deserve the heavier weight afforded to them in the Model, which has translated into a false ranking for Very High Value. This is one example of why the Habitat Evaluation Model should not be used to determine the site-specific value of habitat. Similarly, the Project site is identified as having no value or "None" in the County's California Gnatcatcher Habitat Evaluation Model Results for the draft North County Plan, which is contradictory to the site-specific biological resources studies completed for the proposed Project.</p> <p>Habitat value is addressed extensively in the EIR based on site-specific studies, not only with respect to the habitat that occurs on the Project site itself, but also that which occurs in the local area surrounding the site. Specific information regarding habitat value and impacts is provided in the <i>Biological Technical Report</i>. This information is also provided in FEIR Section 2.3.1.1, <i>Existing Setting</i>, under the heading "Habitats" and "Raptor Foraging," as well as on pages 2.3-20, 28, and 29 relative to California gnatcatcher habitat, page 2.3-31 relative to golden eagle, etc.</p>

COMMENTS	RESPONSES
<p style="text-align: center;">Comment Letter I39a</p> <div style="display: flex; align-items: center; justify-content: space-between;"> <div style="display: flex; flex-direction: column; align-items: center;">    </div> <div style="display: flex; flex-direction: column; align-items: center;"> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;">Steep Slope (Greater than 25%-from Property Specific Request SD-7</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;">Habitat Evaluation Model-Property Specific Request SD-7</div> <div style="border: 1px solid black; padding: 5px;">Fire Hazard Severity Zones-Property Specific Request SD-7</div> </div> <div style="margin-left: 10px;"> <div style="display: flex; align-items: center;"> <div style="border-left: 2px solid black; height: 150px; margin-right: 5px;"></div> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">I39a-8</div> </div> </div> </div> <p style="text-align: center;">17</p>	<p>Regardless, the current assessment of the site habitats is based on ongoing, multiple site visits from 2014 through July 2017, and detailed vegetation mapping and sensitive species surveys by technical specialists with the appropriate permits. The site has also been visited by representatives of the wildlife/resource agencies, who concurred with the on-site mapping. Please refer to their letter (F1), which indicates substantial concurrence with Project draft Habitat Loss Permit (HLP) findings.</p>

COMMENTS	RESPONSES
<p style="text-align: center;">Comment Letter I39a</p> <p>County planning staff determined that much of the site was "High Habitat Value" in 2010. What has changed since that time that would cause the on-site habitat to be considered anything but high value habitat?</p> <p>Regarding California Gnat Catchers (CAGN) on site, the DEIR indicates the following after locating one breeding pair on site:</p> <p>"California Gnatcatcher:</p> <p>In summary, gnatcatcher presence in the local area is limited to a few scattered known occurrences, including the breeding pair confirmed along the eastern boundary of the site in 2014 and two occurrences in the Harmony Grove open space. Overall habitat quality for gnatcatcher is low, as previous human activity eliminated much of the coastal sage scrub, and the upland habitat that remains is mostly chaparral and grassland. A direct, north-south connection of core habitat between DDHP and Escondido Creek does not exist through the Project site due to the large area of non-native grassland, which serves as an exposed break in the scrub and chaparral. Areas along the eastern boundary of the site could facilitate north-south movement to and from Escondido Creek, although the habitat is patchy and constrained by existing residential uses."</p> <p>The USFWS "Presence/Absence Survey Protocol" 1997 document (www.fws.gov/pacific/ecoservices/endangered/recovery/documents/CCalGnatcatcher.1997.protocol.pdf) states in part,</p> <p>The majority of plant species found in sage scrub are low-growing, drought-deciduous shrubs and sub-shrubs, including California sagebrush (<i>Artemisia californica</i>), California buckwheat (<i>Eriogonum fasciculatum</i>), and sages (<i>Salvia mellifera</i>, <i>S. apiana</i>) (Holland 1986, Sawyer and Keeler-Wolf 1995). Other commonly occurring species include lemonadeberry (<i>Rhus integrifolia</i>), coast goldenbush (<i>Isocoma menziesii</i>), laurel sumac (<i>Malosma laurina</i>), boxthorn (<i>Lycium</i> spp.), cliff spurge (<i>Euphorbia misera</i>), and jojoba (<i>Simmondsia chinensis</i>). Succulent species, such as cacti (<i>Opuntia littoralis</i>, <i>O. prolifera</i>, <i>Ferocactus viridescens</i>), and <i>Dudleya</i> spp. are represented in maritime succulent and southern coastal bluff scrubs. Sage scrub often occurs in a patchy, or mosaic, distribution pattern throughout the range of the coastal California gnatcatcher. Coastal California gnatcatchers also use chaparral, grassland, and riparian plant communities where they occur adjacent to or intermixed with sage scrub. Although existing quantitative data may reveal relatively little about coastal California gnatcatcher use of these other habitats, these areas may be critical during certain times of year for dispersal or as foraging areas during inclement conditions (e.g., drought). Breeding territories also have been documented in non-sage scrub habitat (e.g., chaparral and grassland/ruderal habitat).</p> <p>California Partners in Flight Coastal Scrub and Chaparral Bird Conservation Plan (https://www.prbo.org/calpiif/html/docs/species/scrub/california_gnatcatcher.html) also supports this opinion that CAGN sage scrub habitats that border grasslands, "Generally "prefers open sage scrub with California sagebrush (<i>Artemisia californica</i>) as a dominant or co-dominant species (summarized in Atwood and Bontrager 2001). More abundant near sage scrub-grassland interface than where sage scrub grades into chaparral. Dense sage scrub occupied less frequently than more open sites. Mostly absent from coastal areas dominated by black sage (<i>Salvia mellifera</i>), white sage (<i>S. leucophylla</i>), or lemonadeberry (<i>Rhus integrifolia</i>). Nest placement typically in areas with less than 40 percent slope</p> <p style="text-align: center;">18</p>	<p>Response to Comment I39a-9</p> <p>The EIR citation is correct and the other cited text is not in conflict with data presented in the EIR. One nesting pair of California gnatcatchers (CAGN) was identified during protocol surveys conducted by a qualified biologist permitted by the U.S. Fish and Wildlife Service (USFWS). The overall quality, function, and value of the Diegan coastal sage scrub (CSS) on the Project site is described in detail within the FEIR (refer to Section 2.3.1.1, under the heading "Habitats," to page 2.3-20) and draft HLP findings. Where CAGN was confirmed to be breeding during protocol surveys, as determined by the presence of an active nest and breeding territory, the intact CSS that is contiguous with or in close proximity to the nest location is addressed as being of relatively higher quality, function, and value. Where CAGN was confirmed not to be breeding and where the CSS is not intact and fragmented into smaller stands, the habitat is addressed as being of relatively lower quality, function, and value. As disclosed in the EIR, the CSS and other habitat within the Project site was confirmed to be occupied by CAGN or was determined to have the potential to facilitate CAGN foraging and dispersal functions. Regardless, if the Project is approved and off-site mitigation is implemented, the impacts to CSS, both permanent and temporary, including impacts to unoccupied CSS and coastal sage-chaparral transition habitat, will be mitigated at a 2:1 ratio with habitat occupied by CAGN.</p>

