



COMMENTS	RESPONSES
<p style="text-align: center;">Comment Letter 07</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  <p>SAVE OUR FOREST AND RANCHLANDS</p> <p>P.O. Box 475 Descanso, CA 91916 www.sofar.org sofar@nethere.com</p> </div> <div style="text-align: center;">  <p>CLEVELAND NATIONAL FOREST FOUNDATION</p> <p>P.O. Box 779 Descanso, CA 91916 www.cnff.org info@cnff.org</p> </div> </div> <p style="text-align: center;">www.transitsandiego.org</p> <p>June 19, 2017</p> <p><u>Via Electronic Mail</u></p> <p>Ms. Ashley Smith Land Use & Environmental Planner Planning & Development Services 5510 Overland Avenue, Suite 310 San Diego, CA 92123</p> <p>E-Mail: Ashley.Smith2@sdcounty.ca.gov</p> <p>Re: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002; PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)</p> <p>Dear Ms. Smith,</p> <p>Save Our Forest and Ranchlands (“SOFAR”) and the Cleveland National Forest Foundation (“CNFF”), two organizations dedicated to progressive land use planning and the protection of vital natural resources, are submitting comments on the Draft Environmental Impact Report (DEIR) for the Harmony Grove Village South Project. We offer the following comments regarding the Project, its inconsistency with the County’s General Plan, and the Draft Environmental Impact Report’s (“DEIR”) failure to accurately analyze these inconsistencies.</p> <p>General plans represent a legally enforceable “constitution” that governs land development. They also represent a community’s vision for its future. The current County General Plan took over a decade to finalize at the cost of \$18 million dollars. Although much rural land was zoned with large lot zoning to preserve rural values of farming, watershed and wilderness, it was in fact a compromise with the forces of sprawl development. This compromise resulted in the direct conversion of 55,963 acres of</p> <div style="position: relative; height: 200px;"> <div style="position: absolute; right: 0; top: 0;">O7-1</div> <div style="position: absolute; right: 0; bottom: 0;">O7-2</div> </div> <p style="text-align: center;">1 </p>	<p>Response to Comment O7-1</p> <p>The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis and adequacy of the EIR. Please see the responses below to specific comments.</p> <p>Response to Comment O7-2</p> <p>Comments noted. As a general policy comment, it is not an EIR-related issue that requires response. It is noted, however, that as stated in the County’s General Plan Update (2011) on pg. 1-15:</p> <p style="padding-left: 40px;"><i>The General Plan is intended to be a dynamic document and must be periodically updated to respond to changing community needs.</i></p> <p style="padding-left: 40px;"><i>Any proposed amendment will be reviewed to ensure that the change is in the public interest and would not be detrimental to public health, safety and welfare.</i></p> <p>Please also see the Global Response to Project Consistency with General Plan Policy LU-1.4.</p> <p>The Project does not result in a conversion of agricultural lands. There are no existing on-site agricultural uses to conserve, as indicated in Figure 2.3-1, <i>Vegetation and Sensitive Resources</i>, and in Chapter 4.0, <i>Alternatives</i>, in the description of the Section 4.2.1, <i>No Project, No Development Alternative Description and Setting</i>, which references the “native and non-native habitat throughout the site.” Potential direct and indirect agricultural impacts are addressed in Section 3.2.1, <i>Agriculture</i>.</p> <p>The comment lists several general environmental issues and perceived deficiencies but does not provide any specifics as to how or why these items are deficient. Therefore, no specific response is possible. Each of the items noted, however, is subject to substantial discussion in the EIR. The Project’s relationship to the General Plan and Community Plan is addressed in detail in the FEIR Chapter 1.0, <i>Project Description, Location and Environmental Setting</i>, and Section 3.1.5, <i>Land Use and Planning</i>, which also includes detail</p>


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<p style="text-align: right;">Comment Letter O7</p> <p>farmland. With this massive sacrifice in mind it is unconscionable for Harmony Grove South to be asking for the further conversion of rural or agricultural lands especially when you consider the other unmitigable impacts such as air quality, biology, traffic, and cost of sprawl services: police, fire, water, and sewer. The Harmony Grove community also made a compromise in their community plan when they agreed to more than double their density during the General Plan update. Now this project comes along with a dramatic increase in density on designated rural lands, and Harmony Grove South is not alone. There are a dozen other privately initiated general plan amendments which ask the County to convert an additional 11,575 acres of agricultural lands. Specific Plan requests take another 13,000 acres.¹</p> <p>The basic justification being used by planners and developers alike to convert general plan designated rural lands is to meet the housing crisis. It is a false argument.