COMMENTS	RESPONSES
Comment Letter I39a 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, **Background:** The following is the general description of the project from chapter 1.0: **"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:** **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.** 1 I39a-1	**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.

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Comment Letter I39a **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.** **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.** **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.** I39a-1 **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.** **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."** 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. 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). I39a-2 I have been board member of The Escondido Creek Conservancy (TECC) for 12 years. 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. 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. I39a-3 2	**Response to Comment I39a-2** 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. **Response to Comment I39a-3** 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, *Cultural Resources and Tribal Cultural Resources*, as well as Section 3.2.1, *Agriculture*. The current status of native and non-native habitats on the Project site is detailed in Subchapter 2.3, *Biological Resources.*

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Comment Letter I39a  I39a-3 Figure 1 (1928 Aerial Photo) 3	

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Comment Letter I39a  Figure 2 (Google Map Satellite 2017) Circled Areas Indicate Recovered Native Species 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). I39a-3 4	

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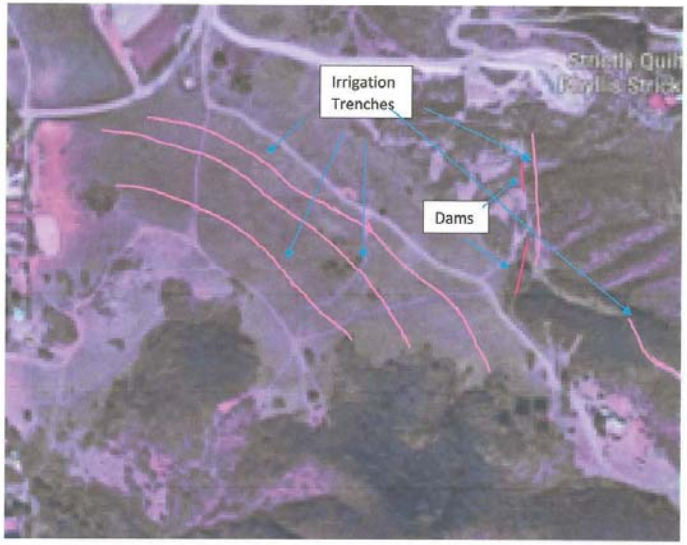
Comment Letter I39a  I39a-3 Figure 3 Figure 4 is a map created to demonstrate the project borders preserved open space on 5 of the 11 properties lines on the site project. 5	

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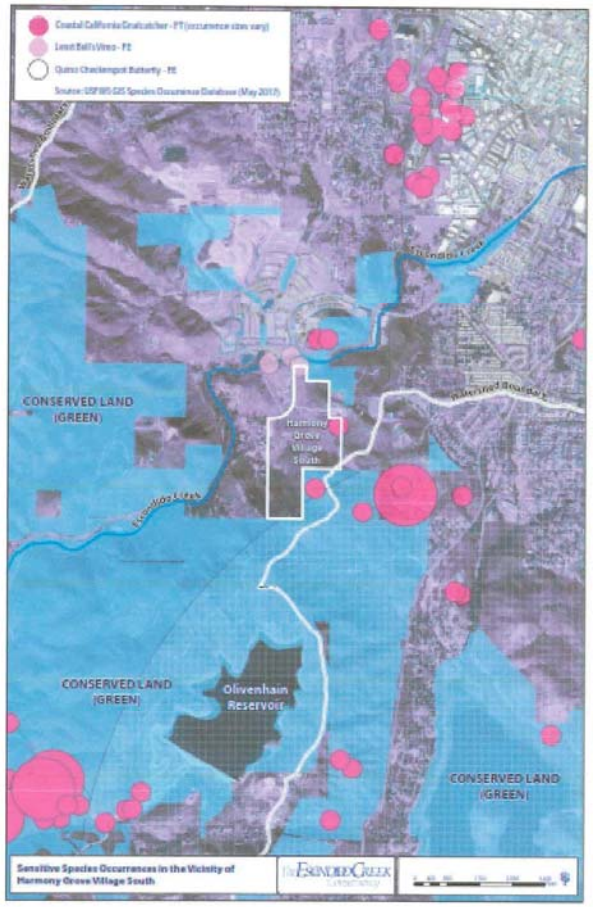
Comment Letter I39a  Figure 4 6 I39a-3	

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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). I39a-4 Figure 5 7	**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.

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		

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Comment Letter I39a  Figure 7 (Option 2) I39a-5 9	**Response to Comment I39a-5** The commenter's account of the circumstances surrounding the planning for the adjacent Harmony Grove Village (HGV) project are noted. 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. 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.

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Comment Letter I39a 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, two 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.  Figure 6 (Option 1) 8 I39a-5	

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Comment Letter I39a 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. 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. 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. 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. I39a-5 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). 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. 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. 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. 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 10	