COMMENTS	RESPONSES
<p style="text-align: center;">Comment Letter I39a</p> <p>gradient. Gullies and drainages, when available within territory, used as nest sites. See also Braden et al. 1997.”</p> <p>This describes the exact habitat found on much of this proposed project site, with significant areas of open/broken sage scrub bordering grasslands.</p> <p>Further, the DEIR comments on habitat fragmentation,” California Gnatcatchers do not appear to be especially sensitive to fragmentation and development at the landscape scale. Primary concern is the chronic reduction in habitat carrying capacity due to development and need to develop a network of habitat reserves linked by habitat linkages. A sufficient number of "core" populations for California Gnatcatcher are extant to allow for a viable network of habitat reserves to be conserved through NCCP/HCP sub-regional planning processes that are ongoing throughout southern California.”</p> <p>In fact, I have observed, photographed, and taken footage, of numerous CAGN on site, and on adjacent private and preserved open space parcels over the past several years. It is more unusual to <i>not</i> hear or see CAGN on the property or on adjacent properties than to hear or observe them.</p> <p>Rather than viewing this site as a marginal habitat for CAGN it should be considered critical habitat in that every periphery high quality habitat to nearby core habitats is further insurance from total habitat loss and population loss due to ever increasing human caused wildland fires. Having more periphery habitats may be critical in future survival of this species in major fire events and these periphery habitats may survive major fires when the core habitat suffers major losses allowing smaller populations to survive and re-populate core areas upon recovery from fire events.</p> <p>Below is a list by date that I have seen/heard CAGN on or near the site (I have numbered these items to correspond to the attached external memory device):</p> <ol style="list-style-type: none"> 1. CAGN & Spotted Towhee 4-19-17 2. CAGN 4-16-17 3. CAGN 3-27-17 4. CAGN 4-16-17 5. CAGN 11-6-15 6. CAGN 8-4-15 7. CAGN 4-23-14 8. CAGN 4-23-14 9. CAGN 5-28-12 10. CAGN 9-17-14 11. CAGN 12-3-13 12. CAGN 2-17 13. CAGN 2-17 14. CAGN 1-17 15. CAGN 1-17 16. CAGN 1-17 17. CAGN 1-17 18. CAGN 1-17 19. CAGN 4-3-17 20. CAGN 5-8-17 (Daniel Boyd photo) <p style="text-align: center;">19</p>	<p>Response to Comment I39a-10</p> <p>The presence of CAGN on the Project site, as well as in the general area, is clearly discussed in the FEIR (refer to Section 2.3.1.1, <i>Existing Setting</i>, under the heading “Biological Surveys” and “Special Status Animal Species” as well as in Section 2.3.2.1, <i>Special Status Species</i>, with very focused discussion under the heading “Coastal California Gnatcatcher” under Guideline 1 and less focused discussion under additional relevant headings). The location of this sensitive species and use of the habitat (e.g., breeding versus non-breeding) are factors for determining mitigation requirements. Critical habitat is designated by the USFWS. The USFWS has designated a number of areas in San Diego County as critical habitat for CAGN. The Project site is not within an area designed as critical habitat by USFWS.</p> <p>The other species referenced by the commenter are either not sensitive (i.e., not afforded special status or protection) or were analyzed and determined to have some potential to occur. Weed’s mariposa lily (<i>Calochortus weedii</i>), Turkish rugging (<i>Chorizanthe staticoides</i>), gopher snake (<i>Pituophis catenifer</i>), and Southern Pacific rattlesnake (<i>Crotalus oreganus helleri</i>) are not sensitive species. As discussed in the EIR, great blue heron (<i>Ardea herodias</i>) was determined to be present on the Project site. Red-diamond rattlesnake (<i>Crotalus ruber</i>) and Coastal horned lizard (<i>Phrynosoma blainvillii</i>) were determined to have a high potential to occur, and coastal rosy boa (<i>Charina trivirgata</i>) was determined to have a moderate potential to occur. These sensitive species are not listed as federally or state-threatened or endangered species; they are designated as state species of special concern and/or County Group 1 or County Group 2 species. Mitigation for potential impacts to these and other species with similar designations is provided through habitat-based compensatory mitigation in accordance with County requirements.</p> <p>Please note that the Project site is private property and (excluding access easements to off-site homes) is not open to the public. Entering the property, without the permission of the property owner, for reasons other than residential access, is considered trespass.</p>

