

HARMONY GROVE VILLAGE SOUTH

APPENDIX A

NOTICE OF PREPARATION (NOP) AND COMMENTS ON THE NOP

to the

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

APRIL 2017

Prepared for:
COUNTY OF SAN DIEGO
PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310
SAN DIEGO, CALIFORNIA 92123



County of San Diego

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NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

August 27, 2015

NOTICE IS HEREBY GIVEN that the County of San Diego, Planning & Development Services, will be the Lead Agency and will prepare an Environmental Impact Report in accordance with the California Environmental Quality Act for the following project. The Department is seeking public and agency input on the scope and content of the environmental information to be contained in the Environmental Impact Report. The Notice of Preparation documentation can be viewed at: http://www.sandiegocounty.gov/content/sdc/pds/Current_Projects/hgvs.html; the Planning & Development Services (PDS), Project Processing Counter, 5510 Overland Avenue, Suite 110, San Diego, California 92123; and the public library listed below. Comments on the Notice of Preparation document must be sent to the PDS address listed above and should reference the project number and name.

HARMONY GROVE VILLAGE SOUTH; PDS2015-GPA-15-002, PDS2015-SP-15-002, PDS-REZ-15-003, PDS2015-TM-5600, PDS2015-MUP-15-008, Environmental Log No.: PDS2015-ER-15-08-006.

The project site is located in the southeast quadrant of Harmony Grove Road and Country Club Drive, in the San Dieguito Community Planning Area, between the City of Escondido and the community of Elfin Forest, in the unincorporated area of San Diego County.

The application consists of six discretionary actions: An Resource Protection Ordinance Waiver Request to waive the steep slope open space easement requirement; a General Plan Amendment to change the existing Land Use Designation from Semi-Rural 0.5 (SR-0.5) to Semi-Rural 0.5 (SR 0.5) and Village Residential 10.9 (VR 10.9); a Rezone to reclassify the existing use regulation from A70 (Limited Agriculture) and RR (Rural Residential) to Specific Plan (S88); a Tentative Map and Site Plan to subdivide the project site and demonstrate compliance with the to be adopted Specific Plan; and a Major Use Permit to construct an on-site waste water treatment facility. The applicant proposes to develop 453 single- and multi-family residential units within 229 structures and a 5,000 square foot facility that will support recreation and community uses in addition to commercial space on 111 acres. A substandard crossing of Escondido Creek on Country Club drive will be improved. A water treatment/water reclamation facility (WTWRF), park/community garden uses, and recreational trail connections to existing and planned trail facilities open to the public are also proposed.

A meeting to discuss the scope of the environmental analysis will be held on September 16, 2015 from 6 p.m. to 7:30 p.m. at the Elfin Forest Firehouse, 20223 Elfin Forest Rd., Elfin Forest, CA 92029, (760) 744-2186.

Comments on this Notice of Preparation document must be received no later than **September 28, 2015** at 4:00 p.m. (a 30 day public review period). This Notice of Preparation can also be reviewed at the San Marcos Branch Library, located at 2 Civic Center Drive, San Marcos, CA 92071. For additional information, please contact Peter Eichar at (858) 495-5524 or by e-mail at Peter.Eichar@sdcounty.ca.gov



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August 21, 2015

CEQA Initial Study - Environmental Checklist Form (Based on the State CEQA Guidelines, Appendix G)

1. Title; Project Number(s); Environmental Log Number:
Harmony Grove Village South; PDS2015-GPA-15-002, PDS2015-SP-15-002,
PDS2015-TM-5600, PDS2015-REZ-15-003, PDS2015-MUP-15-008; PDS2015-ER-15-08-006
2. Lead agency name and address:
County of San Diego, Planning & Development Services
5510 Overland Avenue, Suite 110
San Diego, CA 92123-1239
3. a. Contact: Peter Eichar, Land Use/Environmental Planner
b. Phone number: (858) 495-5524
c. E-mail: Peter.Eichar@sdcounty.ca.gov
4. Project location:

The project includes four parcels on approximately 111 acres in the southeast quadrant of Harmony Grove Road and Country Club Drive, abutting Country Club Drive, in the southeastern-most portion of the Harmony Grove Valley area of the San Dieguito Community Planning Area, between the City of Escondido (immediately to the east) and the community of Elfin Forest (over 4 miles to the southwest), within unincorporated San Diego County; two and one-half (2.5) miles from Interstate 15 (I-15), and two and six tenths (2.6) of a mile from State Route 78 (SR-78).

Thomas Guide Coordinates: Page 1129, Grids C6 & 7; D6 & 7

5. Project Applicant name and address:

RCS Harmony Partners, LLC
David Kovach
2305 Historic District Road, Suite 100
San Diego, CA 92106
david@kovachcompanies.com

6. General Plan
Community Plan: San Dieguito
Land Use Designation: Semi-Rural 0.5 (SR-0.5)
Density: 2 du/acre
Floor Area Ratio (FAR) N/A
7. Zoning
Use Regulation: A70 and RR
Minimum Lot Size: 0.5 acre
Special Area Regulation: N/A
8. Description of project

Summary

The project application proposes a General Plan Amendment, RPO (steep slopes) wavier, specific plan, rezone, major use permit and site plan to develop 453 single- and multi-family residential units within 229 structures and a 5,000 square foot facility (the Center House) that will support recreation and community uses in addition to commercial space on 111 acres. The Center House could accommodate a coffee shop or café as well a small (up to four bed B&B facility) overnight facility. A substandard crossing of Escondido Creek that is subject to flooding will be improved to allow for safe ingress and egress to the subject and surrounding properties. A water treatment/water reclamation facility (WTWRF), park/community garden uses, and recreational trail connections to existing and planned trail facilities open to the public are proposed. The project would result in approximately 36 acres of primarily residential development including streets, and approximately 75 acres of undeveloped uses such as landscaping, gardens or biological open space.

Land Uses

The current Land Use Designation category is Semi-Rural 0.5 (SR-0.5), and the zoning is A70 (Limited Agriculture) and RR (Rural Residential). The applicant proposes a mixed Land Use Designation of Semi-Rural 0.5 (SR 0.5) and Village Residential 10.9 (VR 10.9) and rezoning to Specific Plan (S88). Access would be provided by private roads connecting to Country Club Drive. The project has been designed to maximize open space by clustering development, resulting in the preservation of open space in the southern portion of the property, containing approximately 32 contiguous acres of high quality biological resources. Dedication of biological open space areas would occur prior to grading activities.

Construction

A total of 229 residential structures, roads and pathways and a single multi-purpose building (the Center House), stormwater control and on-site utilities will require earthwork consisting of balanced cut and fill of approximately 850,000 cubic yards of material. Home sites would be graded to reflect the natural topography, where feasible. Sharp or abrupt grade transitions that do not appear natural would be avoided.

Roadways and a continuous network of multi-use trails and pathways would conform to the natural topography, and incorporate curvilinear elements.

The project would be served by an on-site water treatment/water reclamation facility (WTWRF) that, once constructed, could be operated by the San Diego County Sanitation District. Water utilities (both potable and reclaimed water) would be provided by Rincon del Diablo Municipal Water District (Rincon MWD).

The existing at-grade, concrete pavement crossing of Escondido Creek, underlain by culverts and supported by substantial rip-rap, would be removed and replaced with a three-span bridge, in coordination with and complementary to the San Diego County Capital Improvement Program. Conceptual design of the bridge estimates a 250 feet long and approximately 60 feet wide bridge which would accommodate three auto-travel lanes, a 10-foot wide multi-use trail and 5-foot sidewalks on either side. The bridge would be tall enough to accommodate wildlife crossings within the riparian zone while not notably redirecting or impeding 100-year flood flows. Removal of the existing bridge may improve flooding conditions and restore the riparian habitat. The site contains remnants of a prior residential use as well as a cistern that would be removed. A chimney remnant known to the community would be restored and retained in a nearby location on site.

Off-site utility improvements include the installation of potable and reclaimed water line extensions west and/or north of the site in Country Club Drive, including new project sewer line(s), and potentially new sewer lines in County Club Drive and Harmony Grove Road. Circulation improvements between Harmony Grove Road and the bridge over Escondido Creek include the northbound approach of Country Club Drive to Harmony Grove Road with one through lane, one dedicated right-turn lane, and one dedicated left-turn lane in addition to a southbound lane. The project would implement three-lane improvements from the bridge to the southern Project entrance, as well as shoulder and sidewalk on the east side of Country Club Drive along the project frontage. The center lane would simultaneously provide for southbound left turns at the project entrances, and as a through lane for its total length in an emergency situation (e.g., during a major fire event).

Phasing

The project would be implemented in phases, with the first phase focusing on overall on-site mass grading, and is expected to require approximately three months. On-site infrastructure installation during the second phase (roads and utilities) would follow over a period of six months, followed by the third phase to finish grading of lots over an additional three months. Entry planting, Country Club Drive frontage, interior roads and graded slopes would all be planted when finish grading is completed. The final phase would consist of “vertical” development of the project, which is expected to take up to three years, and some residents could be on site during completion of buildout. Off-site infrastructure (utility upgrades) would be initiated during the second phase and would continue through finish grading on site (third phase). Existing bridge demolition and

new bridge construction is expected to take approximately one year and could begin commensurate with the first phase.

Project Design Features

The Project proposes numerous design features that would be implemented to avoid and/or minimize environmental impacts; the Project includes design features related to aesthetics, air quality, biological resources, energy, geologic hazards, greenhouse gases, hazards (including fire protection) and hazardous waste, hydrology/water quality, noise, public services and utilities, and transportation/traffic.

9. Surrounding land uses and setting:

The project site is located in a semi-rural area that is topographically separated from the City of Escondido by Escondido Creek and some hills and knolls, but within only a few minutes of drive time. Escondido Creek is located just north of the project, south of Harmony Grove Road. The project site is surrounded on all sides except to the immediate northwest by a continuing series of hills and canyons. These range from approximately 600 feet above mean sea level (amsl) to a high point of 1,736 feet amsl at the top of Mt. Whitney, located to the west-northwest. Large expanses of natural open space are located southerly of project parcels, associated with Del Dios Highlands Preserve (DDHP) and Elfin Forest Recreational Reserve (EFRR).