</p> <p>As detailed in the DEIR, the project site's existing land use designations are Semi-Rural Residential (SR-0.5) and Rural Lands (RL-20) and under the existing designation, the Project site could result in a maximum of 220 dwelling units. The Project proposes to construct 453 dwelling units and 5,000 square feet of commercial or civic uses.</p> <p>From the summary of alternatives in the DEIR emerges the stated purpose of the project to serve housing needs. "Although this alternative would reduce some impacts and be consistent with the General Plan, it would not achieve the underlying purpose of the Project of accommodating a portion of the projected population growth and housing needs in San Diego County by expanding an existing village that will further enhance and support the success of that village."²</p> <p>The so-called housing need argument, being utilized for this project and many other proposed General Plan amendments is specious. Studies have shown that there is sufficient zoned land in the cities and county to support the housing needs through 2030 and likely beyond. The so-called housing crisis is a manufactured crisis that sidesteps the real acute need for a regional transit first policy to activate those currently zoned lands in the urban cores.</p> <p>On July 12, 2010, CNFF released an infill study that used data from the San Diego Association of Governments ("SANDAG") to determine that with existing zoning there is enough development capacity to accommodate approximately 400,000 new homes in the incorporated areas (cities) of San Diego County. SANDAG recently determined that the region will require 230,000 new housing units in San Diego County by 2030, demonstrating that without making any changes to zoning, all of the region's projected housing needs for 2030 could take place as infill development (within the incorporated</p> <p style="text-align: right;">O7-2</p> <p style="text-align: right;">O7-3</p> <p>¹ https://saveourcountryside.org/wp-content/uploads/2015/06/Active-GPAsMap-matrix2.pdf</p> <p>² http://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/hgvs/Harmony%20Grove%20Village%20South%20Public%20Review/PDS2015-GPA-15-002-EIR-Summary.pdf</p> <p>2 </p>	<p>as to Project consistency with Policy LU-1.4. Project baseline, and the reasons why it is the correct baseline, are detailed on pages 3.1.5-1 and -2. Fire safety is addressed in Section 3.1.5, <i>Hazards and Hazardous Materials</i> as well as Section 3.1.8, <i>Public Services</i>. Traffic is addressed in Subchapter 2.2, <i>Transportation/Traffic</i>, biological effects are detailed in Subchapter 2.3, <i>Biological Resources</i>, and greenhouse gas emissions are evaluated in Subchapter 2.7, <i>Greenhouse Gas Emissions</i>. Each of these topics is also cross-referenced within applicable portions of the Section 3.1.5, <i>Land Use and Planning</i> discussions. Project design features relevant to each of these topics are presented on Table 1-2, <i>Project Design Features</i>, and both these features and mitigation measures, as applicable, are provided in Chapter 7.0, <i>List of Mitigation Measures and Design Features</i>. Each of these sections appropriately addresses the topics.</p> <p>Response to Comment O7-3</p> <p>Comments noted; however, these comments do not address the adequacy of the EIR and therefore do not require a response.</p>

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<p style="text-align: right;">Comment Letter 07</p> <p>cities of San Diego), and the cities would still have 170,000 additional units available for development beyond 2030.³</p> <p>As such, the claim that this project adds an additional 453 housing units in unincorporated San Diego County to fulfill a projected housing shortage is mendacious. Furthermore, the infill study reveals that any project proposed within the San Diego County's unincorporated region through the year 2030 (and likely beyond) is not necessary, because a project applicant could find an appropriate offsite alternative within the County's incorporated cities.</p> <p>Since the County itself has established in the DEIR that the "General Plan Consistent with Septic Alternative would result in reduced impacts to transportation/traffic, noise and air quality when compared to the Proposed Project," (current zoning) and since, the County cannot justify the main need for this project which is increased housing then we must conclude that the entire EIR process is misleading in its analyses and conclusions.</p> <p>The State Planning and Zoning Law (Gov't Code § 65000 et seq.) requires that development decisions be consistent with the jurisdiction's general plan. As reiterated by the courts, "[u]nder state law, the propriety of virtually any local decision affecting land use and development depends upon consistency with the applicable general plan and its elements." <i>Resource Defense Fund v. County of Santa Cruz</i> (1982)133 Cal.App.3d 800, 806. Accordingly, "[t]he consistency doctrine [is] the linchpin of California's land use and development laws; it is the principle which infuses the concept of planned growth with the force of law." <i>Families Unafraid to Uphold Rural El Dorado County v. Board of Supervisors</i> (1998) 62 Cal.App.4th 1332, 1336.