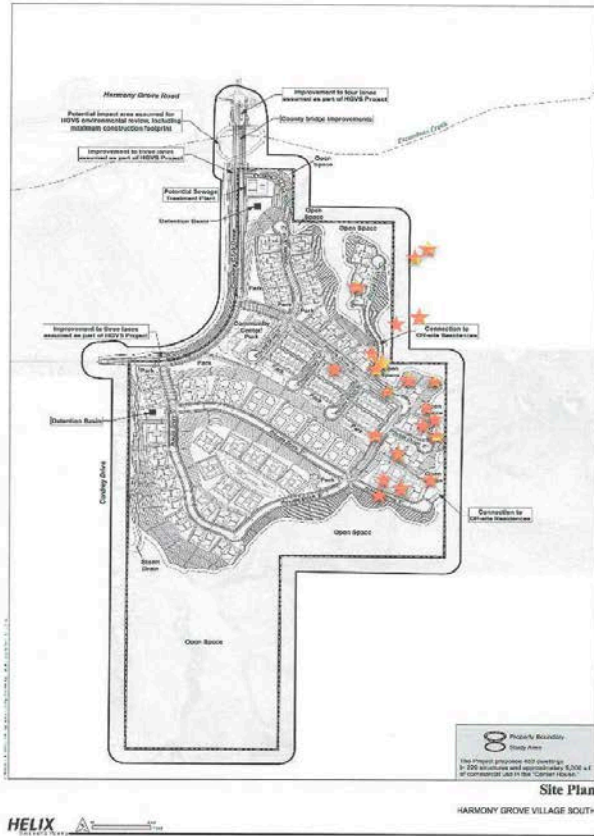
COMMENTS	RESPONSES
<p style="text-align: right;">Comment Letter I39a</p> <p>21. TG CAGN 9-18-10 22. TG CAGN 9-14-10 23. TG CAGN 9-14-10</p> <p>These photos and videos are contained on the attached external memory device/CD. I have included videos with images of CAGN, but have several additional videos in which the individual is heard but not visible and are not included in this package. These photos and videos represent less than 5% of the observations I have had on and around the site. As mentioned before, it is more unusual to not observe CAGN on and adjacent to the property year around.</p> <p>See Figure 10 for site locations where the attached videos and photographs were taken that are included in this package.</p> <p style="text-align: center;">20</p>	<p>In addition, CAGN is a federally threatened species with specific survey protocols that are intended to be undertaken by experienced biologists that are authorized and permitted by the USFWS.</p>

COMMENTS

RESPONSES

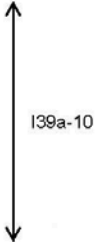
Comment Letter I39a

Figure 10



In addition I have photographed and videoed other species on site which are listed below and marked on Figure 11.

I39a-10

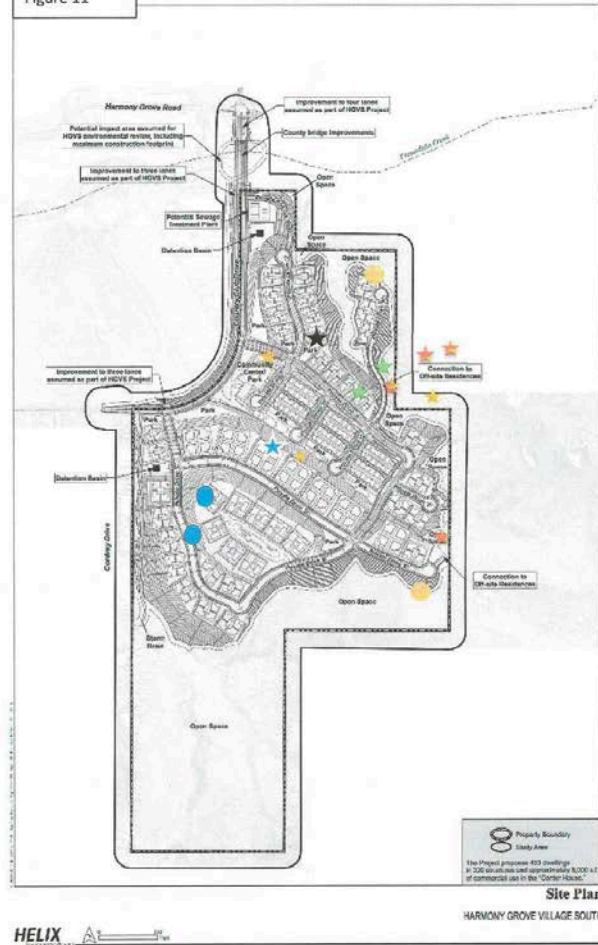
COMMENTS	RESPONSES
<div data-bbox="753 233 940 253">Comment Letter I39a</div> <div data-bbox="243 345 520 496"><ol style="list-style-type: none">1. Red Diamond Rattler (Orange) ★2. Gopher Snake (Yellow) ★3. Southern Pacific Rattler (Blue) ★4. Rosy Boa (Green) ★5. Heron (Black) ★6. Horned Lizard (Blue Circle-JD, KB) ●7. Weeds Mariposa Lily ●</div> <div data-bbox="926 310 1020 550"><p>I39a-10</p></div> <div data-bbox="569 1321 590 1338">22</div>	

COMMENTS










RESPONSES

Comment Letter I39a


Figure 11



I39a-10

COMMENTS	RESPONSES
<p data-bbox="753 233 940 256">Comment Letter I39a</p> <div data-bbox="216 313 365 509"></div> <p data-bbox="216 526 365 542">9-16-14 Gopher Snake</p> <div data-bbox="436 313 588 509"></div> <p data-bbox="436 526 588 542">5-28-14 So Pac Rattler</p> <div data-bbox="657 313 804 509"></div> <p data-bbox="657 526 758 542">6-14 Rosy Boa</p> <div data-bbox="216 591 365 784"></div> <p data-bbox="216 800 365 816">6-4-17 So Pac Rattler</p> <div data-bbox="436 591 588 784"></div> <p data-bbox="436 800 600 816">2015 Horned Lizard (JD)</p> <div data-bbox="657 591 804 784"></div> <p data-bbox="657 800 858 816">4-14-15 Red Diamond Rattler</p> <div data-bbox="216 841 365 1037"></div> <p data-bbox="216 1053 394 1070">7-16 Red Diamond Rattler</p> <div data-bbox="436 841 588 1037"></div> <p data-bbox="436 1053 558 1070">6-12-17 Rosy Boa</p> <div data-bbox="657 841 804 1037"></div> <p data-bbox="657 1053 800 1070">6-6-17 Mariposa Lily</p> <p data-bbox="216 1125 919 1187">Overall mitigation ratios seem low considering the high habitat values given to the property by USFWS and county staff during the 2010 GP process. Should mitigation ratios be increased considering the habitat value likely being much higher than reflected in this DEIR?</p> <p data-bbox="564 1321 583 1338">24</p>	<p data-bbox="1094 168 1482 193">Response to Comment I39a-11</p> <p data-bbox="1094 204 1990 342">The proposed mitigation ratios are consistent with those required by the County. The proposed mitigation ratio of 2:1 for CSS and coastal sage-chaparral transition, in particular, is higher than the minimum allowed ratio of 1:1.</p>