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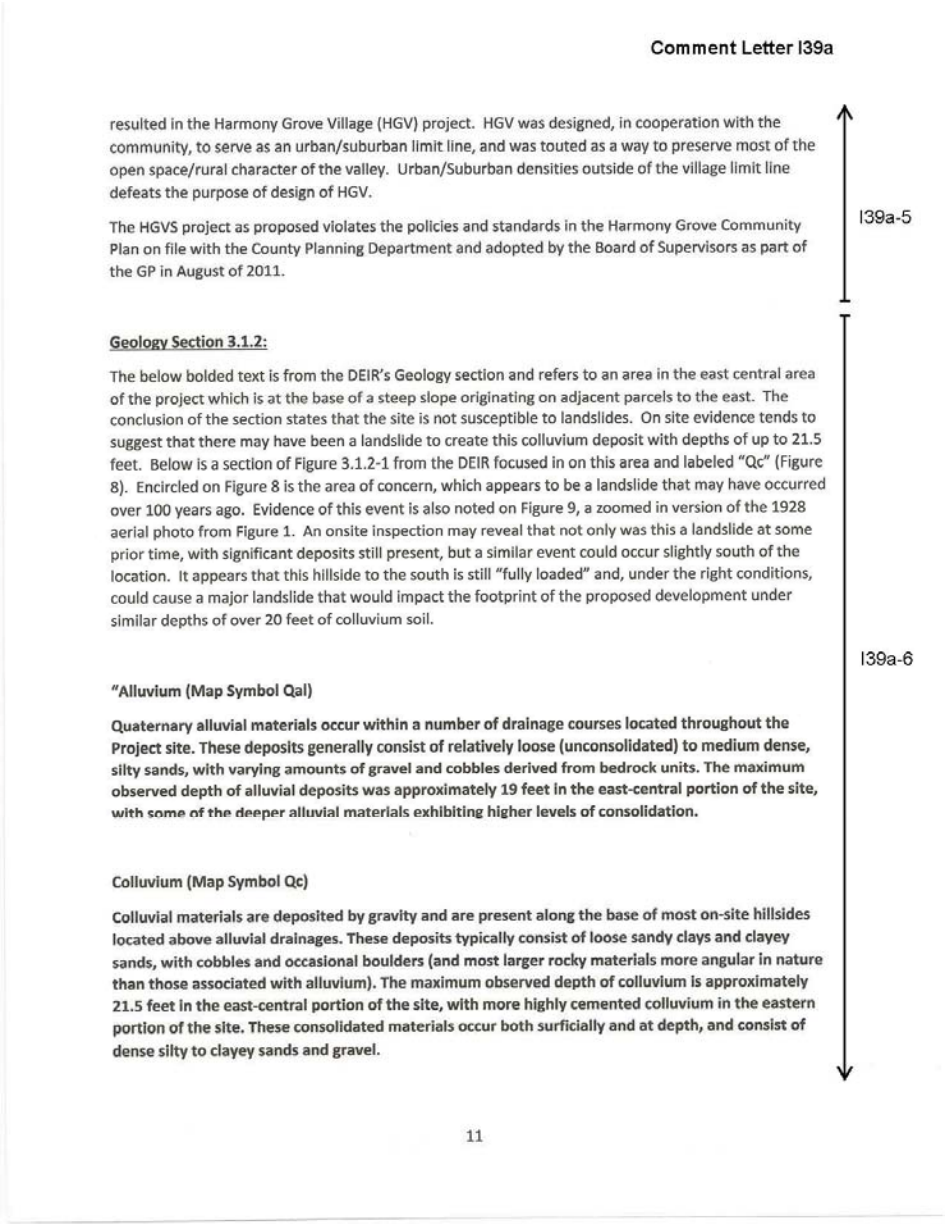	**Response to Comment I39a-6** Based on geotechnical review of the area, the colluvial/debris flow deposit identified appears very old (likely Pleistocene) due to its significant thickness and dense to very dense, well consolidated nature. In this regard, a significant period of time would have been 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 our investigation (see Boring Nos. 4 and 5 from referenced 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. 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.

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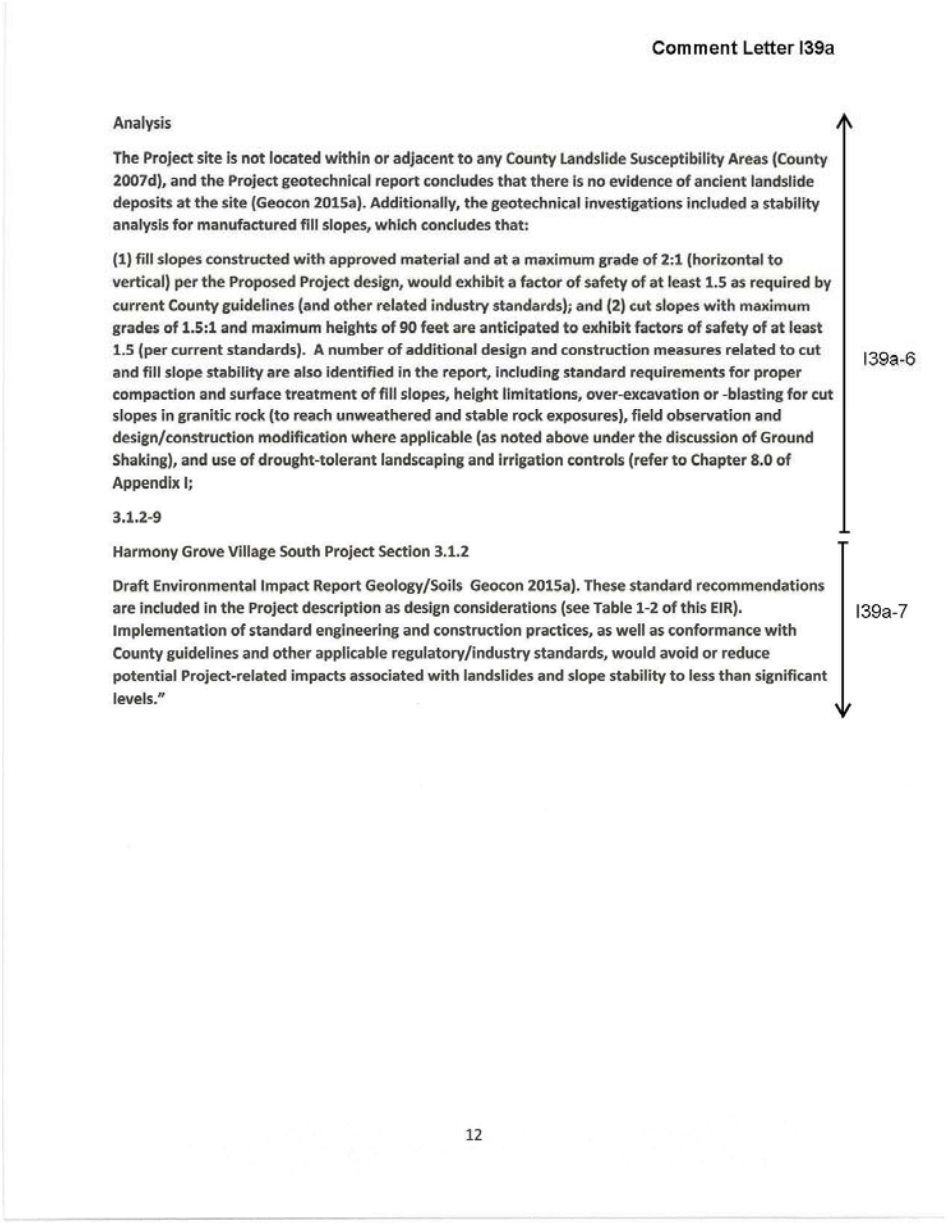	**Response to Comment I39a-7** The cited EIR text is accurate. As shown in the figures attached, the area is largely within the development footprint of the Project. As stated in Table 1-2, *Project Design Features*, under the heading "Geologic Hazards -- Construction," and in Chapter 7, *List of Mitigation Measures and Project Design Features*, the following elements are incorporated into Project design and would be Conditions of the Project. *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.* 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, *Preliminary Retaining Wall Placement*, for this general area, would ensure impacts would be less than significant.