</p> <p>General plans establish long-term goals and policies to guide future land use decisions, thus acting as a "constitution" for future development. <i>Leshar Communications, Inc. v. City of Walnut Creek</i> (1990) 52 Cal.3d 531, 540. To promote coordinated land use policies and practices, state law requires local governments not just to formulate theoretical land use plans, but also to conform their development and land use projects and approvals with those duly certified plans. <i>Citizens of Goleta Valley v. Board of Supervisors</i> (1990) 52 Cal.3d 553, 570. It is an abuse of discretion to approve a project that "frustrate[s] the General Plan's goals and policies." <i>Napa Citizens for Honest Gov't v. Napa County</i> (2001) 91 Cal.App.4th 342, 379. The project need not present an "outright conflict" with a general plan provision to be considered inconsistent; the determining question is instead whether the project "is compatible with and will not frustrate the General Plan's goals and policies." <i>Napa Citizens</i>, 91 Cal.App.4th at 379.</p> <p>³https://d3n8a8pro7vhmx.cloudfront.net/transitsandiego/pages/14/attachments/original/1416421703/Infill_Study.pdf?1416421703</p> <p style="text-align: right;">3 </p>	<p>Response to Comment 07-4</p> <p>The County concurs with the commenter's statement regarding the "General Plan Consistent with Septic Alternative." The EIR does conclude that it would reduce impacts to transportation/traffic, noise, and air quality when compared to the Proposed Project; however, the Project does not have to justify the need for the Project or increased housing.</p> <p>Response to Comment 07-5</p> <p>Please see the Global Responses to General Plan/Community Plan Amendments CEQA Impact Analysis and Project Consistency with General Plan Policy LU-1.4 for reasons the County disagrees that the Project fundamentally conflicts with policies of the General Plan and Community Plan.</p>

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<p style="text-align: center;">Comment Letter O7</p> <p>Here, the Project fundamentally conflicts with numerous policies of the County General Plan and the Harmony Grove Community Plan. These inconsistencies violate State Planning and Zoning law and render any Project approval unlawful.</p> <p>The Harmony Grove Community plan asserts the importance of the rural area. "The Harmony Grove community, working with County staff, designed a Village Development Pattern Model as represented in the General Plan Land Use Map. There still exist many large undeveloped parcels of land within Harmony Grove outside the footprint of the approved Village. Development of these parcels with an urban, clustered or suburban design would threaten the continued existence of the rural residential and equestrian character of Harmony Grove... The Village development pattern as shown in the General Plan Land Use Map must be strictly adhered to as the formal development model for the area."⁴ The increased density and up zoning of this project proposal directly contradicts the letter and spirit of the Harmony Grove Community Plan.</p> <p>From the start, the impacts of this Project will be enormous. In light of the project's considerable distance from job centers and dependence on automobile travel for commuting purposes, the project along with surrounding projects results in significant traffic impacts: increased daily trips, annual vehicle miles traveled ("VMT"), carbon emissions, and air pollution. Furthermore, an increase in VMT also means that the climate change impacts of this project will also be significant especially when measured against the goals of the upcoming Climate Action Plan. In addition, the upcoming state directive recently backed up by the Supreme Court to analyze transportation impacts not by Level of Service, but by VMT analysis will collide with this sprawl proposal. These kinds of potentially significant and likely unavoidable impacts demonstrate that the project is anything but sustainable, and instead represents business as usual in San Diego County: increased auto centric sprawl development. In addition the cost of sprawl services increases taxpayer burdens. According to the County of San Diego, additional public service costs (roads, sewer, water, schools, parks, etc.) associated with rural residential development require an estimated \$1.42 in expenses to the public for every dollar such projects generate in tax revenues, and that such costs are 74% greater for low-density semi-rural development.</p> <p>Approval of the project would compound the regional congestion problem with its massive roadway improvements which have been proven to induce trip demand thus creating even more traffic in the region. "Transportation experts now agree that increasing roadway capacity increases VMT and greenhouse gas emissions. The increased VMT is called "induced travel." Researchers study induced travel using a term from the economics field called "elasticity". The elasticity is the ratio between the change in demand and the change in supply or price. For example, if gasoline price increased by 100% and gasoline consumption dropped by 10% (in the short run), the elasticity of</p> <p>⁴ http://www.sandiegocounty.gov/pds/docs/CP/ELFIN_FOR_HARM_GROVE_CP.pdf</p> <p style="text-align: center;">4 </p>	<p>Response to Comment O7-6</p> <p>Both the direct impacts of the Project, as well as the cumulative conditions and Project contributions to them, are addressed within the EIR sections for traffic, air quality, and greenhouse gas emissions (Subchapters 2.2, and 2.6, and 2.7, respectively). Following public review of the EIR, additional confirmatory review was undertaken for GHG, and the discussion was recirculated in February to April, 2018. As discussed in the EIR, significant cumulative impacts were not identified for air quality, and appropriate mitigation has been identified for significant impacts to greenhouse gases and transportation/traffic. With mitigation, impacts remain less than significant, as disclosed in the DEIR.