In the northwest quadrant of the Harmony Grove Road and Country Club Drive intersection, is the Harmony Grove Village (HGV) project that includes 742 homes, recreational, and commercial development, supported by a Water Reclamation Facility (WRF) located at the northeast corner of Harmony Grove Road and Country Club Drive. Existing residences and fire station are located within the northeast quadrant of the project site.

Surrounding residential development is located on a wide variety of lot sizes; ranging from the smallest at approximately 1,300 square feet (s.f.) in the Harmony Grove Spiritualist Association (HGSA) located approximately 0.25 mile west of the site, to acreage that allows horse-keeping and grazing or agricultural operations such as groves. Denser housing and subdivisions exist approximately 0.5 mile to the east. Lot sizes in this area are much smaller, with approximately eight residences to an acre. Mobile home parks and apartments are also present to the east (within approximately 0.8 mile of the project). Palomar Medical Center is located approximately two miles to the north and Stone Brewery is located approximately one and a half miles to the north as a crow flies. The Escondido Energy and Technology Center (ERTC), an industrial/commercial, employment and services locus, is also located within a mile north-northeast of the project, accessed by Harmony Grove Road. Other commercial uses include the big box uses at Valley Parkway and I-15 and along Auto Park Way.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

<u>Permit Type/Action</u>	<u>Agency</u>
General Plan Amendment (GPA)	County of San Diego
RPO Wavier (steep slopes)	County of San Diego
Habitat Loss Permit (4[d])	County of San Diego
Landscape Plans	County of San Diego
Major Use Permit	County of San Diego
Grading Permit	County of San Diego
Reclamation Plan	County of San Diego
Rezone	County of San Diego
Specific Plan	County of San Diego
Tentative Map	County of San Diego
County Right-of-Way Permits Encroachment Permit	County of San Diego
Grading Permit	County of San Diego
Improvement Plans	County of San Diego
Annexation to a Special District (water, sewer, fire districts, as necessary)	Local Agency Formation Commission (LAFCO)
401 Permit - Water Quality Certification	Regional Water Quality Control Board (RWQCB)
404 Permit – Dredge and Fill	US Army Corps of Engineers (USACE)
1602 – Streambed Alteration Agreement	CA Department of Fish and Wildlife (CDFW)
Section 7 - Consultation or Section 10a Permit – Incidental Take	US Fish and Wildlife Services (USFWS)
Air Quality Permit to Operate – Title V Permit	Air Pollution Control District (APCD)
National Pollutant Discharge Elimination System (NPDES) Permit	RWQCB
General Construction Storm water Permit	RWQCB
Waste Discharge Requirements Permit	RWQCB
Water District Approval	Rincon del Diablo Municipal Water District (Rincon MWD)
Sewer District Approval	County Sanitation District (CSD), Rincon MWD, or other public district as necessary
New or Amended Master Water Reclamation Permit	CSD, Rincon MWD, or other public district as necessary.
Fire District Approval	San Diego County Fire Authority
School District Authorization	Escondido Union School District (EUSD) Escondido Union High School District (EUHSD)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project and involve at least one impact that is a “Potentially Significant Impact” or a “Less Than Significant With Mitigation Incorporated,” as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> <u>Aesthetics</u> | <input type="checkbox"/> <u>Agriculture and Forest Resources</u> | <input checked="" type="checkbox"/> <u>Air Quality</u> |
| <input checked="" type="checkbox"/> <u>Biological Resources</u> | <input checked="" type="checkbox"/> <u>Cultural Resources</u> | <input checked="" type="checkbox"/> <u>Geology & Soils</u> |
| <input checked="" type="checkbox"/> <u>Greenhouse Gas Emissions</u> | <input checked="" type="checkbox"/> <u>Hazards & Haz. Materials</u> | <input checked="" type="checkbox"/> <u>Hydrology & Water Quality</u> |
| <input checked="" type="checkbox"/> <u>Land Use & Planning</u> | <input type="checkbox"/> <u>Mineral Resources</u> | <input checked="" type="checkbox"/> <u>Noise</u> |
| <input checked="" type="checkbox"/> <u>Population & Housing</u> | <input checked="" type="checkbox"/> <u>Public Services</u> | <input checked="" type="checkbox"/> <u>Recreation</u> |
| <input checked="" type="checkbox"/> <u>Transportation/Traffic</u> | <input checked="" type="checkbox"/> <u>Utilities & Service Systems</u> | <input checked="" type="checkbox"/> <u>Mandatory Findings of Significance</u> |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☐ On the basis of this Initial Study, Planning & Development Services finds that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ On the basis of this Initial Study, Planning & Development Services finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☒ On the basis of this Initial Study, Planning & Development Services finds that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.



8/21/15

Signature

Date

Peter Eichar
Printed Name

Land Use/Environmental Planner
Title

INSTRUCTIONS ON EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, Less Than Significant With Mitigation Incorporated, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less Than Significant With Mitigation Incorporated,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance

I. AESTHETICS -- Would the project:

a) Have a substantial adverse effect on a scenic vista?

- | | | | |
|-------------------------------------|--|--------------------------|------------------------------|
| <input checked="" type="checkbox"/> | Potentially Significant Impact | <input type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Potentially Significant Impact: The project site is located approximately 200 feet south of Escondido Creek, which is immediately south of Harmony Grove Road. There are several other public vantage points in the vicinity, including the Del Dios Highlands Trail in Del Dios Highlands Preserve, and trails including the "Way Up" trail in Elfin Forest Recreational Reserve. In addition, there are more distant public streets such as Seeforever Drive, which overlooks the Eden and Harmony Grove valleys from the northwest, including the project site.

A Visual Resources Report for the proposed project is being prepared, and full discussion will be provided in the EIR for both direct and cumulative impacts. Based on the results of the visual resources analysis, the project may be required to incorporate avoidance, mitigation or design features to be compatible with the existing visual environment in terms of visual character and quality.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

- | | | | |
|-------------------------------------|--|--------------------------|------------------------------|
| <input checked="" type="checkbox"/> | Potentially Significant Impact | <input type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Potentially Significant Impact: The proposed project is not located near or visible within the composite viewshed of a designated State scenic highway and therefore will not damage or remove visual resources within a State scenic highway. The proposed project is, however, located near to a County-identified scenic highway - Harmony Grove Road - that has lateral views onto the project site. The project's potential impacts related to effects on a County scenic corridor will be addressed in the EIR and in the Visual Resources Report for the project.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

- | | | | |
|-------------------------------------|--|--------------------------|------------------------------|
| <input checked="" type="checkbox"/> | Potentially Significant Impact | <input type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Potentially Significant Impact: Visual character is the objective composition of the visible landscape within a viewshed. The existing visual character and quality of the project site can be characterized as disturbed, but open and undeveloped.

The project proposes development of 229 structures and associated infrastructure at village densities, requiring approximately 850,000 cubic yards of balanced cut and fill. The proposed change in density and volume of earthwork requires full discussion of the site's existing and future visual character and quality, as well as viewer groups (motorists, residents and recreationalists) and their respective sensitivity and exposure to the site. These will be addressed in the EIR and in the Visual Resources Report for the project. The cumulative effect of the project and others in the vicinity will also be analyzed.

- d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

<input type="checkbox"/> Potentially Significant Impact	<input checked="" type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Less Than Significant Impact: The proposed project will use outdoor lighting and is located within Zone B as identified by the San Diego County Light Pollution Code (LPC), approximately 25 miles from the Palomar Observatory. However, it will not adversely affect nighttime views or astronomical observations, because the project will conform to the LPC (Section 51.201-51.209), including the Zone B lamp type and shielding requirements per fixture and hours of operation limitations for outdoor lighting and searchlights.

Compliance with the Code is required prior to issuance of any building permit for any project. Compliance with the Code ensures that the project will not create a significant new source of substantial light or glare, which would adversely affect daytime or nighttime views in the area, on a project or cumulative level.

The project's outdoor lighting will be controlled through Site Plan conditions. The potential for new sources of substantial light or glare will be addressed in the EIR and in the Visual Resources Report for the project.

II. AGRICULTURE AND FORESTRY RESOURCES -- Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Important Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, or other agricultural resources, to non-agricultural use?

<input type="checkbox"/> Potentially Significant Impact	<input checked="" type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Less Than Significant Impact: A portion of the project site has land designated as Farmland of Local Importance according to the State Farmland Mapping and Monitoring Program (FMMP). However, based on a site visit and a review of historic aerial photography, as well as a prior agricultural report prepared for the property (RECON 2006), there is no evidence of

agricultural use on the project site for over 65 years. Given the lack of agricultural use on the site within at least the past 65 years, the Farmland of Local Importance designation of this area according to the State is incorrect. The Farmland designation is likely misapplied as a result of the large scale of the Statewide mapping effort which assigns Farmland designations based on aerial photography and limited ground verification. Project parcels do not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Only Farmland of Local Importance and "Other" are present, at approximately 20 and 91 acres, respectively. Therefore, due to the lack of historic agricultural use at the project site, the site does not meet the definition of an agricultural resource and no potentially significant project or cumulative level conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance to a non-agricultural use will occur as a result of this project.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact: The project site is zoned RR (Rural Residential), and A70 (Limited Agriculture), which is considered to be an agricultural zone. However, the proposed project will not result in a significant conflict in zoning for agricultural use, because the site is designated as Semi-rural Residential 0.5 in the County's General Plan. The project will not create a conflict with existing zoning for agricultural use. Additionally, the project site is not under a Williamson Act Contract. Therefore, there will be no significant conflict with existing zoning for agricultural use, or any conflict with an existing Williamson Act contract.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), or timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The project site and off-site improvement areas do not contain forest lands or timberland. The County of San Diego does not have any existing Timberland Production Zones. In addition, the project is not located in the vicinity of forest resources. Therefore, project implementation would not conflict with existing zoning for, or cause rezoning of, forest land, timberland or timberland production zones.

d) Result in the loss of forest land, conversion of forest land to non-forest use, or involve other changes in the existing environment, which, due to their location or nature, could result in conversion of forest land to non-forest use?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
|---|---|

- ☐ Less Than Significant With Mitigation Incorporated ☒ No Impact

No Impact: The project site and off-site improvement areas do not contain any forest lands as defined in Public Resources Code section 12220(g), therefore project implementation would not result in the loss or conversion of forest land to a non-forest use. In addition, the project is not located in the vicinity of off-site forest resources.