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Analysis

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:

(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;

I39a-6

3.1.2-9

Harmony Grove Village South Project Section 3.1.2

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."

I39a-7

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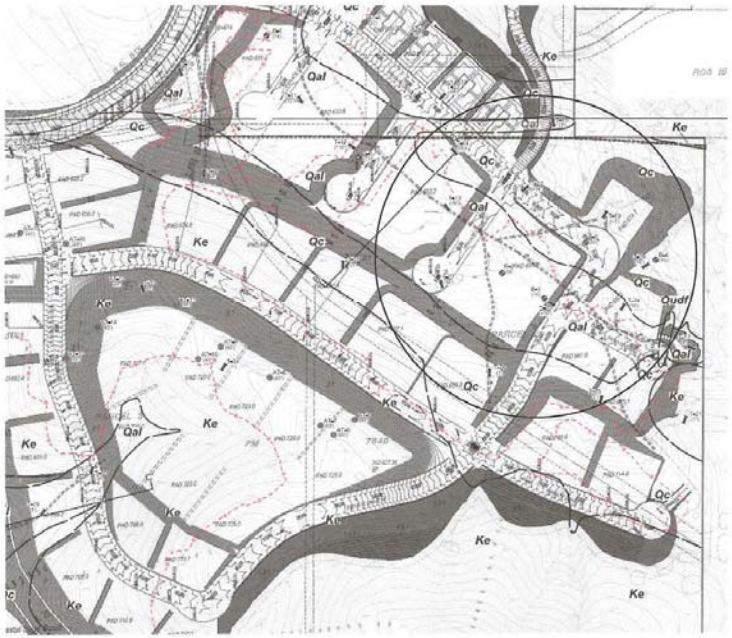
Comment Letter I39a  Figure 8 (Snapshot of Figure 3.1.2-1) I39a-7 13	

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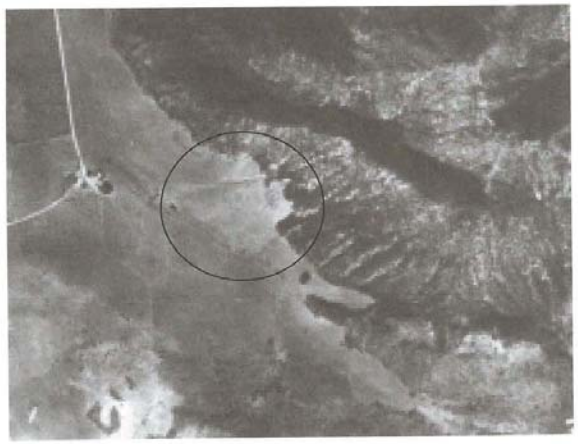
Comment Letter I39a  Figure 9-note the area above the circled colluvium deposit is shows a notched out area of the hillside above which seems to indicate loss of material from that hillside. Below are two photos of the same area taken from ground level:  Colluvium deposit several feet thick east/central portion of the project site. 14 I39a-7	

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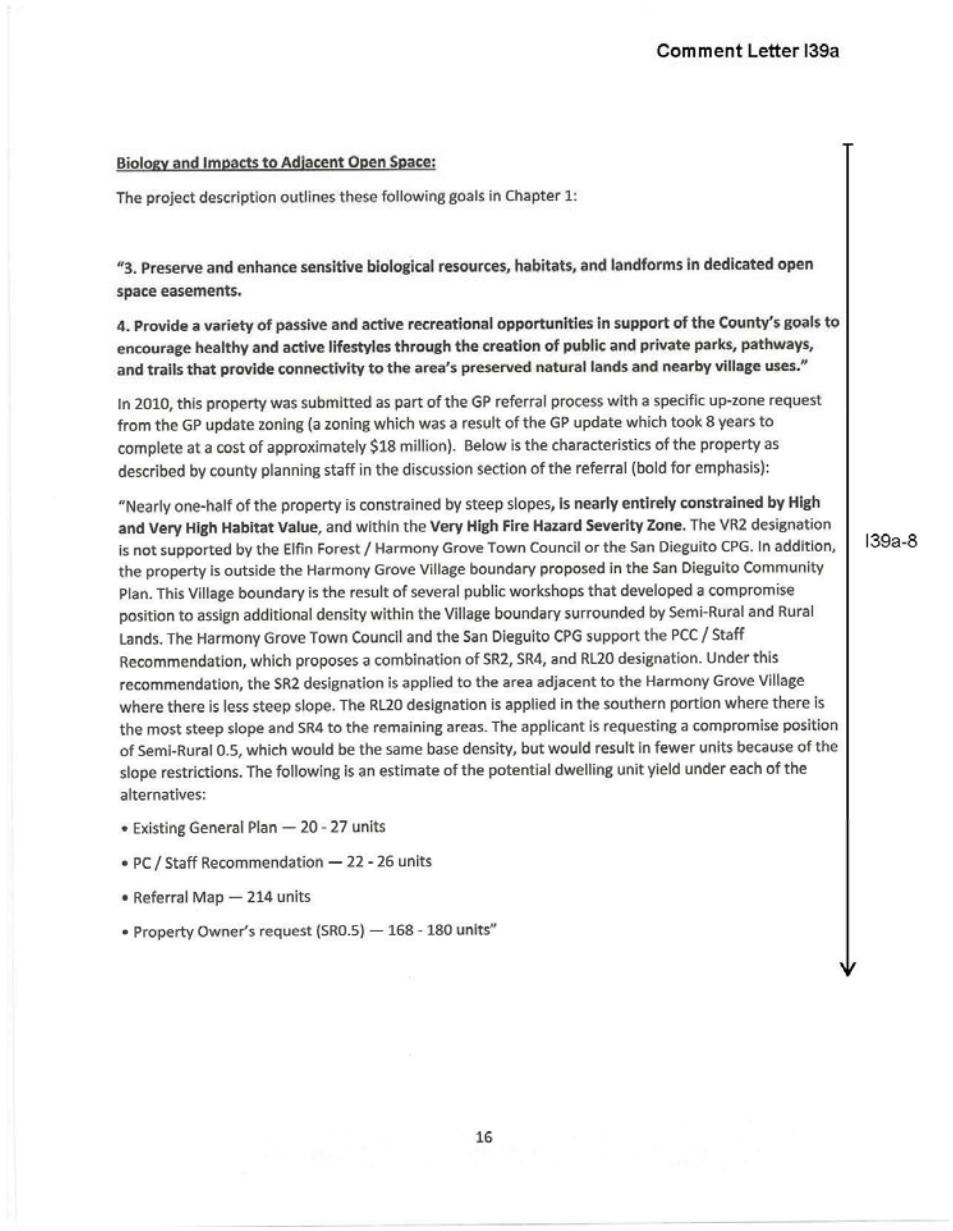
Comment Letter I39a  Colluvium deposit several feet thick east/central portion of the project site. I39a-7 Has the stability of this site been properly evaluated? What would the impact to the proposed residences if material further south on this hillside suddenly slid onto the site as the material to the north appears to have done? 15	