</p> <p>The County respectfully disagrees that the Project is a considerable distance from job centers. The Project is sited between the cities of Escondido and San Marcos. It is therefore located within the north coast developed area, and in proximity to all jobs accessed from Interstate 15 (I-15), State Route 78 and Interstate 5. Specific to the immediate area, it is within 1 mile of an industrial/commercial, employment, and services locus (the Escondido Research and Technology Center) and close to "big box" uses and other job/commercial opportunities located at Valley Parkway and I-15 and along Auto Park Way. It also is in proximity to two transit centers: Nordahl Road and the Escondido Transit Center. Specific to vehicle miles traveled (VMT), please note that as described in Subchapter 2.7, <i>Greenhouse Gas Emissions</i>, of the EIR, the San Diego Association of Governments' (SANDAG's) regional assumed average trip length is 7.9 miles. The Project was modeled by the Project traffic engineers (Linscott, Law & Greenspan) as being slightly lower, at 7.88 miles for an average trip length, and therefore is consistent with the SANDAG regional assumed average trip length. Please see Appendix C of the Project <i>Greenhouse Gas Analyses Report</i> (Appendix J to the EIR) for details.</p> <p>The current CEQA requirements use Level of Service (LOS) to determine transportation-related impacts from a project. The adoption of Senate Bill (SB) 743 into CEQA is still in the draft stage and therefore the County of San Diego has yet to adopt a methodology for evaluating significant impacts using Vehicle Miles Traveled (VMT). The technical report and the EIR appropriately</p>

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	<p>use adopted thresholds, but as noted above, the Project is expected to fall slightly under the established VMT total mileage.</p> <p>Costs per se are not CEQA issues, and do not need to be addressed in an EIR. Please note, however, that in terms of related environmental effects, the Project either is adjacent to those facilities and/or would develop any needed facilities, as part of Project Design/Conditions. These issues are addressed, together with any Project Design Features or required mitigation, in FEIR Subchapter 2.2, <i>Transportation/Traffic</i>, and Sections 3.1.9, <i>Recreation</i>, and 3.1.10, <i>Utilities and Service Systems</i>, respectively, in the EIR. Similarly, routine developer impact fees would defray costs associated with any needs relative to schools (see Section 3.1.8, <i>Public Services</i>, in the EIR). Service Availability Forms have been provided, as appropriate, in Appendix O of the EIR for water, sewer, and schools.</p> <p>Response to Comment 07-7</p> <p>The County of San Diego Mobility Element has classified roadways within the study area to be built to certain specifications to meet the goals of the adopted General Plan Land Use plan. The roadway infrastructure improvements proposed by the Project are consistent with the adopted Mobility Element. This is also true for City of Escondido roadways where mitigation is proposed consistent with the City's General Plan Mobility Element.</p> <p>The draft SB 743 VMT guidelines are interpreted to confirm that enhancements to the circulation system consistent with a lead agency's adopted plan (including land use) would not result in significance project impacts.</p>

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<p style="text-align: right;">Comment Letter O7</p> <p>gasoline consumption to price would be 10%/100% = 0.10.”⁵ Therefore roadway improvements in the Harmony Grove area would actually stimulate even more sprawl development and further undermine the General Plan and the CAP. This is exactly what is happening with the new proposal of Harmony Grove South on the heels of the original Harmony Grove development.</p> <p>Furthermore, the project site is located on currently undeveloped rural and agricultural lands, and development at this site would therefore result in a direct impact to Agricultural Resources. In 2007 the American Farmland Trust listed San Diego as number eight on a list of California counties with the most farmland conversion, and was found to have the second most total acres of land urbanized between 1990 and 2004.⁶ Similarly, a recent analysis of current threats to wildlife conservation in the United States noted that San Diego ranks number nine on a nationwide list of counties with the largest amount of open space projected to be developed through 2025 under existing sprawl patterns.⁷ These trends demonstrate that urbanization of agricultural and open space lands, such as that proposed by the project, are incredibly destructive and thus the project undermines our General Plan Goals as stated in the title, “A PLAN FOR GROWTH, CONSERVATION, AND SUSTAINABILITY.”