- e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Important Farmland or other agricultural resources, to non-agricultural use?

- ☐ Potentially Significant Impact ☒ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated ☐ No Impact

Less Than Significant Impact: The area surrounding the project site has limited agricultural uses (grove trees associated with an estate residential use) within 0.25 mile of the project. The proposed project was determined not to have significant adverse impacts related to the conversion of Prime Farmland, Unique Farmland, Farmland of Statewide or Local Importance or active agricultural operations associated with those uses to a non-agricultural use for the following reasons:

- Active agricultural operations consisting of avocado and/or citrus orchards commonly operate among residential uses and create minimal land use conflicts due to the nature of the agricultural use; and
- Active agricultural operations are separated from proposed land uses on the project site and by other developed residential parcels

Therefore, no potentially significant project or cumulative level conversion of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance to a non-agricultural use will occur as a result of this project.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a) Conflict with or obstruct implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP)?

- ☒ Potentially Significant Impact ☐ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated ☐ No Impact

Potentially Significant Impact: The current 2009 RAQS (SDAPCD 2009) are based on projections for residential, commercial, industrial and recreational land uses contained in the

County's 1979 General Plan (County 1979), which was in place at the time the RAQS were adopted in 2009. The current General Plan, adopted in 2011, allows more dense residential development for the project site than was planned in 1979 based on apparent land use designations for the parcels of Impact Sensitive and Multiple Rural Use, with associated varying residential densities from one dwelling unit per 4, 8 or 20 acres. The current project involves a GPA and is proposing to increase the total number of residential units from 220 units, as allowed under the current 2011 General Plan Land Use Designation, to 453 dwelling units. Because the project is proposing a more dense development than was planned in 2011, it is correspondingly also proposing an increase of units over that proposed in the 1979 General Plan, and therefore the RAQS. This issue will be addressed in the EIR and in the Air Quality Impact Analysis for the project.

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

<input checked="" type="checkbox"/>	Potentially Significant Impact	<input type="checkbox"/>	Less than Significant Impact
<input type="checkbox"/>	Less Than Significant With Mitigation Incorporated	<input type="checkbox"/>	No Impact

Potentially Significant Impact: In general, air quality impacts from projects are the result of emissions from motor vehicles, and from short-term construction activities associated with such projects. The San Diego County Land Use Environment Group (LUEG) has established guidelines for determining significance which incorporate the Air Pollution Control District's (SDAPCD) established screening-level criteria for all new source review (NSR) in APCD Rule 20.2. These screening-level criteria can be used as numeric methods to demonstrate that a project's total emissions (e.g. stationary and fugitive emissions, as well as emissions from mobile sources) would not result in a significant impact to air quality. Since APCD does not have screening-level criteria for emissions of volatile organic compounds (VOCs), the use of the screening level for reactive organic compounds (ROC) from the South Coast Air Quality Management District (SCAQMD) for the Coachella Valley (which are more appropriate for the San Diego Air Basin) are used.

The project proposes the construction of an anticipated 229 residential structures (453 total residential units), as well as a recreational/community building, and a WTWRF, which will result in temporary vehicular emissions during construction. Blasting also may be required during the initial phases of construction, resulting in additional emissions of particulate matter. Project construction is anticipated to take for year to complete. Once the project is operational, emissions will result from area sources (such as natural gas fireplaces, landscaping, and maintenance use of architectural coatings), energy sources, mobile sources, and the proposed WTWRF. The vehicle trips generated by the project are projected to total 4,530 Average Daily Trips (ADTs).

Construction and operation of the proposed project could therefore lead to emissions that could violate an air quality standard or contribute substantially to an existing or projected air quality violation. Air emissions from the project will be evaluated through a technical analysis to quantify maximum daily emissions that can be compared to the appropriate screening

level thresholds, and identify mitigation measures, as necessary. These issues will be fully addressed in the EIR and in the Air Quality Impact Analysis for the project.

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: San Diego County is presently in non-attainment for the 1-hour and 8-hour concentrations under the California Ambient Air Quality Standard (CAAQS) for Ozone (O₃). San Diego County is also presently in non-attainment for the annual geometric mean and for the 24-hour concentrations of Particulate Matter less than or equal to 10 microns (PM₁₀) and Particulate Matter less than or equal to 2.5 microns (PM_{2.5}) under the CAAQS. O₃ is formed when volatile organic compounds (VOCs) and nitrogen oxides (NO_x) react in the presence of sunlight. VOC sources include any source that burns fuels (e.g., gasoline, natural gas, wood, oil); solvents; petroleum processing and storage; and pesticides. Sources of PM₁₀ in both urban and rural areas include: motor vehicles, wood burning stoves and fireplaces, dust from construction, landfills, agriculture, wildfires, brush/waste burning, and industrial sources of windblown dust from open lands.

Air quality emissions associated with the project include emissions of PM₁₀, NO_x and VOCs from construction/grading activities, as well as increased traffic operations. Grading operations associated with the construction of the project would be subject to County of San Diego Grading Ordinance, which requires the implementation of dust control measures. The vehicle trips generated from the project will result in 4,530 Average Daily Trips (ADTs). These project factors could contribute to adverse air quality conditions in San Diego County, especially considering the non-attainment status of the region for the pollutants noted above. These issues will be addressed in the EIR and in the Air Quality Impact Analysis for the project.

- d) Expose sensitive receptors to substantial pollutant concentrations?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: Air quality regulators typically define sensitive receptors as schools (Preschool-12th Grade), hospitals, resident care facilities, or day-care centers, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality. The County of San Diego also considers residences as sensitive receptors since they house children and the elderly.

Sensitive receptors abutting or within a quarter mile of the proposed project include residences to the west and east of the project. There are no schools, hospitals, or other sensitive receptors within this distance of the project site. The project will involve construction over a four-year period, as well as increased traffic once operational. Emissions from construction and operational traffic could result in impacts to nearby sensitive receptors, with a focus on CO and diesel particulate matter.

Additionally, the project will introduce new sensitive receptors into the project area. All these on- and off-site receptors could potentially be exposed to toxic air contaminants in case of accidental release from the potential on-site WTWRF. These issues will be addressed in the EIR and in the Air Quality Impact Analysis for the project.

e) Create objectionable odors affecting a substantial number of people?

- | | | | |
|-------------------------------------|--|--------------------------|------------------------------|
| <input checked="" type="checkbox"/> | Potentially Significant Impact | <input type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Potentially Significant Impact: The project could produce objectionable odors, which will result from the proposed on-site WTWRF. Odors are typically associated with particular steps in the wastewater treatment process. Although odor control design will be incorporated into the design of the WTWRF to minimize affects to nearby sensitive receptors or other sensitive receptors, the potential for odor impacts will be addressed in the EIR and in the Air Quality Impact Analysis for the project.

IV. BIOLOGICAL RESOURCES -- Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service?

- | | | | |
|-------------------------------------|--|--------------------------|------------------------------|
| <input checked="" type="checkbox"/> | Potentially Significant Impact | <input type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Potentially Significant Impact: Based on 2014 surveys by HELIX Environmental Planning (HELIX) the project site includes the following habitats that contain sensitive plant species and/or support sensitive animal: Diegan coastal sage scrub, coastal sage-chaparral transition, granitic southern mixed chaparral, mafic southern mixed chaparral, coast live oak woodland, and non-native grassland. In addition, where project improvements will cross Escondido Creek, there is southern (willow) riparian forest and mule fat scrub. Species known to use these habitats include California coastal gnatcatcher (Federally listed as Threatened, a State Species of Special Concern, and County Group 1 animal; one pair was seen during 2014 surveys) and least Bell's vireo (Federally listed as Endangered, State listed as Endangered, and a County Group 1 animal; known to forage in Escondido Creek based on 2014 surveys).

Additionally, individuals of summer holly (a County List A plant) and wart-stemmed ceanothus (a County List B plant) are known to be on site. A red-shouldered hawk (County Group 1) was observed perched near Escondido Creek. Yellow breasted chat and yellow warbler, both State Species of Concern and County Group 1 and 2 animals, respectively, were in Escondido Creek riparian habitat. Green heron and great blue heron (County Group 2 species) were observed foraging in Escondido Creek. Spiny rush and ashy spike moss (County Group D plants) were observed.

Based on the fact that the site has the potential to support several endangered, threatened, or rare plant or animal species or their habitats; potentially significant adverse direct and indirect, as well as potential cumulative effects to these endangered, threatened, or rare plant or animal species or their habitats will be addressed in the EIR and in the Biological Technical Report for the project.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: As described in IV(a), the project site contains Diegan coastal sage scrub, coastal sage-chaparral transition, granitic southern mixed chaparral, mafic southern mixed chaparral, coast live oak woodland, and non-native grassland. Each of these habitats could be impacted during project grading and construction activities.

The site contains a number of drainages (ephemeral streambed), that bisect the project site and are ultimately tributaries to Escondido Creek. On-site construction could result in on-site impacts to ephemeral streambed, in addition to coast live oak woodland associated with the ephemeral streambed. Southern (willow) riparian forest and mule fat scrub is located adjacent to the "Arizona" crossing of Escondido Creek. Project-related access construction could also result in off-site impacts to both of these vegetation communities. Altogether, the project could result in impacts to wetlands and/or waters of the U.S. and non-wetland waters of the U.S. subject to USACE jurisdiction; vegetated streambed and unvegetated streambed subject to CDFW jurisdiction; and RPO wetland subject to County jurisdiction. These issues will be fully addressed in the EIR and in the Biological Technical Report for the project.

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: Project-related construction could result in impacts to mule fat scrub and southern willow riparian forest associated with the crossing of Escondido Creek. Specifically, this will have to do with grading to re-contour the streambed to a more natural flow (eliminating culverts and portions of rip-rap that currently support an approximately five-foot drop-off between roadbed and creek bed west of the current "Arizona" crossing [resulting from scour associated with culverts]), as well as potential placement of fill. This will result in impacts to wetlands and waters of the U.S. and non-wetland waters of the U.S. subject to USACE jurisdiction. The impacts will be temporary for resident access/egress, equipment maneuvering, and staging during bridge construction. Permanent impacts will be limited to potential bridge abutments, footings, and bank stabilization.