COMMENTS	RESPONSES
<p style="text-align: center;">Comment Letter I39a</p> <p>Golden Eagles-Del Dios Eagles:</p> <p>A certain rocky out-cropping located on Del Dios Highlands Preserve (DDHP) served as a nesting site for Golden Eagles. These eagles were documented for over 100 years by the Audubon Society and were known as the Del Dios Eagles. They were a common site in and around Del Dios, Harmony Grove, and the Elfin Forest Recreational Reserve. When DDHP was acquired by San Diego County Park & Recreation (SDCPR), an abandoned dirt road that ran above the nesting site was improved by SDCPR as a trail and maintenance road. Local raptor expert David Bittner (Wildlife Research Institute) warned SDCPR that installation of an active trail/road immediately above the nesting site would cause the eagles to abandon the nesting site. In spite of this warning, the trail/road was installed in 2009 and the nesting site was never again utilized by Golden Eagles. For years prior to this, Golden Eagles could be seen foraging in the grasslands of the HGVS proposed project site, as grasslands provide ample hunting for raptors due to prey being more likely to be located in open areas as opposed to being sequestered in thicker, impenetrable chaparral, which surrounds the grasslands.</p> <p>See Wildlife Research Institute Golden Eagle Threat Alert (http://wildlife-research.org/wild%20news%202013%20(Golden%20Eagle%20Threat%20Alert).pdf).</p> <p>See "The Effect of Vegetative Cover On Foraging Strategies, Hunting Success and Nesting Distribution of American Kestrel in Central Missouri" (https://sora.unm.edu/sites/default/files/journals/jrr/v021n01/p00014-p00020.pdf)</p> <p>Since 2009, The Escondido Creek Conservancy (TECC), along with other conservation groups and community members have lobbied SDCPR to find another route for the trail/road in order to restore the favorable conditions to the DDHR eagle nesting site to no avail. This is still a pending issue that TECC has considered applying for grants to fund studies and construction to alter the trail/route to avoid the nesting site.</p> <p>The grasslands on the HGVS site were common foraging grounds for the eagles in seasons they utilized this site. The DEIR proposes a .5 to 1 ratio for mitigation for the grasslands on this project site, and there is no similar grasslands within the Elfin Forest/Harmony Grove habitat area of this size. This proposed project would forever destroy these grasslands and likely eliminate any possibility of re-introducing eagles to this area in event the trail/road route was corrected.</p> <p>In Figure 12 below, the red circle denotes the approximate former Golden Eagle Nesting site on DDHCP. The red square is the project site with the grasslands in the center of the square.</p> <p>How will the destruction of the grasslands effect the known raptor population in this area? Will this preclude Golden Eagle from ever returning to this site if TECC and SDCPR were successful in re-routing the trail that currently traverses the ridgeline above their historic nesting site?</p> <p style="text-align: center;">25</p>	<p>Response to Comment I39a-12</p> <p>The prior presence of this nest and the current absence of the golden eagle nesting within the Project site are discussed in Subchapter 2.3, <i>Biological Resources</i>, under "Golden Eagle Guideline 5." No impacts were identified. Regarding loss of (non-native) grasslands and effects on known raptors, Subchapter 2.3 contains the following:</p> <p style="text-align: center;"><i>Raptor Foraging Habitat (Guideline 6)</i></p> <p style="text-align: center;"><i>The Project site supports foraging habitat for raptors known to the local area, including common species such as red-tailed hawk, and sensitive species such as barn owl and white-tailed kite. The Project would result in the loss of sparse scrub and grassland habitat that provides foraging habitat for these raptors. Impacts to raptor foraging habitat are significant. (Impact BI-3c)</i></p> <p>As described in Mitigation Measures M-BI-2b and 2c, both on-site preservation and off-site purchase of non-native grasslands known to contain suitable raptor nesting and foraging raptors are required to render this impact less than significant. The purchase and permanent set aside would occur prior to issuance of grading permits.</p>

COMMENTS	RESPONSES
<p style="text-align: right;">Comment Letter I39a</p>  <p style="text-align: right;">I39a-12</p> <p>Figure 12</p> <p>In addition to the species I have videoed or photographed, the site is used by at least one Bobcat that is often seen in the upland habitat on the TECC lands on the north side of the project adjacent to the Escondido Creek. This individual often comes out of the TECC lands and forages for small mammals in the grasslands on the northern and east/central parts of the project site. Range sizes for this species is typically 1-4 square miles, and this individual's ranges is quickly being depleted by recent development in the Harmony Grove area. It is listed in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora which means it is not considered threatened with extinction, but hunting and trading must be closely monitored. The animal is regulated in all three of its range countries, and is found in a number of protected areas of the United States, its principal territory (http://www.felidaefund.org/?q=bay-area-bobcats-page).</p> <p>How will this proposed project effect the range and behavior of the local Bobcat population?</p> <p>Effects to Surrounding Open Space Preserves:</p> <p>TECC own and/or manages approximately 1200 acres of open space preserve in the Elfin Forest/Harmony Grove Habitat Area (EFHG). Additionally, other governmental and non-governmental agencies own/manage over 2700 acres of open space preserve in the area. The vast majority of acreage owned/managed by TECC was purchased with funding specific to habitat preservation/restoration/mitigation. As such, they have habitat management plans in place that rank the sensitive and critical habitats on these lands as the highest priority. As populations have increased in North County San Diego so have the number of visitors to the many preserves and open space parks in the EFHG area. The Elfin Forest Recreational Reserve which is bordered by large TECC lands, recorded over 120,000 visitors in 2016, and continues to be challenged by the impact of the number of visitors have on the habitat and trail system of the reserve. These recreational activities have begun to spill over onto adjacent preserves as the EFRR becomes more crowded and parking becomes more of a challenge for visitors. TECC's adjacent Los Cielos Preserve, which is not technically open for recreation, has</p> <p style="text-align: right;">I39a-13</p> <p style="text-align: right;">I39a-14</p> <p style="text-align: center;">26</p>	<p>Response to Comment I39a-13</p> <p>As indicated in the comment, the bobcat is not a special-status species. It is known to occur in the local area and certain habitats throughout the County. The Project would retain over 34 acres of native habitat adjacent to the Del Dios Highlands Preserve on two sides (southeast and south) and also would not preclude north-south movement and access to Escondido Creek for this and other wildlife expected to move through the local area. As identified in the EIR and reaffirmed by the commenter's subsequent comment, the local area supports expansive conserved open space. In combination with the Project's proposed open space, the area would be expected to continue to support the local bobcat population.</p> <p>Response to Comment I39a-14</p> <p>The habitat management obligations of TECC do not bear on Project-specific impact analyses in the EIR and do not require a response. Relative to potential Project effects on designated open space, as specified in the EIR, the Project would fence the perimeter of on-site Biological Open Space (BOS), and post signs notifying residents and/or trail users that public access to the protected open space is prohibited.</p> <p>The Project would improve an existing primitive trail with a 2- to 4-foot trail width; please note this trail is on private property and has not been provided to the County for use by the public at this time. Access by the community without permission by the property owner is considered trespassing. The existing disturbed trail route would be improved to a 4- to 6-foot width. The improvements to the trail route would allow for a designated single route. The improved trail would be also be fenced, which would deter off-leash dog use.</p>