COMMENTS	RESPONSES
 Comment Letter I39a **Biology and Impacts to Adjacent Open Space:** The project description outlines these following goals in Chapter 1: **"3. Preserve and enhance sensitive biological resources, habitats, and landforms in dedicated open space easements.** **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."** 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): "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: • 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" 16 I39a-8	**Response to Comment I39a-8** The cited Project objectives are correct. The planning history information does not address the environmental analysis in the EIR. No response is required. 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] [*Dipodomys stephensi*]) 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. 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 *Biological Technical Report*. This information is also provided in EIR Section 2.3.1.1, *Existing Setting*, 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. 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

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	refer to their letter (F1), which indicates substantial concurrence with Project draft Habitat Loss Permit (HLP) findings.

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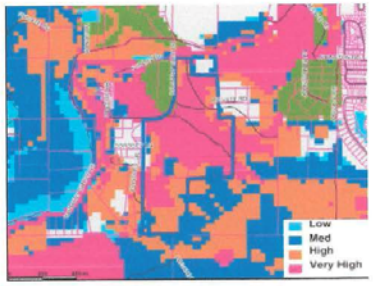
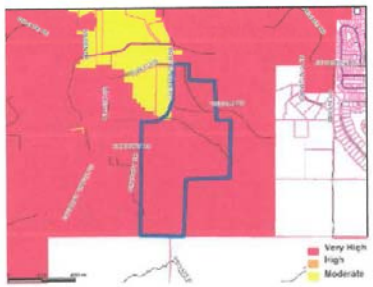
Comment Letter I39a  Steep Slope (Greater than 25%-from Property Specific Request SD-7  Habitat Evaluation Model-Property Specific Request SD-7  Fire Hazard Severity Zones-Property Specific Request SD-7 I39a-8 17	

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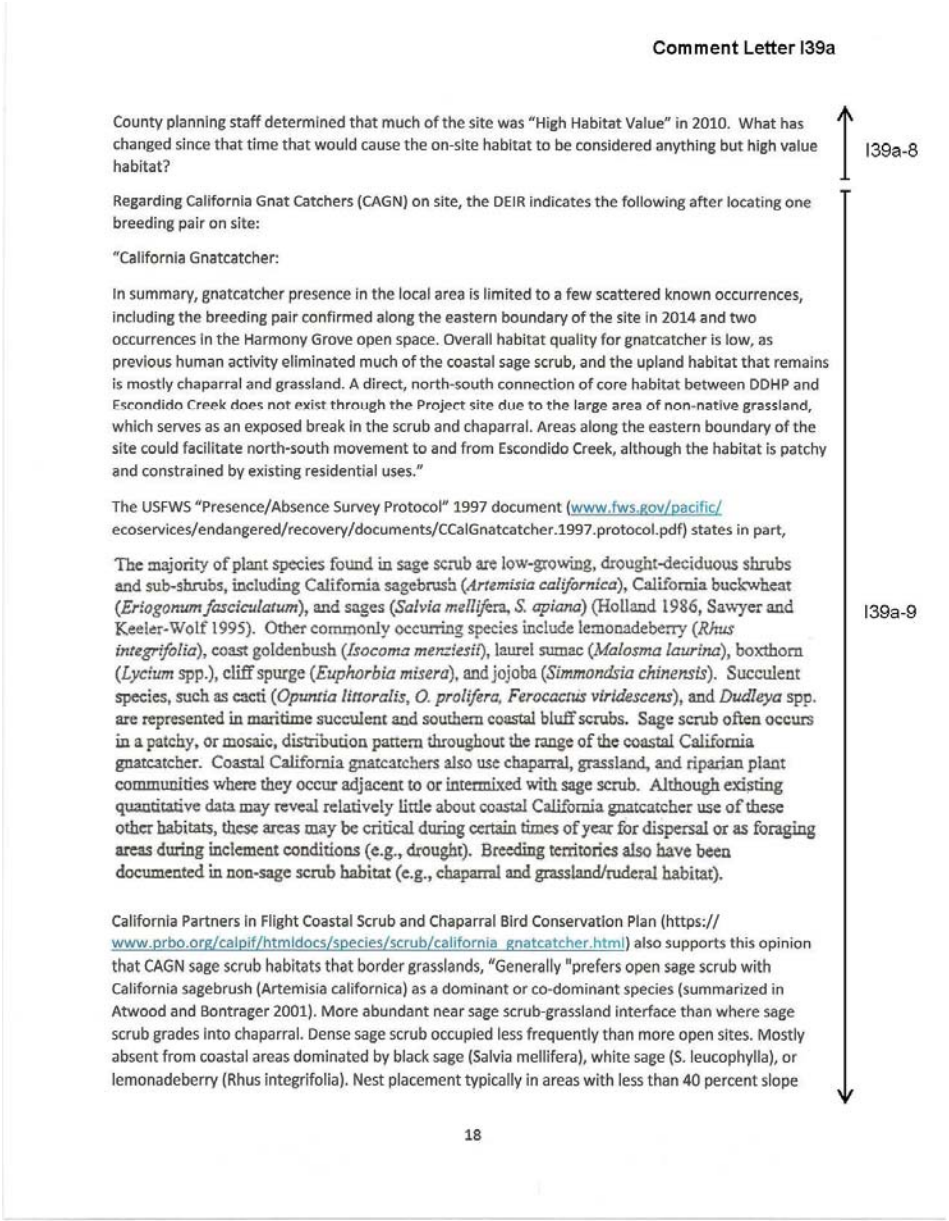	**Response to Comment I39a-9** The EIR citation is correct and the other cited text is not in conflict with data presented in the EIR. One nesting pair of California gnatcatchers (CAGN) was identified during protocol surveys conducted by a qualified biologist permitted by the U.S. Fish and Wildlife Service (USFWS). The overall quality, function, and value of the Diegan coastal sage scrub (CSS) on the Project site is described in detail within the EIR (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.