Project-related impacts, therefore, may result in significant alterations to known watersheds or wetlands identified as jurisdictional wetlands or waters by USACE and will require a 404 Permit. USACE jurisdictional waters and potential impacts will be fully addressed in the EIR and in the Biological Technical Report for the project.

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

<input checked="" type="checkbox"/>	Potentially Significant Impact	<input type="checkbox"/>	Less than Significant Impact
<input type="checkbox"/>	Less Than Significant With Mitigation Incorporated	<input type="checkbox"/>	No Impact

Potentially Significant Impact: In the context of the Draft North County Multiple Species Conservation Program (MSCP) Plan, the study area occurs within lands identified as potential pre-approved mitigation area (PAMA) in the vicinity of core area, outside of any linkage area. With respect to wildlife movement in the region, conservation targets generally include conserving a contiguous riparian corridor in Escondido Creek, and conserving a large core area of upland habitat around DDHP and EFRR. Related to these are conserving regional movement within core area associated with DDHP and EFRR, and conserving access to the Escondido Creek corridor from the core area.

The project could impede wildlife access to on- and off-site areas that may be used for foraging, breeding, or obtaining water. Although wildlife will be expected to have unobstructed access around work areas by moving along the eastern boundary of the project site, through the open space proposed for conservation in the southern portions of the site, and finally to the downstream reach of Escondido Creek further to the west of the site; access along the small reach of Escondido Creek that occurs at the Country Club Drive crossing will be temporarily interrupted during construction. Issues related to corridors and linkages, artificial corridors, adequate visual continuity, indirect effects, etc. on both a project direct and potential cumulative basis will be addressed in the EIR and in the Biological Technical Report for the project.

- e) Conflict with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan or any other local policies or ordinances that protect biological resources?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The project is being reviewed for consistency with the Natural Communities Conservation Plan (Habitat Loss Permit [HLP] Ordinance and Planning Agreement), Habitat Management Plans (HMPs), Special Area Management Plans (SAMP), and the Resource Protection Ordinance (RPO). The potential for the project to affect future NCCP planning even though it is outside an approved/adopted MSCP area will also be addressed in the EIR and the Biological Technical Report for the project.

V. CULTURAL RESOURCES -- Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: No standing structures are located on the site, but prior on-site survey and testing of resources in 2006 by RECON identified remnants of an old cistern and residential uses. These remnants of an abandoned farm complex were documented as CA-SDI 18,320. No information was found to associate the site uses with a significant event in California's history or cultural heritage. The owners of the land were known in the Escondido area, but nothing could be found to link them to significant events in Harmony Grove, Escondido, San Diego County, or California's past. Additionally, because none of the structural remains associated with the site was intact and there were no distinctive characteristics associated with those remnants, no valuable information could be discerned regarding the history of the region. If historic buried features are present in the project area, there is a potential that they could provide insight into life during the late Mexican and early American periods in San Diego County. This will be addressed in the EIR and Cultural Resources Technical Report prepared for the project.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: A number of archaeological resources have been identified within a mile radius of the site. No prehistoric archaeological resources were identified during 2006 surveys by RECON or 2014 site surveys by ASM Affiliates Inc. There is, however, a potential for prehistoric archaeological deposits to lie buried below the site alluvium, and/or that the discovery of sites has been hampered by dense vegetation. Therefore, there is potential for grading activities associated with construction of the proposed project to result in the discovery of previously unrecorded, potentially significant archaeological resources; and for the project to cause a substantial adverse change in the significance of those resources. There is a similar potential for prehistoric archaeological deposits to lie buried below the surface in areas identified for off-site project improvements. A significant direct (and possible cumulative) impact is therefore possible, that will be addressed in the EIR and the Cultural Resources Technical Report for the project.

c) Directly or indirectly destroy a unique geologic feature?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: San Diego County has a variety of geologic environments and geologic processes which generally occur in other parts of the state, country, and the world. However, some features stand out as being unique in one way or another within the boundaries of the County. The site does not contain any unique geologic features that have been listed in the County's Guidelines for Determining Significance for Unique Geology Resources nor does the site support any known geologic characteristics that have the potential to support unique geologic features.

d) Directly or indirectly destroy a unique paleontological resource or site?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: A review of the County's Paleontological Resources Maps indicates that the project is located entirely on plutonic igneous rock (cretaceous-age granitic rocks) with no potential for producing fossil remains, or alluvium/colluvium (with a low, but possible, potential for direct and/or cumulative impacts.) The project area is outside the area identified for paleontological monitoring on the County's Paleontological Resources Potential and Sensitivity Map (County 2009). These issues will be addressed in the project EIR.

e) Disturb any human remains, including those interred outside of formal cemeteries?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: During the current archaeological evaluation, no evidence of human remains, including those interred outside of formal cemeteries, was identified during the records search, literature review, field survey, or site testing and evaluation program. A number of archaeological resources have been identified within a mile radius of the site, however. A grading monitoring program will be included in the mitigation monitoring and reporting program which includes California State law requirements should human remains be identified during ground disturbing activities. For all of these reasons, discovery of human remains is considered unlikely. If, however, human remains were to be unexpectedly unearthed during grading activities, impacts could be significant. This issue will be addressed in the EIR and the Cultural Resources Technical Report for the project.

VI. GEOLOGY AND SOILS -- Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
- i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

<input type="checkbox"/> Potentially Significant Impact	<input checked="" type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Less Than Significant Impact: No known active or potentially active faults, or associated Alquist-Priolo/County Special Study Zones, are mapped or known to occur within or adjacent to the project site, with the closest active fault located approximately 13 miles to the west along the Newport-Inglewood and Rose Canyon Fault Zone. The closest fault zone designations include an Alquist-Priolo Earthquake Zone approximately 18 miles to the southwest along a section of the Newport-Inglewood and Rose Canyon Fault Zone in La Jolla, while the closest County Special Study Zone is located along the Elsinore Fault Zone approximately 20 miles to the northeast (California Geological Survey 2010, 2007; County 2007). Therefore, there will be no potentially significant impact from the exposure of people or structures to a known fault-rupture hazard zone as a result of this project. This issue will be addressed in the EIR and Geotechnical Report prepared for the project.

- ii. Strong seismic ground shaking?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: Although the project site is not located in a hazard zone identified by the Alquist-Priolo Earthquake Fault Zoning Act, the project site can be subject to ground shaking from seismic activity. To ensure the structural integrity of all buildings and

structures, the project must conform to the Seismic Requirements as outlined within the California Building Code. The County Code requires a soils compaction report with proposed foundation recommendations to be approved before the issuance of a building permit. Therefore, standard engineering and construction practices, and required compliance with the California Building Code and the County Code, will ensure the project will not result in a potentially significant impact from the exposure of people or structures to potential adverse effects from strong seismic ground shaking. This issue will be addressed in the EIR and Geotechnical Report prepared for the project.

iii. Seismic-related ground failure, including liquefaction?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The project site is not within a "Potential Liquefaction Area" as identified in the County Guidelines for Determining Significance for Geologic Hazards (2007). This indicates that the liquefaction potential at the site is low. It should also be noted, however, that two areas of potentially shallow, seasonal groundwater were identified during site investigation by GEOCON. A number of standard design and construction measures have been identified that will address any associated liquefaction potential in these (or other) areas, including efforts such as installation of subdrains in appropriate areas to avoid near-surface saturation, removal of unsuitable (e.g., compressible) deposits in areas proposed for development, and replacement of unsuitable materials with engineered fill. In addition, these standard remedial efforts associated with liquefaction and related hazards will be verified through plan review and site-specific geotechnical observations and testing during project excavation, grading, and construction activities. Implementation of standard engineering and construction practices, as well as conformance with applicable regulatory/industry standards, will avoid or reduce potential project-related impacts associated with seismically induced liquefaction and related hazards to less than significant levels. This issue will be addressed in the EIR and Geotechnical Report prepared for the project.

iv. Landslides?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The project site is not within a "Landslide Susceptibility Area" as identified in the County Guidelines for Determining Significance for Geologic Hazards. Landslide Susceptibility Areas were developed based on landslide risk profiles included in the *Multi-Jurisdictional Hazard Mitigation Plan, San Diego, CA* (URS 2004). Landslide risk areas from this plan were based on data including steep slopes (greater than 25%); soil series data (SANDAG based on USGS 1970s series); soil-slip susceptibility from USGS; and Landslide Hazard Zone Maps (limited to western portion of the County) developed by the California Department of Conservation, Division of Mines and Geology (DMG). Also included within

Landslide Susceptibility Areas are gabbroic soils on slopes steeper than 15% in grade because these soils are slide prone. Since the project is not located within an identified Landslide Susceptibility Area and the geologic environment has a low probability to become unstable, the project will have a less than significant impact from the exposure of people or structures to potential adverse effects from landslides. Additionally, implementation of standard engineering and construction practices, as well as conformance with applicable regulatory/industry standards and use of drought-tolerant landscaping and irrigation controls, will additionally avoid or reduce potential project-related impacts to less than significant levels. This issue will be addressed in the EIR and Geotechnical Report prepared for the project.

b) Result in substantial soil erosion or the loss of topsoil?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: According to the Natural Resources Conservation Service (NRCS 2007, 1973), the soils on-site are identified as Cieneba, Escondido, Huerhuero, Las Posas, Visalia, and Wyman. These soil types have soil erodibility ratings ranging from “low” to “high.” In general, the project will not result in substantial soil erosion or the loss of topsoil because, the project is required to comply with the San Diego County Code of Regulations, Title 8, Zoning and Land Use Regulations, Division 7, Sections 87.414 (DRAINAGE - EROSION PREVENTION) and 87.417 (PLANTING). Compliance with these regulations minimizes the potential for water and wind erosion.