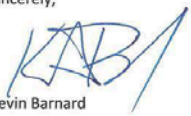
COMMENTS	RESPONSES
<p style="text-align: center;">Comment Letter I39a</p> <p>experienced a dramatic increase in human activities, which results in significant staffing and management challenges to TECC. TECC recently calculated that it needs to raise an additional \$5 million in management endowment funds to properly manage and protect its open space preserves in the EFHG area and greater Escondido Creek watershed. TECC is working toward Land Trust Alliance (LTA) certification as part of its long term plan to manage these lands in perpetuity (https://www.landtrustalliance.org/topics/land-trust-standards-and-practices). TECC, like any other organization involved in community planning and land use, relies on the consistency of the various planning agencies which border its lands in order to assist in long term planning of land management and calculating the associated costs of doing so to the proper industry standards (LTA). The proposed HGVS project, in so dramatically departing from the long term community planning process, will cause significant management issues, financial costs, and staffing increases, to manage the impacts of siting a densely urban project adjacent to lands owned and managed by TECC. The plan to establish a trail directly from the project onto DDHCP will not only lead to direct impacts to SDCPR but to the adjacent EFRR and TECC's Los Cielos Preserve beyond the EFRR, all of which can be accessed by connecting trails. TECC also owns and manages lands that border the northern border of the proposed HGVS site along Escondido Creek, some of the most sensitive riparian areas in the entire community. TECC has no plans to open these lands to recreation due to their sensitivity and relatively small size.</p> <p>For all of the so-called sustainable features of the proposed HGVS project, it still represents an egregious sprawl project that is being plopped in the middle of preserved lands with some of the rarest and most sensitive habitat in the United States. This type of development comes with significant edge effects that go far beyond the edge of the project and include increased invasive management issues, both plant and domestic animals, increased fire frequency, since the vast majority of Southern California wildland fires are human caused, and resultant chaparral type conversion to weedy invasive plant communities due to increased fire frequency (http://inewsource.org/2016/09/28/san-diego-forest-loss/), (http://www.californiachaparral.com/threatstochaparral.html), (http://max2.ese.u-psud.fr/epc/conservation/PDFs/HIPE/Andren1994.pdf), (https://www.westernfieldornithologists.org/archive/V39/39(2)%20p0082-p0093.pdf).</p> <p>What will be the financial, management, and staffing impacts to TECC, SDCPR, and EFRR if HGVS, with its urban densities, is sited adjacent to highly sensitive habitat preserves? How will these agencies and NGO's be compensated for the unforeseen impacts of development that so dramatically departs from the County's GP? Will a trail connection directly from HGVS onto DDHCP so drastically reduce the functionality of the habitat that the alternative of the trail being deleted from the plan be considered? What measures should be included on the project site to protect the TECC lands that border the project next to Escondido Creek? What financial contributions should the applicants make to the adjacent preserved lands' endowment funds to mitigate for increased long-term management costs? Will this project be the tipping point that NGO's like TECC begin to consider seasonal or permanent closure to human recreation on lands that are considered rare and sensitive with listed/threatened species on those lands?</p> <p style="text-align: center;">27</p>	<p>Response to Comment I39a-15</p> <p>Initial comment noted. Potential edge effects are discussed in Subchapter 2.3 under the headings "Core Wildlife Area (Guideline 7)," "Indirect Impacts/Edge Effects (Guideline 8)," "Wildlife Access (Guideline 19)," "Local and Regional Wildlife Corridors and Linkages (Guideline 20)," and "Cumulative Impacts to Wildlife Movement and Nursery Sites." Guideline 8 discussion in particular specifically addresses increased human activity, domesticated animal effects, introduction of invasive non-native plant species, and night-lighting. The EIR concludes that Project-related long-term impacts to sensitive species from indirect edge effects would be less than significant. In addition, required installation of fencing and signage around the BOS, dedication of a BOS easement, protection of the BOS by a limited building zone easement, and implementation of the Resource Management Plan for the BOS, would further minimize potential edge effects over the long-term.</p> <p>Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.</p> <p>Response to Comment I39a-16</p> <p>Financial concerns without certain ties to environmental effects and uncertain (speculative) future actions do not require analysis under CEQA. The EIR addresses potential impacts to adjacent TECC preserve lands in Section 2.3.2.2, <i>Riparian Habitat and Sensitive Riparian Communities</i>, of the EIR. Where Project development areas are adjacent to preserve lands associated with on-site BOS, along the primitive trail to the DDHP border, and along the northern Project boundary adjacent to TECC property, fencing would be installed. The Project also has placed residential uses southerly of the northern Project boundary, away from Escondido Creek. There is a substantial buffer between sensitive habitat and Project residential use areas. Specific to the creek, the lands managed by TECC could see improvement based on improvements planned for the portion of the creek crossed by Country Club Drive, which is currently in a degraded state, suffering both from back up (rather than constant free-flow conditions) where the creek crosses under the at-grade crossing in culverts, and scour where the momentum of water flowing through the culverts gushes out and hits the</p>

COMMENTS	RESPONSES
	<p>creek bed at high velocity. The bridge crossing of the creek would provide wildlife moving along the creek under the County Club Drive crossing (as opposed to over the road) and would prevent associated pollutants on the roadway from washing directly into the creek. During implementation of the bridge, invasive non-native plant species would be removed, the off-site creek bed would be regraded to more natural and free-flow conditions, and revegetation with appropriate native species would occur. These actions would be expected to benefit the sensitive (and other) native species in the area.</p>