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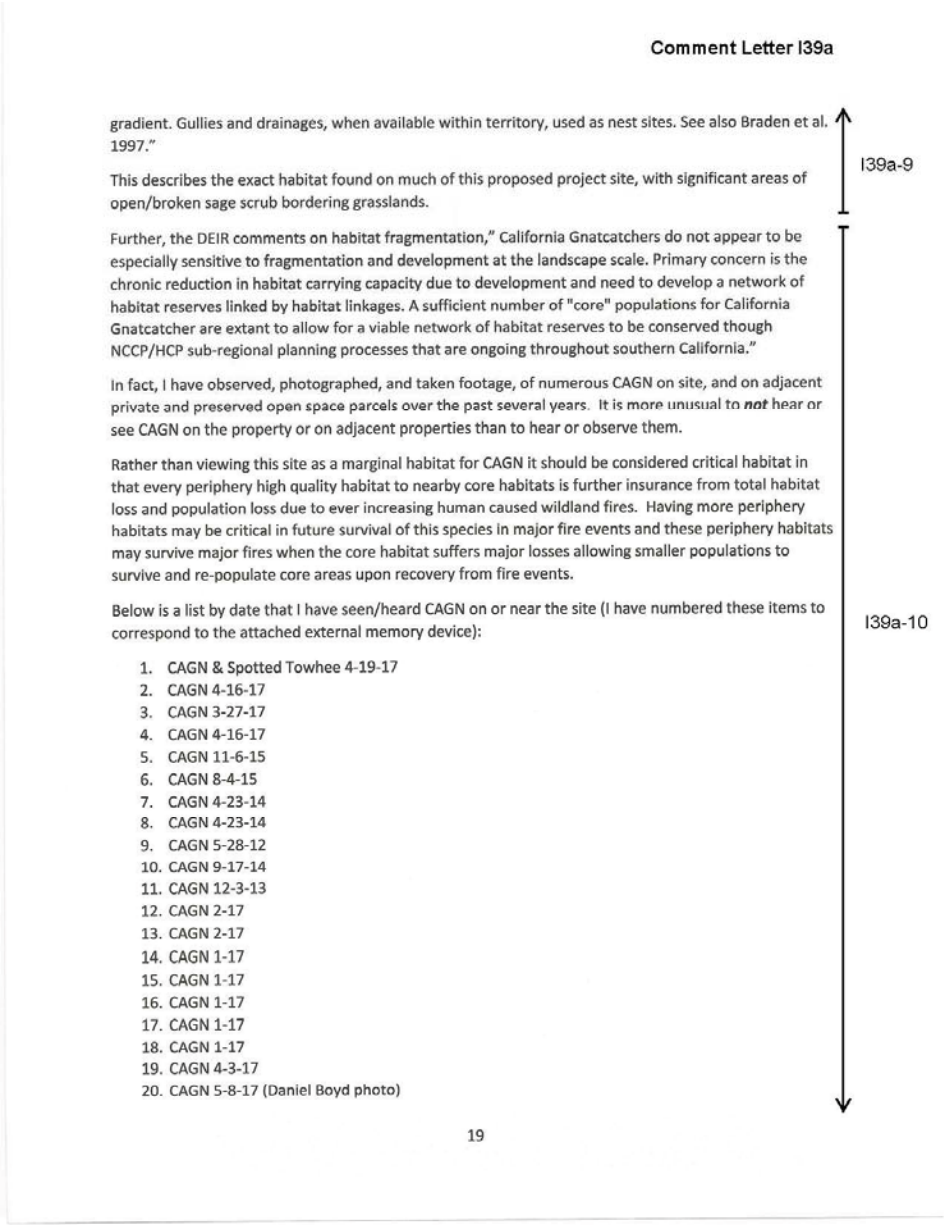
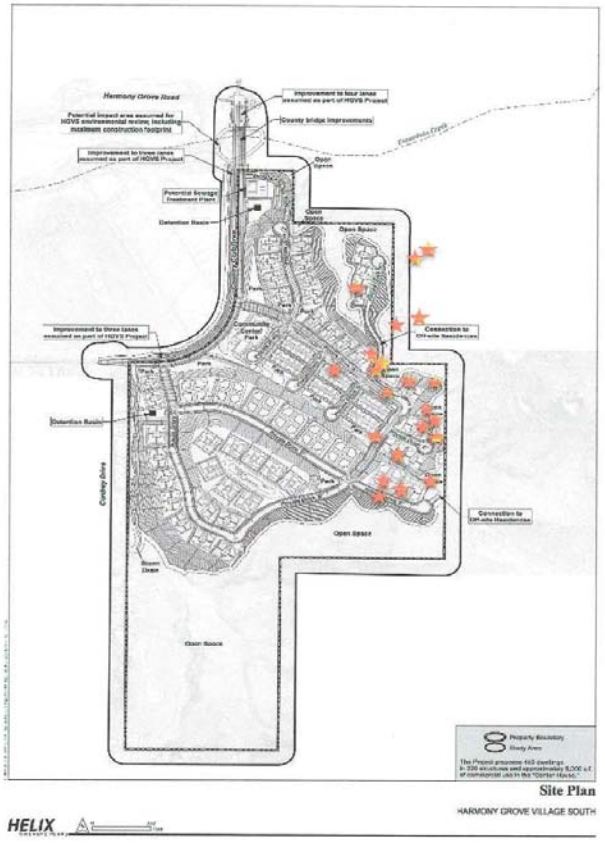
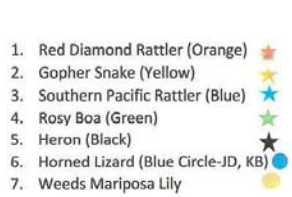
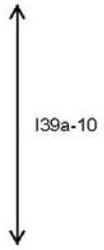
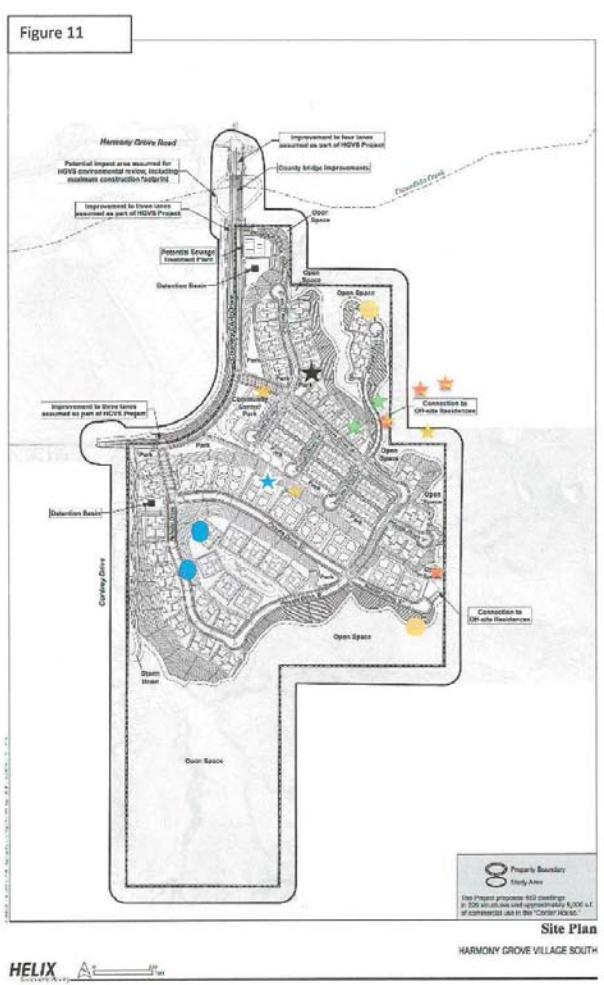
	**Response to Comment I39a-10** The presence of CAGN on the Project site, as well as in the general area, is clearly discussed in the EIR (refer to Section 2.3.1.1, *Existing Setting*, under the heading "Biological Surveys" and "Special Status Animal Species" as well as in Section 2.3.2.1, *Special Status Species*, 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. 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 (*Calochortus weedii*), Turkish rugging (*Chorizanthe staticoides*), gopher snake (*Pituophis catenifer*), and Southern Pacific rattlesnake (*Crotalus oreganus helleri*) are not sensitive species. As discussed in the EIR, great blue heron (*Ardea herodias*) was determined to be present on the Project site. Red-diamond rattlesnake (*Crotalus ruber*) and Coastal horned lizard (*Phrynosoma blainvillii*) were determined to have a high potential to occur, and coastal rosy boa (*Charina trivirgata*) 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. 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. 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.