It is understood, however, that while graded, excavated and filled areas associated with construction activities will be stabilized through efforts such as compaction and installation of hardscape and landscaping, erosion potential will be higher in the short-term than for existing conditions. Developed areas will be especially susceptible to erosion between the beginning of grading/construction and the installation of pavement or establishment of permanent cover in landscaped areas. While erosion and sedimentation are not considered to be significant long-term concerns for the proposed project because developed areas will be stabilized through installation of hardscape or landscaping, and the project will incorporate long-term water quality controls pursuant to County and NPDES guidelines, including measures that will avoid or reduce off-site sediment transport through use of detention/water quality basins, energy dissipators, irrigation controls and drainage facility maintenance (i.e., to remove accumulated sediment), the short-term water quality effects from project-related erosion and sedimentation could potentially affect downstream waters and associated wildlife habitats, with such impacts considered potentially significant. These issues will be addressed in the EIR and Storm Water Management Plan prepared for the project. Erosion and sedimentation controls implemented for the project will be further defined during the NPDES/County Storm Water Pollution Prevention Plan process, with the resulting BMPs taking priority over the more general types of standard industry measures.

- c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in an on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

<input type="checkbox"/> Potentially Significant Impact	<input checked="" type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Less than Significant Impact: The proposed project involves 850,000 cubic yards of grading that would result in the creation of areas of cut and areas underlain by fill. In order to assure that any proposed buildings are adequately supported a Soils Engineering Report is required as part of the Building Permit process. This Report would evaluate the strength of underlying soils and make recommendations on the design of building foundation systems. The Soils Engineering Report must demonstrate that a proposed building meets the structural stability standards required by the California Building Code. The report must be approved by the County prior to the issuance of a Building Permit. With this standard requirement, impacts would be less than significant. This issue will be addressed in the EIR and Geotechnical Report prepared for the project.

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: Expansive (or shrink-swell) behavior in soils is attributable to the water-holding capacity of clay minerals, and can adversely affect the integrity of facilities such as foundations, pavement and underground utilities. On-site conditions from very low expansive silty sands, to potentially highly expansive topsoil, alluvium and/or colluvium containing clay materials. Accordingly, a number of standard measures will be required to address potential expansion impacts. Specifically, these include efforts such as: (1) removing and replacing expansive soils with engineered fill exhibiting very low or low expansion potential (per IBC/CBC or other applicable regulatory/industry criteria); (2) use of appropriate foundation design (including post-tensioned slabs), reinforcement and footing depths; (3) implementation of appropriate concrete placement methodology and design, including proper installation/curing and moisture conditioning, doweling (anchoring) of exterior flatwork and driveways to building foundations, and use of crack-control joints; and (4) use of subdrains in appropriate areas to avoid near-surface saturation. These standard recommendations will be verified through plan review and site-specific geotechnical observations and testing during project excavation, grading and construction activities. Implementation of such design and construction recommendations, as well as conformance with applicable County, IBC/CBC, Greenbook or other pertinent guidelines (e.g., improvement requirements identified in the 1997 Uniform Building Code, Division III – Design Standard for Design of Slab-On-Ground Foundations to Resist the Effects of Expansive Soils and Compressible Soils), will ensure suitable structure safety in areas with expansive soils. Therefore, these soils will not create

substantial risks to life or property. This issue will be addressed in the EIR and Geotechnical Report prepared for the project.

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input checked="" type="checkbox"/> No Impact

No Impact: The project will include either an on-site WTWRF or connection to an adjacent WTWRF (located within 550 feet of the project) to serve the project needs. No septic tanks or alternative wastewater disposal systems are proposed.

VII. GREENHOUSE GAS EMISSIONS -- Would the project:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact:

GHGs include carbon dioxide, methane, halocarbons (HFCs), and nitrous oxide, among others. Human induced GHG emissions are a result of energy production and consumption, and personal vehicle use, among other sources. A regional GHG inventory prepared for the San Diego Region¹ identified on-road transportation (cars and trucks) as the largest contributor of GHG emissions in the region, accounting for 46% of the total regional emissions. Electricity and natural gas combustion were the second (25%) and third (9%) largest regional contributors, respectively, to regional GHG emissions.

In the County's guidance document, *Recommended Approach to Addressing Climate Change in CEQA Documents* (January 2015), the County recommends using a 900 MT of CO₂e per year screening threshold. The size of a typical single-family residential project that would exceed that threshold is 50 units. Because the proposed project consists of 453 units, the project will potentially exceed the County's threshold. These issues will be explored in the EIR and the Greenhouse Gas Analyses Report prepared for the project.

- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

¹ San Diego County Greenhouse Gas Inventory: An Analysis of Regional Emissions and Strategies to Achieve AB 32 Targets. University of San Diego and the Energy Policy Initiatives Center (EPIC), September 2008.

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The County of San Diego's General Plan incorporates various climate change goals and policies. These policies provide direction for individual development projects to reduce GHG emissions.

The project is above the County of San Diego recommended screening criterion for single-family housing developments and could have a cumulatively considerable impact with regard to GHG emissions. Development projects that could have cumulatively considerable GHG emission need to meet Performance Thresholds to reduce emissions from "business as usual" by a minimum of 16 percent in order to not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. These issues will be addressed in the EIR and Greenhouse Gas Analyses Report prepared for the project.

VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact: The project proposes a Wastewater Treatment/Water Reclamation Facility (WTWRF) which could require the routine use and storage of hazardous materials. However, the project will not result in a significant hazard to the public or environment because all storage, handling, transport, emission and disposal of hazardous substances will be in full compliance with local, State, and Federal regulations. California Government Code § 65850.2 requires that no final certificate of occupancy or its substantial equivalent be issued unless there is verification that the owner or authorized agent has met, or is meeting, the applicable requirements of the Health and Safety Code, Division 20, Chapter 6.95, Article 2, Section 25500-25520.

The San Diego County Department of Environmental Health Hazardous Materials Division (DEH HMD) is the Certified Unified Program Agency (CUPA) for San Diego County responsible for enforcing Chapter 6.95 of the Health and Safety Code. As the CUPA, the DEH HMD is required to regulate hazardous materials business plans and chemical inventory, hazardous waste and tiered permitting, underground storage tanks, and risk management plans. The Hazardous Materials Business Plan is required to contain basic information on the location, type, quantity and health risks of hazardous materials stored, used, or disposed of onsite. The plan also contains an emergency response plan which describes the procedures for mitigating a hazardous release, procedures and equipment for minimizing the potential

damage of a hazardous materials release, and provisions for immediate notification of the HMD, the Office of Emergency Services, and other emergency response personnel such as the local Fire Agency having jurisdiction. Implementation of the emergency response plan facilitates rapid response in the event of an accidental spill or release, thereby reducing potential adverse impacts. Furthermore, the DEH HMD is required to conduct ongoing routine inspections to ensure compliance with existing laws and regulations; to identify safety hazards that could cause or contribute to an accidental spill or release; and to suggest preventative measures to minimize the risk of a spill or release of hazardous substances.

Therefore, due to the strict requirements that regulate hazardous substances outlined above and the fact that the initial planning, ongoing monitoring, and inspections will occur in compliance with local, State, and Federal regulation; the project will not result in any potentially significant impacts related to the routine transport, use, and disposal of hazardous substances or related to the accidental explosion or release of hazardous substances. This will be addressed in the EIR and the Phase I Environmental Site Assessment prepared for the project.

- b) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input checked="" type="checkbox"/> No Impact

No Impact: The project is not located within one-quarter mile of an existing or proposed school. Therefore, the project will not have any effect on an existing or proposed school.

- c) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, or is otherwise known to have been subject to a release of hazardous substances and, as a result, would it create a significant hazard to the public or the environment?

<input type="checkbox"/> Potentially Significant Impact	<input checked="" type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Less than Significant Impact: Based on a site visit and regulatory database search, the project site has not been subject to a release of hazardous substances. The project site is not included in any of the following lists or databases: the Federal RCRA-Small Quantity Generators (SQG) list, State Spills, Leaks, Investigations and Cleanup (SLIC Program), Historical Underground Storage Tank (Hist UST) Regulatory Database, Statewide Environmental Evaluation and Planning System (SWEEPS) UST Database, or the San Diego County DEH Site Assessment and Mitigation (SAM) Case Listing, the Department of Toxic Substances Control (DTSC) Site Mitigation and Brownfields Reuse Program Database ("CalSites" Envirostor Database). Additionally, the project does not propose structures for human occupancy or significant linear excavation within 1,000 feet of an open, abandoned, or closed landfill, is not located on or within 250 feet of the boundary of a parcel identified as

containing burn ash (from the historic burning of trash), is not on or within 1,000 feet of a Formerly Used Defense Site (FUDS), and is not known to be located on a site with the potential for contamination from historic uses such as intensive agriculture, industrial uses, a gas station or vehicle repair shop. Therefore, the project is not known to create a significant hazard to the public or environment. This will be addressed in the EIR and the Phase I Environmental Site Assessment prepared for the project.

- d) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input checked="" type="checkbox"/> No Impact

No Impact: The proposed project is not located within an Airport Land Use Compatibility Plan (ALUCP), an Airport Influence Area, or a Federal Aviation Administration Height Notification Surface. Also, the project does not propose construction of any structure equal to or greater than 150 feet in height, constituting a safety hazard to aircraft and/or operations from an airport or heliport. Therefore, the project will not constitute a safety hazard for people residing or working in the project area.

- e) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input checked="" type="checkbox"/> No Impact

No Impact: The proposed project is not within one mile of a private airstrip. As a result, the project will not constitute a safety hazard for people residing or working in the project area.

- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

<input type="checkbox"/> Potentially Significant Impact	<input checked="" type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

The following sections summarize the project's consistency with applicable emergency response plans or emergency evacuation plans.