COMMENTS	RESPONSES
<p style="text-align: center;">Comment Letter I39a</p> <p><u>Air Quality:</u></p> <p>"2.6.5 Mitigation</p> <p>Measures to reduce construction dust emissions are required by the SDAPCD Rule 55 – Fugitive Dust Control and are included as PDFs for the Proposed Project, as listed in Table 1-2. With the implementation of the fugitive dust control design measures, Project construction impacts are less than significant."</p> <p>And from the Acoustical Analysis Report:</p> <p>"California Noise Control Act</p> <p>This section of the California Health and Safety Code finds that excessive noise is a serious hazard to the public health and welfare and that exposure to certain levels of noise can result in physiological, psychological, and economic damage. It also finds that there is a continuous and increasing bombardment of noise in the urban, suburban, and rural areas. The California Noise Control Act declares that the State of California has a responsibility to protect the health and welfare of its citizens by the control, prevention, and abatement of noise. It is the policy of the State to provide an environment for all Californians free from noise that jeopardizes their health or welfare."</p> <p>The amount of dust emissions the existing residents of Harmony Grove have tolerated during the ongoing construction phases of Harmony Grove Village is a condition that none of the residents should be required to tolerate during construction of HGVS without proper mitigation and compensation. Since the grading phase of Harmony Gove Village began, dust and dirt inside of my residence has increased significantly, requiring additional housework to be done in order to maintain a dust free environment. For those residents that are sensitive to dust and related particulates this is a quality of life issue. Dust has escaped the Harmony Grove Village site for years, and was especially intense during grading and blasting, and mitigation measures (BMP's) were in place for that project as well.</p> <p>Should the residents within a 1/2 mile of the HGVS project be compensated for the costs of additional housekeeping, car washes, and possible loss of use of their residences if they are physically affected (allergic responses, etc.) during grading and blasting phases of the construction process?</p> <p>See attached videos of a blast on the HGV site in August of 2015. Note the dust cloud that ensues and drifts upward several hundred feet and drifts off site to the east of the project.</p> <p>(Blasting Dust Cloud 8-2015 and Blasting Dust Cloud HGV 8-2015)</p> <p>Noise</p> <p>In spite of BMP's associated with noise, especially during the construction phase of the project, impacts to nearby residents should be treated in a similar fashion. The nearby resident live in Harmony Grove, as the name suggests, because it is a quiet and natural setting. At minimum nearby residents, at least within a 1/2 mile of the border of the project, should be compensated for the increased noise factor, having to close windows so as to reduce the sounds of warning horns on heavy equipment, the sounds of metal tracks on bulldozers, etc. These sounds travel right through walls and dual glazed windows as we all learned during the construction phases of HGV. Shouldn't residences with single glaze windows</p> <p style="text-align: center;">28</p>	<p>Response to Comment I39a-17</p> <p>Although the comment begins with a citation from the Project Acoustical Analysis Report, there is no immediate noise-related question. This response therefore focuses on the air quality questions in the comment. The Project would implement construction-period dust control measures for HGV South, as noted in the comment. These measures would not eliminate dust, but would reduce impacts to less than significant levels. As a result, mitigation is not required. Specific to blast events and potential dust generation, notices will be provided regarding blast events if the Project is approved for implementation.</p> <p>Response to Comment I39a-18</p> <p>Comments noted. The EIR addresses temporary construction noise impacts in Subchapter 2.5, <i>Noise</i>, section 2.5.2.3, <i>Construction Noise Levels</i>. The short-term nature of noise associated with such construction, combined with the restrictions on days and hours when construction may occur required by County ordinance, together with mitigation measures incorporated when significant effects are found, results in these effects being less than significant with mitigation.</p> <p>Cumulative noise impacts are also addressed in Subchapter 2.5, <i>Noise</i>, Section 2.5.3 of the EIR. As stated in the EIR:</p> <p style="padding-left: 40px;"><i>Implementation of the proposed mitigation measures would ensure compliance with the County Noise Element standards and Noise Ordinance property line limits and reduce noise to less than significant levels (EIR pg. 2.5-19).</i></p>

COMMENTS	RESPONSES
<p style="text-align: center;">Comment Letter I39a</p> <p>have those windows replaced at the cost of the applicant? Shouldn't nearby residents be compensated for increased costs associated with running air conditioners on days when otherwise open windows would suffice to cool the house but for the constant construction noises one feels the need to close their windows in order to be able to think or carry on a conversation uninterrupted? And shouldn't nearby residents be compensated for loss of use during especially intense times of grading and blasting? What about stress related medical costs due to constant noise and possible allergic reactions to dust? Should residents be compensated for these costs?</p> <p>From table 2-1 Noise Measurement Results</p> <p>"Minor noise sources include airplane overflight, construction noise from the Harmony Grove Village site occurring approximately 600 feet away, and birdsong."</p> <p>This should be noted that this is the current conditions we live with in Harmony Grove. Note the construction noise evident from HGV from over 600' away.</p> <p>Seismic Activity-blasting:</p> <p>Below is from the DEIR:</p> <p>"Blasting Assumptions;</p> <p>"Blasting typically includes three components that can result in impacts: flyrock, vibration, and airblast. The closest NSLU to potential blasting would be the residences located adjacent to the western border of the HGV South site, which would be approximately 200 feet to the west of possible blasting. Flyrock: Flyrock is debris (smaller and potentially larger chunks of rock) ejected from the blast. Outside the immediate area of the blast itself, flyrock is potentially the most dangerous portion of blasting; it has the ability to damage structures and maim or kill humans or other animals at great distances from the blast. Vibration: Both air and ground vibrations create waves that disturb the material in which they travel. When these waves encounter a structure, they cause it to shake and may cause structural damage. Ground vibrations enter the house through the foundation.</p> <p>Airblast: Airblast is a pressure wave that creates a push (positive pressure) and pull (negative pressure) effect; it may be audible (noise) or inaudible (concussion). A blast occurring outside of a residence may be heard inside because of the audible noise; however, noise has little impact on the structure. The concussion wave causes the structure to shake and rattle and can break windows at higher pressure levels."</p> <p style="text-align: center;">29</p>	<p>Response to Comment I39a-19</p> <p>The citations from the EIR are correct. Specific to the definition of airblast, the EIR states that: "...an analysis of airblast is not provided in this report because airblast is regulated by the limits from the Code of Federal Regulations, which are provided in Appendix G to the EIR. The Project would be required to conform to these standards." Regarding vibration, the EIR states:</p> <p><i>The minimum distance from any blast for this site should be 200 feet for the control of ground borne vibration impacts to the closest residences. The basic planning for blasting charge weight limits at distances greater than 200 feet from an off-site structure does not provide final project-specific analysis for allowable blasting charges, nor is it intended to limit the blasting company to this as a minimum distance or maximum or minimum charge weights.... Because Project-specific details regarding blasting operations are not available at this time, impacts to off-site residences and other land uses are conservatively assessed as significant. (Impact N-6)</i></p> <p>This is followed by Mitigation Measure M-N-6, which would reduce the potential for significant impacts to less than significant. No foundation checks are necessary.</p> <p><u>Blasting Measures:</u> <i>The following measures would be implemented to reduce impacts from blasting:</i></p> <ul style="list-style-type: none"> • <i>The number of blasts would be limited to three blasting events per week.</i> • <i>The Project would also include a blasting management plan due to the blasting that is likely to occur on site. All blast planning must be done by a San Diego County Sheriff approved blaster, with the appropriate San Diego County Sheriff blasting permits, in compliance with the County Consolidated Fire Code Section 96.1.5601.2 (County 2014a), and all other applicable local, state, and federal permits, licenses, and bonding. The blasting contractor or owner must conduct all notifications, inspections, monitoring, and major or minor blasting requirements planning with seismograph reports, as necessary.</i>