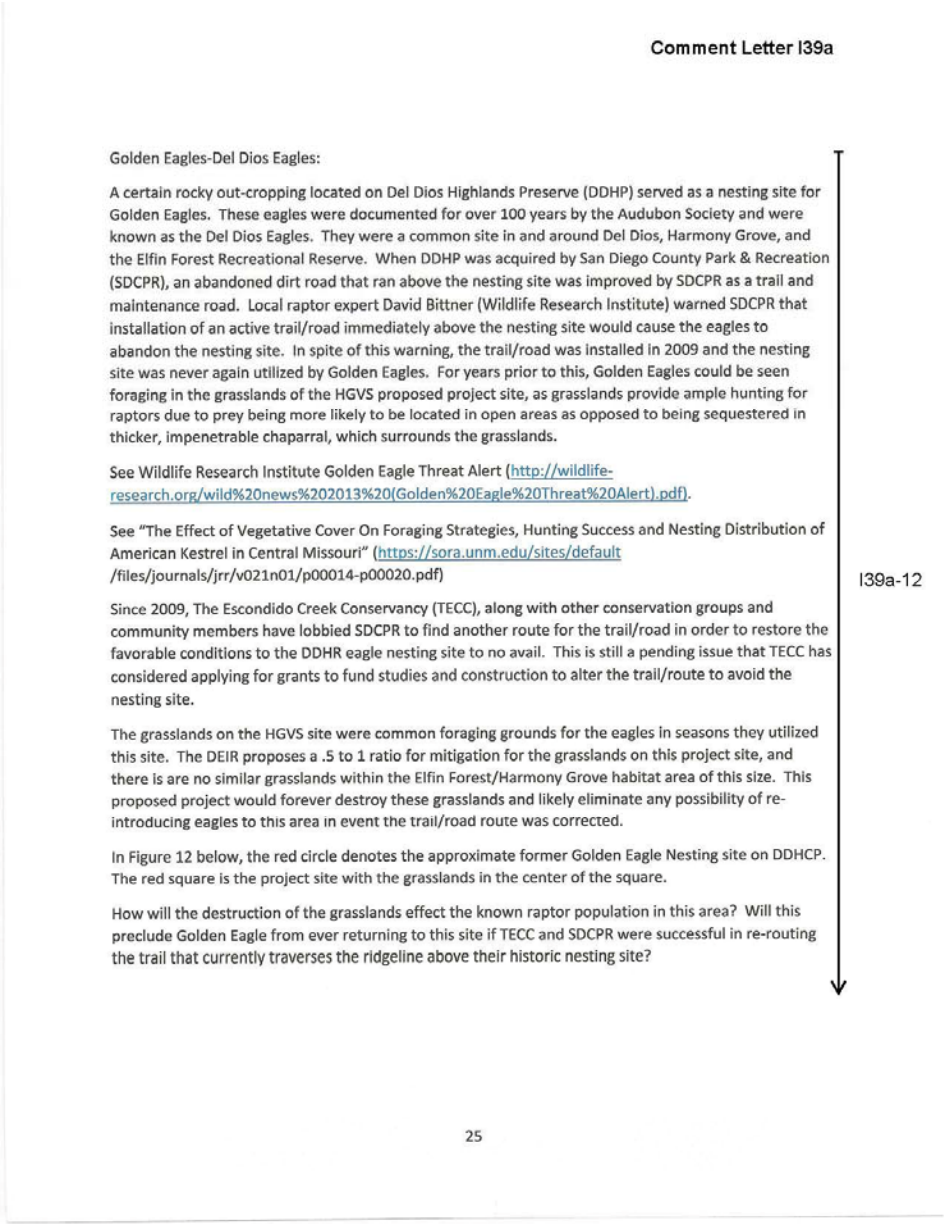
COMMENTS	RESPONSES
Comment Letter I39a 21. TG CAGN 9-18-10 22. TG CAGN 9-14-10 23. TG CAGN 9-14-10 These photos and videos are contained on the attached external memory device/CD. I have included videos with images of CAGN, but have several additional videos in which the individual is heard but not visible 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. I39a-10 See Figure 10 for site locations where the attached videos and photographs were taken that are included in this package. 20	