⁸ The Harmony Grove South project will result in “an irreversible loss of existing biological resources on approximately 77 acres of on-site habitat, including sensitive vegetation communities, special status wildlife species, and jurisdictional wetlands. These impacts are considered permanent and the losses are considered irreversible.”⁹ The slew of GPA’s that undermine the General Plan show that the San Diego region must make a greater effort to reverse sprawl development, as we cannot afford to continuously lose precious agricultural and open space areas. The County must put a halt to General Plan Amendments that serve no useful public purpose.</p> <p>San Diego’s sprawl development history has been unbelievably destructive, jeopardizing our environment, our communities, and even our economy for the sake of development and profit of special interests. The CNFF infill study demonstrates that for practical reasons sprawl is no longer necessary, and market trends show that compact urban infill development in existing cities is becoming increasingly attractive and preferred over single family homes in distant communities. As a matter of fact the Housing Element of the County General Plan encourages transit oriented development in the heart of the city. It is a fundamental truth that the region will need more housing units in the future, however it is no longer true that we must destroy our environment to fulfill</p> <p>⁵ https://www.dropbox.com/s/dmetfr3ve9a5i6/N%20Marshall%20Quantifying%2050-10%20final%204-15-15.pdf?dl=0</p> <p>⁶ http://162.242.222.244/programs/states/ca/Feature%20Stories/PavingParadise.asp</p> <p>⁷ http://www.nwf.org/Wildlife/Wildlife-Conservation/Threats-to-Wildlife/-/media/PDFs/Wildlife/EndangeredbySprawl.aspx</p> <p>⁸ http://www.sandiegocounty.gov/content/dam/sdc/pds/epupdate/docs/GP/Cover_Intro_Vision.pdf</p> <p>⁹ http://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/hgvs/Harmony%20Grove%20Village%20South%20Public%20Review/PDS2015-GPA-15-002-EIR-Ch2.7.pdf</p> <p style="text-align: center;">5 </p>	<p>Response to Comment O7-8</p> <p>This comment is concerned with issues regarding agricultural resources, which have been addressed in EIR Section 3.2.1, <i>Agricultural Resources</i>, where impacts were determined to be less than significant due to lack of on-site water, generally poor identified soil quality, and lack of recent history of agricultural production. Additionally, biological resources are addressed in Subchapter 2.3, <i>Biological Resources</i>, where impacts to wildlife and habitat were identified and the proposed mitigation measures would reduce all impacts to biological resources to less than significant levels (EIR pg. 2.3-63). Please see the Global Response to Project Consistency with General Plan Policy LU-1.4 for reasons the County disagrees that the project would be considered sprawl.</p> <p>Response to Comment O7-9</p> <p>Please see the Global Response to Project Consistency with General Plan Policy LU-1.4 for reasons the County disagrees that the Project would be considered sprawl.</p>

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<p style="text-align: right;">Comment Letter O7</p> <p>this need. The Harmony Grove Village South Project represents a past of destructive sprawl development that cannot continue if San Diego County is going to be truly sustainable and meet the needs of the present without compromising the ability of future generations to meet their own needs.</p> <p>Harmony Grove South is indeed a developer fantasy that will undermine the ability of future generations to meet the challenge of sustainability. In this regard Harmony Grove South is reminiscent of a similar unsustainable proposal called Lilac Hills Ranch. Like this project, Lilac Hills Ranch promoted a similar rationale for meeting the housing need on agricultural land. County voters rejected this falsehood and soundly defeated Measure B. County officials should follow the people and also reject this DEIR as inadequate and call for a recirculated DEIR with a reasonable range of alternatives including a new project location within appropriately zoned lands in the urban core.</p> <p>Sincerely,</p> <p>Duncan McFetridge</p> <p><i>Duncan McFetridge</i></p> <p>Director, CNFF President, SOFAR</p> <p style="text-align: right;">  </p>	<p>Response to Comment O7-10</p> <p>Please see Response to Comment O7-9. The comparison to Lilac Hills Ranch is noted; however, the County disagrees the same circumstances apply to both projects. HGV South would extend and support an existing village; please see the Global Response to Project Consistency with General Plan Policy LU-1.4. Lilac Hills Ranch is not adjacent to an existing village—it would be a wholly new village. That Project’s parcels contain active farm lands and is currently zoned for agriculture. Lilac Hills Ranch proposes over 1,700 homes, as well as three commercial areas and a school. It is also not located in immediate proximity to existing commercial, medical, and other amenities provided by Escondido and San Marcos. The comparison does not apply to the analysis in the EIR; therefore, no further response is required.</p>