COMMENTS	RESPONSES

COMMENTS	RESPONSES
<p style="text-align: center;">Comment Letter I39a</p> <p>Should the applicant be required to, at their cost, have the foundations of all nearby residents (within a 1/2 mile of the borders of the site) inspected so as to establish their condition prior to any grading, and especially blasting, so that residents can be compensated for any damage caused to their foundations by such on site activities as blasting? And shouldn't a re-inspection, at the applicant's costs, be done of all of these foundations post blasting to determine if damaged occurred and shouldn't residents be compensated for any such damage?</p> <p>Sincerely,</p>  <p>Kevin Barnard 2708 Country Club Drive Escondido, CA. 92029 ksbarnard@earthlink.net 858-688-1700</p> <p style="text-align: center;">30</p>	<p style="text-align: center;">I39a-19</p>

COMMENTS	RESPONSES
<p style="text-align: right;">Comment Letter I39a</p> <p>Supporting Documents Attached via Memory Device:</p> <ol style="list-style-type: none"> 1. Bay Area Bobcats _ Felidae Conservation Fund 2. C.2_17a_ELFIN_FOR.HARM_GROVE_08_03_11 Community Plan 3. CCalGnatcatcher.1997.protocol 4. DFG_Bobcat_InfoSheet 5. Effects of Habitat Fragmentation 6. Fanita Ranch Halsey Comment Final 7. Habitat Fragmentation and Scrub-Specialist Birds 8. Humans Are The Leading Cause Of Wildfires In The U.S 9. Katherine-haynes Trends in Aus Bushfire Fatalities 10. Kestrel Hunting Patterns in Varied Vegetation 11. LandTrustStandardsandPractices 12. Loss of chaparral Institute 13. Mann Gulch Fire – Wikipedia 14. May-2014-San-Diego-County-Wildfires 15. Norman Maclean, Young Men and Fire, excerpt 16. Portugal fire victims burned in cars as they fled; 62 killed _ Fox17 17. wild news 2006 (Golden Eagles of San Diego) 18. wild news 2013 (Golden Eagle Threat Alert) 19. Wildland Firefighter Liability Insurance – FEDS Protection 20. wildlife news Growing Grasslands 21. K2012_Syphard_Housing_loss 22. NIST.TN.1796 23. Penman_fuels_weather_and_WUI_2014 24. Cars set ablaze as wildfire jumps California freeway - CNN <p style="text-align: right;">I39a-20</p> <p style="text-align: center;">31</p>	<p>Response to Comment I39a-20</p> <p>A series of supporting documents are referenced in the comments in this letter. Each was reviewed prior to authoring the responses to comments in Letter I39a. The notes below summarize the type of documents and location in the responses where related discussion is provided.</p> <ol style="list-style-type: none"> 1. This is a general resource document focused on the Bay Area and Central Coast. Information on bobcats relevant to the Project is provided in Response to Comment I39a-13. 2. The EFHGTC Community Plan (attached in its entirety) is a County planning public document. Plan policies relevant to the Project are addressed in FEIR Section 3.1.5, <i>Land Use and Planning</i>. The Planning process is addressed in Response to Comment I39-5. Please also see the Global Response to General Plan/Community Plan Amendments CEQA Impact Analysis. 3. The 1997 Protocol for California gnatcatcher(CAGN) survey is a public document. The use of permitted biologists during protocol surveys is addressed in Response to Comment I39a-9. 4. The DFG Bobcat Info Sheet provides general information on bobcat lifespan and territory use patterns. Information on bobcats relevant to the Project is provided in Response to Comment I39a-13. 5. This Andren/Oikos document, a Denmark-published resource on habitat fragmentation, is cited in Letter I39. Fragmentation of CAGN habitat is noted, and responded to in Response to Comment I39a-9. 6. This attachment consists of a 2009 letter submitted on the Fanita Ranch EIR in the City of Santee. Neither the letter, nor the author appear to be cited in Letter I39. It is possible to refer to FEIR Section 3.1.3, <i>Hazards and Hazardous Materials</i>, the Project Fire Protection Plan (FPP), and the Global Response to Fire Hazards Impact Analysis. The letter was submitted on another project in a different jurisdiction. It is not further addressed. 7. The Sartain and Alberts document is not expressly cited in Letter I39. Fragmentation of CAGN habitat is noted, and responded to in Response to Comment I39a-9. 8. This article regarding human-started fires is cited and responded to Response to Comment I39a-15.