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. 21 I39a-10	

COMMENTS	RESPONSES
Comment Letter I39a  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  I39a-10 22	

COMMENTS	RESPONSES
Comment Letter I39a  I39a-10	

COMMENTS	RESPONSES
Comment Letter I39a  9-16-14 Gopher Snake  5-28-14 So Pac Rattler  6-14 Rosy Boa  6-4-17 So Pac Rattler  2015 Horned Lizard (JD)  4-14-15 Red Diamond Rattler  7-16 Red Diamond Rattler  6-12-17 Rosy Boa  6-6-17 Mariposa Lily I39a-10 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? I39a-11 24	**Response to Comment I39a-11** 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.

COMMENTS	RESPONSES
	**Response to Comment I39a-12** 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, *Biological Resources*, 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: *Raptor Foraging Habitat (Guideline 6)* *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)*** 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.

COMMENTS	RESPONSES
Comment Letter I39a  Figure 12 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). How will this proposed project effect the range and behavior of the local Bobcat population? **Effects to Surrounding Open Space Preserves:** 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 26 I39a-12 I39a-13 I39a-14	**Response to Comment I39a-13** 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. **Response to Comment I39a-14** 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. 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 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.

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.

I39a-14

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.western fieldornithologists.org/archive/V39/39(2)%20p0082-p0093.pdf).

I39a-15

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?

I39a-16

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Response to Comment I39a-15

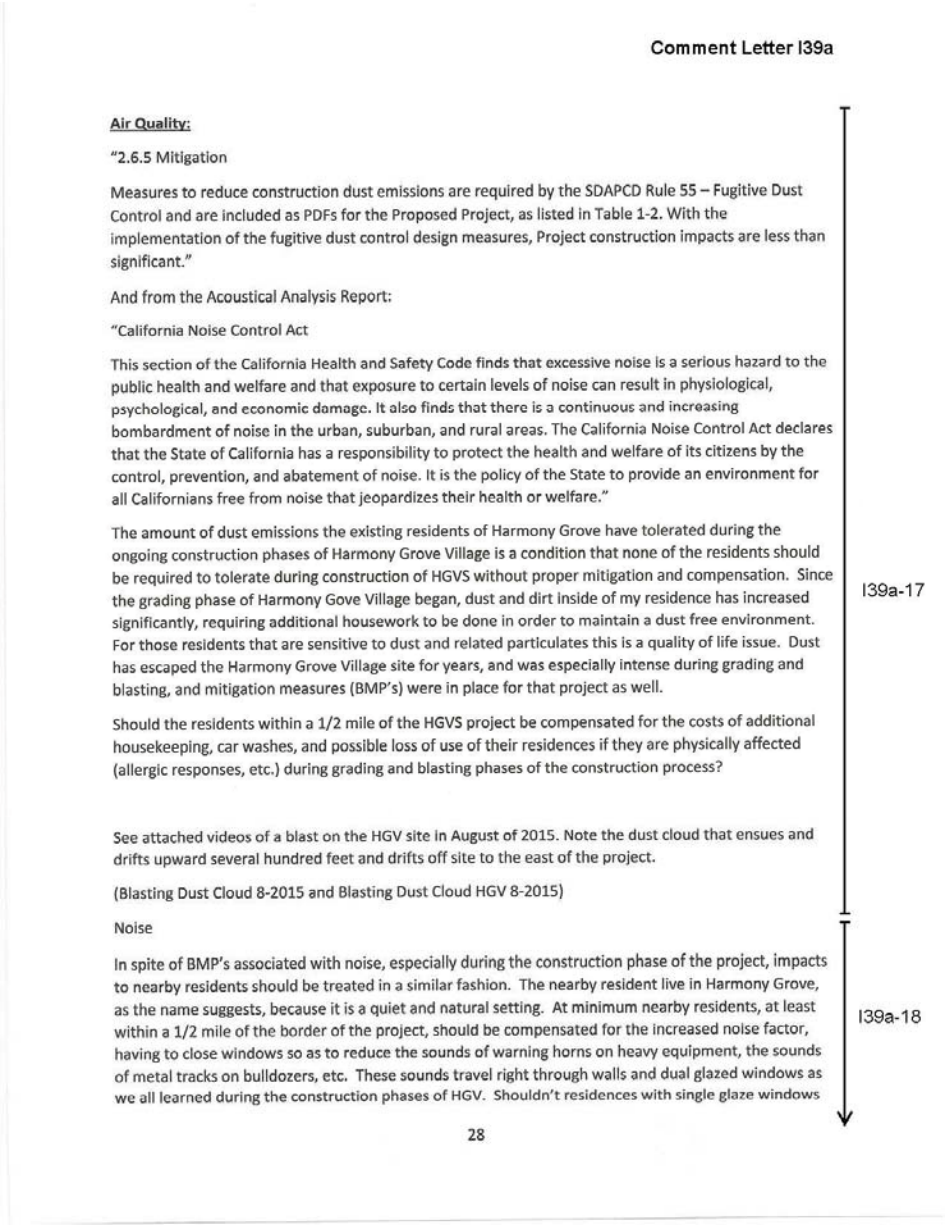
Initial comment noted. Potential edge effects are discussed in Subchapter 2.3 under the headings "Core Wildlife Area (Guideline 7)," "Indirect Impacts/Edge Effects (Guideline 8)," Wildlife Access (Guideline 19)," "Local and Regional Wildlife Corridors and Linkages (Guideline 20)," and "Cumulative Impacts 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.