- i. OPERATIONAL AREA EMERGENCY PLAN AND MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN:

Less Than Significant Impact: The Operational Area Emergency Plan is a comprehensive emergency plan that defines responsibilities, establishes an emergency organization, defines lines of communications, and is designed to be part of the statewide Standardized Emergency Management System. The Operational Area Emergency Plan provides guidance for emergency planning and requires subsequent plans to be established by each jurisdiction that has responsibilities in a disaster situation. The Multi-Jurisdictional Hazard Mitigation Plan includes an overview of the risk assessment process, identifies hazards present in the jurisdiction, hazard profiles, and vulnerability assessments. The plan also identifies goals, objectives and actions for each jurisdiction in the County of San Diego, including all cities and the County unincorporated areas. The project will not interfere with this plan because it will not prohibit subsequent plans from being established or prevent the goals and objectives of existing plans from being carried out.

ii. SAN DIEGO COUNTY NUCLEAR POWER STATION EMERGENCY
RESPONSE PLAN:

No Impact: The San Diego County Nuclear Power Station Emergency Response Plan will not be interfered with by the project due to the location of the project, plant and the specific requirements of the plan. The emergency plan for the San Onofre Nuclear Generating Station includes an emergency planning zone within a 10-mile radius. All land area within 10 miles of the plant is not within the jurisdiction of the unincorporated County and as such a project in the unincorporated area is not expected to interfere with any response or evacuation.

iii. OIL SPILL CONTINGENCY ELEMENT

No Impact: The Oil Spill Contingency Element will not be interfered with because the project is not located along the coastal zone or coastline.

iv. EMERGENCY WATER CONTINGENCIES ANNEX AND ENERGY SHORTAGE
RESPONSE PLAN

No Impact: The Emergency Water Contingencies Annex and Energy Shortage Response Plan will not be interfered with because the project does not propose altering major water or energy supply infrastructure, such as the California Aqueduct.

v. DAM EVACUATION PLAN

No Impact: The Dam Evacuation Plan will not be interfered with because the project is not located within a dam inundation zone.

- g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

<input checked="" type="checkbox"/>	Potentially Significant Impact	<input type="checkbox"/>	Less than Significant Impact
<input type="checkbox"/>	Less Than Significant With Mitigation	<input type="checkbox"/>	No Impact

Incorporated

Potentially Significant Impact: The proposed project is adjacent to wildlands that have the potential to support wildland fires. The project is, however, subject to strict regulations relating to emergency access, water supply, and defensible space specified in the County Fire Code designed to lower exposure of people or structures to a significant risk of loss, injury or death involving wildland fires.

The Maximum Travel Time allowed for the project's proposed land use designation pursuant to the County Safety Element is five minutes. Fire Service will be provided by the new fire station approved as part of the Harmony Grove Village project. This fire station will be less than 1.3 miles from the site, with an estimated travel time of less than three minutes to the most distant on-site structure. Confirmation of this time, as well as details regarding limited building zones, fuel management, street turn radii, water pressure and fire hydrant locations, building standards, etc. will be addressed in the EIR and Fire Protection Plan provided for the project.

- h) Propose a use, or place residents adjacent to an existing or reasonably foreseeable use that would substantially increase current or future resident's exposure to vectors, including mosquitoes, rats or flies, which are capable of transmitting significant public health diseases or nuisances?

<input checked="" type="checkbox"/>	Potentially Significant Impact	<input type="checkbox"/>	Less than Significant Impact
<input type="checkbox"/>	Less Than Significant With Mitigation	<input type="checkbox"/>	No Impact

Incorporated

Potentially Significant Impact: The project proposes an on-site WTWRF. This type of facility has been associated with attracting vectors, and may contribute to a cumulative issue given the proximity of the Harmony Grove facility within 550 feet. This issue will be addressed in the EIR and Sewer Master Plan prepared for the project.

IX. HYDROLOGY AND WATER QUALITY -- Would the project:

- a) Violate any waste discharge requirements?

<input checked="" type="checkbox"/>	Potentially Significant Impact	<input type="checkbox"/>	Less than Significant Impact
<input type="checkbox"/>	Less Than Significant With Mitigation	<input type="checkbox"/>	No Impact

Incorporated

Potentially Significant Impact: The project would include grading in order to support site development and would include potential implementation of a WTWRF or specific elements thereof. It is required to comply with all waste discharge requirements; however, additional analysis is required to demonstrate compliance. A discussion of special site design considerations, source control Best Management Practices (BMPs) and treatment control BMPs, under the San Diego Municipal Storm Water Permit (SDRWQCB Order No. R9-2007-0001) as implemented by the San Diego County Jurisdictional Urban Runoff Management Program (JURMP) and Standard Urban Storm Water Mitigation Plan (SUSMP), and

compliance with any other waste discharge requirements will be discussed as a part of the EIR, Storm Water Management Plan (SWMP) and CEQA Preliminary Hydrology/Drainage Study, (Hydrology/Drainage Study) prepared for the project, as appropriate.

- b) Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, could the project result in an increase in any pollutant for which the water body is already impaired?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant With Mitigation Incorporated: The project lies in the Escondido Creek hydrologic area (HA) and the Escondido hydrologic subarea (HSA), within the Carlsbad hydrologic unit - that is impaired for Coliform bacteria, nutrients, heavy metals, and pesticides. The project could result in an increase of pollutants for which the water body is already impaired through sedimentation into downstream waters during construction. Construction-related hazardous materials could also be subject to accidental release which could potentially result in significant impacts if pollutants reach downstream receiving waters (particularly petroleum compounds that are potentially toxic to aquatic species in low concentrations). Disposal of any extracted shallow groundwater into local drainages could also result in an increase in impacts related to the occurrence of potential pollutants in local groundwater aquifers. Long-term operation and maintenance impacts could result from project trash and debris, oil and grease, bacteria, pesticide use, etc. Construction BMPs and controls, as well as LID/Site design BMPs (to avoid, minimize and/or control post-development runoff, erosion potential and pollutants generation by mimicking the natural hydrologic regime) and source control BMPs (to avoid or minimize the introduction of pollutants into storm drains and natural drainages) as well as LID and treatment control BMPs (to remove pollutants from urban runoff from a storm event through filtering, treatment or infiltration), as well as monitoring/maintenance BMPs will all be incorporated into the project. The applicant will be required to design the project to meet the performance standards of the County Watershed Protection, Storm Water Management, and Discharge Control Ordinance (WPO) for flow control and erosion, and surface and ground water quality. These issues will all be addressed in the EIR, SWMP, Hydrology/Drainage Study prepared for the project, as well as the NPDES/County SWPPP process, and NPDES Groundwater and Municipal Permits, as appropriate.

- c) Could the proposed project cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Regional Water Quality Control Board has designated water quality objectives for waters of the San Diego Region to protect the existing and potential beneficial uses of each hydrologic unit. The project lies in the Escondido Creek HA and the

Escondido HSA, within the Carlsbad hydrologic unit that has the following existing and potential beneficial uses for inland surface waters, coastal waters, reservoirs and lakes, and ground water: municipal and domestic supply; agricultural supply; industrial service supply; hydropower generation; contact water recreation; non-contact water recreation; warm freshwater habitat; cold freshwater habitat; wildlife habitat; commercial and sport fishing; aquaculture; estuarine habitat; marine habitat; migration of aquatic organisms; shellfish harvesting; and, rare, threatened, or endangered species habitat.

The project will include a number of required features that would minimize project-related runoff that would cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives. Applicable surface or groundwater water quality objectives and project controls will be addressed in the EIR, SWMP, Hydrology/Drainage Study prepared for the project, as well as the NPDES/County SWPPP process, and NPDES Groundwater and Municipal Permits, as appropriate.

- d) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input checked="" type="checkbox"/> No Impact

No Impact: The project will obtain its water supply from the Rincon MWD that obtains water from surface reservoirs or other imported water source. The project will not use any groundwater for any purpose, including irrigation, domestic or commercial demands. In addition, the project does not involve operations that would interfere substantially with groundwater recharge including, but not limited to the following: regional diversion of water to another groundwater basin; or diversion or channelization of a stream course or waterway with impervious layers, such as concrete lining or culverts, for substantial distances (e.g. 0.25 mile). Therefore, no substantial depletion or interference with recharge would occur and no impact to groundwater resources is identified.

- e) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The project is expected to continue to drain primarily to the north and west, and to retain overall existing drainage features, including the use of similar outlet points for flows discharged from the site. The potential exists for alteration of the

existing drainage pattern of the area in a manner which could result in substantial erosion or siltation because of the level of proposed grading. The applicant will be required to design the project to meet the performance standards of the County WPO for flow control and erosion, and surface and ground water quality. Conformance to the WPO will be addressed in the EIR, SWMP and Hydrology/ Drainage Study prepared for the project, as appropriate.

- f) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The project is expected to continue to drain primarily to the north and west, and to retain overall existing drainage features. The project proposes 850,000 cubic yards of cut and fill which could affect flow patterns, as well as construction of addition new impervious surfaces, including pavement and structures. These latter areas would increase both the rate and amount of runoff within the site by reducing infiltration capacity and concentrating flows. Proposed on-site storm drain facilities include a series of curb/gutter inlets and two hydromodification/water quality basins (basins), all of which would be tied to an underground storm drain system of pipelines and related structures. Confirmation that drainage will be conveyed to either natural drainage channels or approved drainage facilities, that project facilities will accommodate peak 100-year storm flows pursuant to County guidelines, and that the proposed project will not substantially alter the existing drainage pattern or substantially increase the rate or amount of runoff in a manner that could result in on- or off-site flooding will be provided in the EIR and SWMP prepared for the project.

- g) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The project proposes construction of impervious surfaces, including pavement and structures. These areas would increase both the rate and amount of runoff within the site by reducing infiltration capacity and concentrating flows. Proposed on-site storm drain facilities include a series of curb/gutter inlets and two hydromodification/water quality basins (basins), all of which would be tied to an underground storm drain system of pipelines and related structures. Confirmation that drainage facilities will accommodate peak 100-year storm flows pursuant to County guidelines, and that runoff from the proposed project will not exceed the capacity of existing or planned storm water drainage systems will be provided in the EIR and SWMP prepared for the project.

- h) Provide substantial additional sources of polluted runoff?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The project may involve potential sources of polluted runoff. Therefore, the project must incorporate site design measures and/or source control BMPs and/or treatment control BMPs to reduce potential pollutants in runoff to the maximum extent practicable. These issues will be addressed in the EIR and SWMP prepared for the project.