COMMENTS	RESPONSES
	<p>9. <u>The Katherine-Haynes article addresses Australian Bush-fires. This article does not address the Project. Please see Response to Comment I39a-15.</u></p> <p>10. <u>This article addresses research in Boone County, Missouri. Response to Comment I39-12 addresses foraging habitat for raptors (a category that includes kestrels).</u></p> <p>11. <u>This attachment references efforts by the adjacent Escondido Creek Conservancy. It is addressed in Response to Comment I39a-14.</u></p> <p>12. <u>This attachment is relevant to the discussion of sensitive chaparral habitat, the open space set-aside and fire issues addressed in Response to Comment I39a-15.</u></p> <p>13. <u>This Wikipedia article addresses a fire event in Montana in 1949 and the lessons learned by the United States Forest Service. Please see FEIR Section 3.1.3, the Project FPP, and the Global Response to Fire Hazards Impact Analysis for information specifically relevant to the Project.</u></p> <p>14. <u>This attachment consists of the May 2014 San Diego County Wildfires After Action Report.” Please see FEIR Section 3.1.3, the Project FPP, and the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access, for information focused on the Project.</u></p> <p>15. <u>This attachment is an excerpt discussion of the 1949 Montana Mann Gulch Fire book authored by Norman MacClean. Please see FEIR Section 3.1.3, the Project FPP, and the Global Response to Fire Hazards Impact Analysis for information specifically relevant to the Project.</u></p> <p>16. <u>This attachment is news summary regarding a Portugal wildfire that resulted in loss of life as people attempted to flee through forested areas. Please see FEIR Section 3.1.3, the Project FPP, and the Global Response to Fire Hazards Impact Analysis for information specifically relevant to the Project.</u></p> <p>17. <u>This document addresses historical and recent sightings of (and related information addressing) golden eagles in San Diego County. Response to Comment I39-12 addresses foraging habitat for raptors and specifically addresses golden eagles relative to the Project site.</u></p>

COMMENTS	RESPONSES
	<p><u>18. This document addresses threats to golden eagles in San Diego County. Response to Comment I39-12 specifically addresses golden eagles relative to the Project site.</u></p> <p><u>19. This attachment addresses potential liability of emergency personnel decisions and direction provided during emergency event. It is not directly applicable to environmental analysis required under CEQA and County guidelines and is not further addressed.</u></p> <p><u>20. This article addresses the Ramona Grasslands, including their history and raptor monitoring. Response to Comment I39-12 addresses foraging habitat for raptors and specifically addresses golden eagles relative to the Project site.</u></p> <p><u>21. This 2012 article addresses southern California housing loss relative to location near wildland fuels. It does not appear to be specifically cited in a comment in Letter I39. Wildfire, wildland fuels, and Project design elements to address those issues are discussed in FEIR Section 3.1.3, the Project FPP, and the Global Response to Fire Hazards Impact Analysis for information specifically relevant to the Project.</u></p> <p><u>22. This 2013 article addresses the Witch and Guejito Fires and structure ignitions. It does not appear to be specifically cited in a comment in Letter I39. Please refer to FEIR Section 3.1.3, the Project FPP, and the Global Response to Fire Hazards Impact Analysis for information specifically relevant to the Project.</u></p> <p><u>23. This 2014 article on San Diego County wildland fires, and fuel management does not appear to be specifically cited in a comment in Letter I39. Please refer to FEIR Section 3.1.3, the Project FPP, and the Global Response to Fire Hazards Impact Analysis for information specifically relevant to the Project.</u></p> <p><u>24. This attachment contains 2015 news reports of fire crossing I-15 and engulfing cars on the freeway. It does not appear to be specifically cited in a comment in Letter I39. Please see FEIR Section 3.1.3, the Project FPP, and the Global Response to Fire Hazards Impact Analysis for information specifically relevant to the Project.</u></p>

COMMENTS	RESPONSES
	<p><u>In addition to the documents noted above, files containing videos and still photographs of wildlife and plants were provided by the commenter. Each of these was reviewed during responses to comments to this letter, particularly Response to Comment I39a-10 for species and I39a-17 for dust from blasting activities. The files reviewed were categorized as:</u></p> <ul style="list-style-type: none"> • <u>CAGN and Spotted Tohees (two videos)</u> • <u>CAGN (15 videos)</u> • <u>Blasting Clouds (two videos)</u> • <u>Rosy boa (one video)</u> • <u>Rosy boa (five photos)</u> • <u>Gopher snake (one photo)</u> • <u>Horned Lizard (two photos)</u> • <u>Ruber (eight photos)</u> • <u>Helleri (two photos)</u> • <u>Western Red Diamond (one video)</u> • <u>Western Red diamond (two photos)</u> • <u>Turkish rugging (one photo)</u> • <u>Mariposa (one photo)</u>

COMMENTS	RESPONSES
<p style="text-align: center;">Comment Letter No. I39a</p> <p>Notes on maps:</p> <p>2020 Village Street Parcels-detailed layout of option 2a which included HGVS.</p> <p>Area 16-Harmony Grove-City of Escondido zoning for HGEV sphere of influence. Has not changed to this day with exception of parcels changed in last GP update on the western edge in the industrial area.</p> <p>DPLU Map 2-option showing all density place north of HG Rd. where the egg ranches and dairy existed. This option placed a larger number of units in this area than option 2a but eliminated HGVS. This was the option we indicated to Howard Blackson an Dahvia Locke-Rubenstein that the community overwhelmingly supported.</p> <p>DPLU Map-shows some detail of the street layout, alleys, etc.</p> <p>GP Village 3-shows the layout of the valley if were built out under zoning that existed at the time (2002-2003) prior to the county GP update.</p> <p>GP Village 2a-general layout of option that included HGVS.</p> <p>In reviewing the tape of the county planner meeting it seems to not include discussion of option 2. Bob Gainey, the photographer, indicated to me that he used several tapes to record these meetings since they were only 60 minutes in length. I've asked him to see if he can locate additional tapes of these meeting in which discussion occurred about option 2 which eliminated HGVS and put all density north of HG Rd. My recollection is that there was an actual vote taken of the attendees of which option they preferred and it was either overwhelming in favor of option 2 or unanimous. Hence we got HGV with no SPA and density increase on the HGVS property.</p> <p>Also, I believe Howard Blackson (county planner) goes over the actual numbers of option 2a which he indicates is a significantly smaller number than the current proposed 450+. I believe he says in the area of 90-100 units. In any case the community was opposed to the split village on both sides of the creek and opted for a large project on the north side of the creek (HGV), option 2a.</p>	<p>Response to Comment I39a-21</p> <p>The commenter also attached a series of six figures from HGV discussions predating the 2011 approval of the adopted General Plan (some of which are reproduced in Comment I39a-5), as well as thoughts on the discussions that ensued. The comments are noted, but do not bear on the environmental analyses of the current Proposed Project.</p>