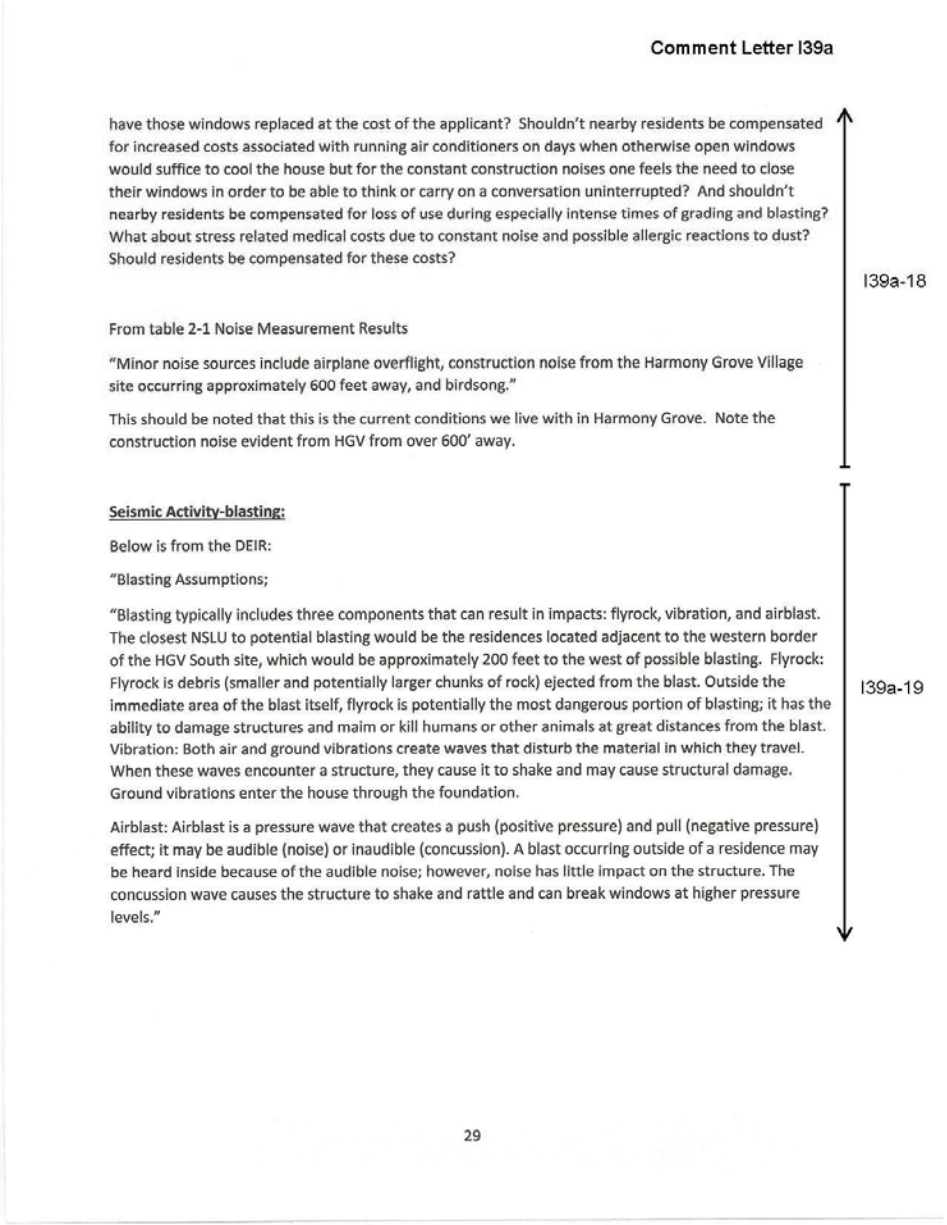
Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

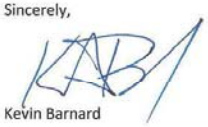
Response to Comment I39a-16

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, *Riparian Habitat and Sensitive Riparian Communities*, 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 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

COMMENTS	RESPONSES
	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.

COMMENTS	RESPONSES
	**Response to Comment I39a-17** 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. **Response to Comment I39a-18** Comments noted. The EIR addresses temporary construction noise impacts in Subchapter 2.5, *Noise*, section 2.5.2.3, *Construction Noise Levels*. 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. Cumulative noise impacts are also addressed in Subchapter 2.5, *Noise*, Section 2.5.3 of the EIR. As stated in the EIR: *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).*

COMMENTS	RESPONSES
	**Response to Comment I39a-19** 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: *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)*** 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. *<u>Blasting Measures</u>: The following measures would be implemented to reduce impacts from blasting:* • *The number of blasts would be limited to three blasting events per week.* • *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.*

COMMENTS	RESPONSES
Comment Letter I39a 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? I39a-19 Sincerely,  Kevin Barnard 2708 Country Club Drive Escondido, CA. 92029 ksbarnard@earthlink.net 858-688-1700 30	

COMMENTS	RESPONSES
Comment Letter I39a Supporting Documents Attached via Memory Device: 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 31	