- i) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including County Floodplain Maps?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact: Most portions of the Project site, including all proposed habitable structures, are not located within a mapped 500- or 100-year floodplain area as depicted on the associated FEMA FIRM panel (FEMA 2009), County Floodplain Map or County Alluvial Plain Map. The northernmost portion of the site includes areas mapped as Zone AE and "other flood areas" (Zone X), with associated Project facilities located within these designations including the potential on-site WTWRF/sewer elements and the portion of the off-site improvements along Country Club Drive extending across Escondido Creek. This issue will be addressed in the EIR and Hydrology/Drainage Study prepared for the project.

- j) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The potential on-site WTWRF/sewer elements and the portion of the off-site improvements along Country Club Drive extending across Escondido Creek are planned to be located within FIRM-identified floodplain. Preliminary analysis of hydraulics associated with the proposed bridge over Escondido Creek by Project Design Consultants indicates that the proposed bridge would not be subject to flood-related hazards or notably redirect/impede flood flows. Preliminary design for potential on-site sewage facilities identifies a pad elevation higher than mapped 100-year flood elevations in this portion of the site. Accordingly, the potential treatment plant site would be elevated above the 100-year flood level under the proposed design, and is not anticipated to notably redirect/impede flood flows. The preliminary bridge and WTWRF design criteria used in this analysis will be verified or refined based on a project-specific HEC-RAS analysis to be conducted as part of the

ongoing project design process. These issues will be analyzed in the EIR, Hydrology/Drainage Study, and HEC-RAS analysis prepared for the project.

- k) Expose people or structures to a significant risk of loss, injury or death involving flooding?

<input type="checkbox"/> Potentially Significant Impact	<input checked="" type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Less Than Significant Impact: The proposed residential lots are located at an elevation that would prevent exposure of people or property to flooding.

- l) Expose people or structures to a significant risk of loss, injury or death involving flooding as a result of the failure of a levee or dam?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input checked="" type="checkbox"/> No Impact

No Impact: The project site lies outside a mapped dam inundation area for a major dam/reservoir within San Diego County. In addition, the project is not located immediately downstream of a minor dam that could potentially flood the property. Therefore, the project will not expose people to a significant risk of loss, injury or death involving flooding as a result of levee or dam failure.

- m) Inundation by seiche, tsunami, or mudflow?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

i. SEICHE

No Impact: The project site is not located along the shoreline of a lake or reservoir; therefore, could not be inundated by a seiche.

ii. TSUNAMI

No Impact: The project site is located more than a mile from the coast; therefore, in the event of a tsunami, would not be inundated.

iii. MUDFLOW

Potentially Significant Impact: Mudflow is a type of landslide. The project site is not within a "Landslide Susceptibility Area" as identified in the County Guidelines for Determining

Significance for Geologic Hazards. As described for VI(a)(iv), above, however, this issue will be addressed in the EIR and Geotechnical Report prepared for the project.

X. LAND USE AND PLANNING -- Would the project:

a) Physically divide an established community?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less than Significant Impact: The site is mostly vacant at this time, 453 dwelling units, limited commercial, institutional and open space are proposed. The proposed project will not significantly disrupt or divide the established community for the following reasons:

- No public services are located in the project vicinity that would be blocked by the project, and
- Through access would be provided via retained access easements to landlocked neighbors to the east and would be improved via additional pavement and roadway width.

In addition, community interaction would be improved via road improvements to existing roads that would enhance the existing vehicular and non-vehicular linkages between community members by:

- Improving the intersection of Harmony Grove Road and Country Club Drive;
- Contributing to (or implementing with future fair share contributions by others) the bridge over Escondido Creek which would allow community members to access (or leave) areas south of the creek during flood conditions;
- Marking cross-walks across Country Club Drive from the HGV-approved multi-use trail to the east side of Country Club Drive; and
- Installing a pathway along the east side of Country Club Drive from the intersection with Harmony Grove Road to the southern project entrance that could be used by all existing and future community residents.

As a result, the project will not result in physical division of an existing community, but would rather enhance the ability of community residents to interact.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The project proposes extension of the contiguous HGV Village designation to the project parcels, in accordance with the proposed Specific Plan. A GPA is proposed to change approximately 111.1 acres from Semi-rural Residential (SR-) 0.5 and Rural Lands (RL-) 20 to a combination of SR-0.5 and Village Residential (VR-) 10.9 in the General Plan, and a rezone is proposed to change zoning from A-70 and Rural Residential to S88 (Specific Plan). The proposed land use designations of SR-0.5 and VR-10.9 and zoning would allow a more dense development, with 2 to 10.9 dwellings per acre.

Land Use Element: Changes in land use designations must be reviewed in the context of all relevant goals and policies of the General Plan. A preliminary list of goals and policies that will be examined in the context of the EIR for direct or cumulative issues includes:

General Plan Goal LU-1: A land use plan and development doctrine that sustain the intent and integrity of the Community Development Model and the boundaries between Regional Categories

General Plan Policy LU-1.4: Permit new Village Regional Category designated land uses only where contiguous with an existing or planned Village and where all of the following criteria are met:

- Potential Village development would be compatible with environmental conditions and constraints, such as topography and flooding.
- Potential Village development would be accommodated by the General Plan road network.
- Public facilities and services can support the expansion without a reduction of services to other County residents.
- The expansion is consistent with community character, the scale, and the orderly contiguous growth of a Village area.

General Plan Policy LU-1.12.1: A rural residential lifestyle built in a fashion that is compatible with and sensitive to its natural setting; unspoiled views of intact hills, valleys and creeks.

General Plan Goal LU-3.1: The continued preservation of Harmony Grove's sensitive and endangered habitats.

General Plan Policy LU-3.1.1: Encourage the restoration and maintain the watershed, creeks, and riparian areas.

General Plan Goal LU-3.3: A community where significant prehistoric and historic cultural resources will be preserved. (Harmony Grove)

General Plan Policy LU-3.3.1: Require development to incorporate the prehistoric and historic rural theme of this community.

In addition, because the project is outside of the existing County Sanitation District boundary, it will require annexation and approval by LAFCO. LAFCO is a CEQA "Responsible Agency" and will make its annexation determinations relying upon the project's certified EIR. Therefore, the EIR must consider appropriate LAFCO policies and impact analysis related to the provision of services under LAFCO's purview.

The EIR must also discuss compliance with ordinances and regulations applicable to the project, including but not limited to:

County of San Diego Resource Protection Ordinance
County of San Diego Stormwater and Watershed Protection Ordinances
County of San Diego Habitat Loss Permit Ordinance (NCCP)
County of San Diego Noise Ordinance
State and local fire regulations.

All of these issues will be addressed in the EIR for the project.

XI. MINERAL RESOURCES -- Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

<input type="checkbox"/> Potentially Significant Impact	<input checked="" type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Less Than Significant Impact: The project site has been classified by the California Department of Conservation – Division of Mines and Geology (Update of Mineral Land Classification: Aggregate Materials in the Western San Diego Production-Consumption Region, 1997) as an area of "Potential Mineral Resource Significance" (MRZ-3). However, the project site is surrounded by existing and proposed residential areas which are incompatible to future extraction of mineral resources on the project site. A future mining operation at the project site would likely create a significant impact to neighboring properties for issues such as noise, air quality, traffic, and possibly other impacts. Therefore, implementation of the project will not result in the loss of availability of a known mineral resource that would be of value since the mineral resource has already been lost due to incompatible surrounding land uses.

- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input checked="" type="checkbox"/> No Impact

No Impact: The project site is not located in an area that has MRZ-2 designated lands or is located within 1,300 feet of such lands. Therefore, the proposed project would not result in the

loss of availability of locally important mineral resource(s). No potentially significant loss of availability of a known mineral resource of locally important mineral resource recovery (extraction) site delineated on a local general plan, specific plan or other land use plan will occur as a result of this project.

XII. NOISE -- Would the project result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The project is a large residential development that would involve major grading and construction activities. The surrounding area supports residential and open space land and the project may expose people to potentially significant noise levels that exceed allowable limits of the County of San Diego General Plan, County of San Diego Noise Ordinance, and other applicable standards.

Impacts could occur on a direct and/or potentially cumulative basis. These issues and conformance to the Noise Element and applicable ordinances will be addressed in the EIR and Acoustical Analysis Report prepared for the project.

- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The project does not propose any major, new or expanded infrastructure such as mass transit, highways or major roadways or intensive extractive industry that could generate excessive groundborne vibration or groundborne noise levels on-site or in the surrounding area. During construction, however, the project proposes potential blasting as well as pile-driving and/or vibratory rollers. Each of these could adversely affect off-site uses. These issues will be addressed in the EIR and Acoustical Analysis Report prepared for the project.

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The project proposes a potential WTWRF, which may result in noise generation impacts, as well as additional vehicular activity that could increase ambient noise levels. The nature of any project-associated direct (or contribution to a cumulative) permanent increase in ambient noise levels in the project vicinity will be addressed in the EIR and Acoustical Analysis Report prepared for the project.

- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

<input checked="" type="checkbox"/>	Potentially Significant Impact	<input type="checkbox"/>	Less than Significant Impact
<input type="checkbox"/>	Less Than Significant With Mitigation Incorporated	<input type="checkbox"/>	No Impact

Potentially Significant Impact: Although construction operations would occur only during permitted hours of operation, potential impacts may occur if construction noise limits of the County of San Diego Noise Ordinance (Section 36.409) are exceeded. Also, as noted, the potential WTWRF would contain emergency generator(s). The nature of any project-associated direct (or contribution to a cumulative) temporary or periodic increase in ambient noise levels in the project vicinity in the EIR and Acoustical Analysis Report prepared for the project.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	Potentially Significant Impact	<input type="checkbox"/>	Less than Significant Impact
<input type="checkbox"/>	Less Than Significant With Mitigation Incorporated	<input checked="" type="checkbox"/>	No Impact

No Impact: The proposed project is not located within an Airport Land Use Compatibility Plan (ALUCP) for airports or within 2 miles of a public airport or public use airport. Therefore, the project will not expose people residing or working in the project area to excessive airport-related noise levels.

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	Potentially Significant Impact	<input type="checkbox"/>	Less than Significant Impact
<input type="checkbox"/>	Less Than Significant With Mitigation Incorporated	<input checked="" type="checkbox"/>	No Impact

No Impact: The proposed project is not located within a one-mile vicinity of a private airstrip; therefore, the project will not expose people residing or working in the project area to excessive airport-related noise levels.

XIII. POPULATION AND HOUSING -- Would the project:

- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: Growth is not considered positive or negative in itself, but is an element of the project that must be analyzed through the physical environmental changes it causes. The project proposes 453 dwelling units; a GPA; transportation improvements along existing roadways to upgrade local access, and utility upgrades that include extension of water, sewer, and reclaimed water lines, as well as potential installation of an on-site WTWRF. These physical and regulatory changes could induce substantial population growth in an area, because the changes could support additional increases in adjacent parcel density or intensity of land uses that are inconsistent with the General Plan. This will be addressed in the EIR prepared for the project.

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input checked="" type="checkbox"/> No Impact

No Impact: The proposed project will not displace existing housing since the site is currently vacant. The addition of 453 dwelling units will yield a net gain of available housing.

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input checked="" type="checkbox"/> No Impact

No Impact: The proposed project will not displace a substantial number of people since the site is currently vacant.

XIV. PUBLIC SERVICES

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or

other performance service ratios, response times or other performance objectives for any of the public services:

- i. Fire protection?
- ii. Police protection?
- iii. Schools?
- iv. Parks?
- v. Other public facilities?

<input checked="" type="checkbox"/>	Potentially Significant Impact	<input type="checkbox"/>	Less than Significant Impact
<input type="checkbox"/>	Less Than Significant With Mitigation Incorporated	<input type="checkbox"/>	No Impact

Potentially Significant Impact: The proposed project would receive fire protection from the San Diego County Fire Authority. The fire station primarily serving the project must meet County standards for emergency travel time to the site. This is expected to be the Harmony Grove fire station currently under construction as part of Harmony Grove Village. Per the Project Availability Form, the project is in the district and eligible for service and the station will be available to provide that service. The project will be conditioned to provide fair share payments to the facility. Additional conditions requiring construction are all associated with project development (e.g., fuel management, on-site roads width and turn radii, structural requirements, etc.) and are being addressed in the EIR and Fire Protection Plan (FPP) prepared for the project.

The provision of sheriff department personnel is funded through the County's general fund, revenues which come largely from property taxes. The station serving the project area is located in San Marcos. Service demand would likely increase with implementation of the project. It is anticipated that expanded police protection services would be funded, as necessary, from increased property taxes and other revenues to the County resulting from the project, and that any additional staff would be absorbed by the San Marcos Sherriff's office with no additional facilities required. This issue will be addressed in the EIR prepared for the project.

The project is located within the Escondido Union School District and the Escondido Union High School District and it is eligible for service. Project Availability Forms provided by the districts indicate that the project is within their service areas and is eligible for service, but that the project will result in overcrowding. Impacts to school facilities will be addressed through the payment of fees pursuant to State Law prior to the issuance of Building Permits. This issue will be addressed in the EIR prepared for the project.

No new off-site parks are proposed to be constructed by the project.

The project proposes to receive water service from the Rincon MWD. Per the Project Availability Form provided by the district, facilities to serve the project are reasonably expected to be available within the next five years.

The project proposes to annex to the County Sanitation District for operation and maintenance of the proposed wastewater treatment facility. The project is required to provide an infrastructure study, as well as a policy analysis to determine the feasibility of the proposal for sewer service. These issues will be addressed in the EIR and Sewer Master Plan provided for the project.

The sewer service annexation and the ability of the districts to serve the project must be evaluated in the EIR and be adequate for the LAFCO and the serving districts to use for their environmental determinations.

Physical environmental changes that could result from extending service to the project site may result in significant environmental impacts. As a result, footprint issues associated with each of the relevant technical analyses for the provision of public services, as well as related contributions to cumulative effects potentially requiring new facilities, will be analyzed in the EIR and the project and technical analyses as appropriate.

XV. RECREATION

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

<input checked="" type="checkbox"/>	Potentially Significant Impact	<input type="checkbox"/>	Less than Significant Impact
<input type="checkbox"/>	Less Than Significant With Mitigation Incorporated	<input type="checkbox"/>	No Impact

Potentially Significant Impact: The project involves a residential subdivision that will increase the use of existing neighborhood and regional parks or other recreational facilities. To avoid substantial physical deterioration of local recreation facilities the project will be required to pay fees or dedicate land for local parks to the County pursuant to the Park Land Dedication Ordinance (PLDO). The project is proposing private parks within the project site which would qualify for partial credit (up to 50 percent of the acreage). The remaining requirement would be satisfied through the payment of in lieu fees. In addition to the active parkland, the project proposes over 70 acres of other open space, which includes a restored drainage with pathways and biological open space areas with unimproved primitive trails. Specifics on the project recreational facilities, as well as in lieu fee payment, will be addressed in the EIR prepared for the project.

With regard to regional recreational facilities, there are over 21,765 acres of regional parkland owned by the County, which exceeds the General Plan standard of 15 acres per 1,000 population. In addition, there are over one million acres of publicly owned land in San Diego County dedicated to parks or open space including Federal lands, State parks, special districts, and regional river parks. Due to the extensive acreage of existing publicly owned lands that can be used for recreation, the project will not result in substantial physical deterioration of regional recreational facilities or accelerate the deterioration of regional parkland. Moreover, the project will not result in a cumulatively considerable deterioration or accelerated

deterioration of regional recreation facilities because even with all past, present and future residential projects a significant amount of regional recreational facilities will be available to County residents.

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The project proposes new recreational facilities that would be located on the project parcels and would require land currently in an undeveloped state. The new facilities will potentially result in adverse direct and cumulative physical effects on the environment. These facilities will be evaluated as part of the overall project footprint, and will be addressed in the EIR prepared for the project.

XVI. TRANSPORTATION AND TRAFFIC -- Would the project:

- a) Conflict with an applicable plan, ordinance or policy establishing measures of the effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact:

The proposed project is calculated to generate 4,530 ADT, with a total of approximately 360 trips during the a.m. peak hour (108 inbound/252 outbound trips) and 450 total trips during p.m. peak hour (315 inbound/135 outbound), and it may have impacts related to performance measures and measures of effectiveness of the circulation system, as adopted by the Mobility Element of the San Diego County General Plan. Therefore, the project would have a direct impact related to a conflict with policies establishing measures of the effectiveness for the performance of the circulation system.

The project's added traffic is expected to result in cumulative impacts to Country Club Drive in the County and to both direct and cumulative effects in the City of Escondido. Intersections in both the County and City are also expected to be impacted. The project will also add traffic to Caltrans facilities (westbound SR-78 west of Nordahl) that are projected to operate at an unacceptable LOS.

The County of San Diego has developed an overall programmatic solution that addresses existing and projected future road deficiencies in the unincorporated portion of San Diego County.

This program was created as a mechanism to proportionally fund improvements to roadways necessary to mitigate potential cumulative impacts caused by traffic from planned future development. The TIF was based on SANDAG regional growth and land use forecasts as analyzed in the SANDAG Regional Transportation Model and projected to build-out (year 2030) development conditions on the existing Mobility Element roadway network throughout the unincorporated area of the County. Since the project is a GPA and would increase the ADT that would occur in the future, the project will also be required to contribute to an update of the TIF program to include the project and its increased density. In the City of Escondido, the project would be required to implement improvements and/or make fair share payments, as applicable.

The significance of direct and cumulative project-related impacts on all of these facilities, as well as the appropriate mitigation, will be fully addressed in the EIR and Traffic Impact Study prepared for the project.

- b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: The proposed project's traffic exceeds the threshold of 2,400 ADT and may result in a substantial increase in the number of vehicle trips, volume of capacity ratio on roads, or congestion at intersections in relation to existing conditions. Therefore, the proposal could result in a potential degradation of the level of service standard established by the County congestion management agency for designated roads or highways. These issues will be addressed in the EIR and Traffic Impact Analysis prepared for the project.

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?

<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input checked="" type="checkbox"/> No Impact

No Impact: The proposed project is located outside of an Airport Influence Area and is not located within two miles of a public or public use airport; therefore, the project will not result in a change in air traffic patterns.

- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation	<input type="checkbox"/> No Impact

Incorporated

Potentially Significant Impact: The project must demonstrate safe and adequate sight distance of driveways and intersections to the satisfaction of the Director of the Department of Public Works. All road improvements will be constructed according to the County of San Diego Public and Private Road Standards. Operational and construction traffic must be analyzed for traffic hazards and adequate sight distance. These issues will be addressed in the EIR and Traffic Impact Analysis prepared for the project.

e) Result in inadequate emergency access?

- | | |
|--|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation | <input type="checkbox"/> No Impact |
- Incorporated

Potentially Significant Impact: The San Diego County Fire Authority must approve the proposed project and associated emergency access roadways to determine that access to the project does not exceed the maximum cumulative dead-end road length specified in the San Diego County Consolidated Fire Code. The fire station or stations serving the project also must meet County standards for emergency travel time to the site. These issues will be addressed in the EIR and Fire Protection Plan prepared for the project.

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

- | | |
|--|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation | <input type="checkbox"/> No Impact |
- Incorporated

Potentially Significant Impact: There is no existing public transit, or dedicated bicycle or pedestrian facilities in the project vicinity that would be affected by the project. The project is expected to generate increased travel demand for such transit, pedestrian or bicycle facilities. The project would provide a pathway along the west side of the project and on the east side of Country Club Drive that would accommodate pedestrians (and potentially bicyclists) until the multi-purpose trail on the west side of Country Club Drive associated with Harmony Grove Village is implemented. The issues of compatibility with policies, plans, or programs regarding public transit, bicycle and pedestrian facilities will be addressed in the EIR prepared for the project.

XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

- | | |
|--|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation | <input type="checkbox"/> No Impact |

Incorporated

Potentially Significant Impact: The project proposes potential utilization of a new package sewage treatment system, or alternatively to link into the Harmony Grove Water Reclamation Facility 550 feet north of the project for effluent treatment/disposal. Processed and discharged wastewater must conform to the RWQCB's applicable standards, including the Regional Basin Plan and the California Water Code. Issues associated with wastewater treatment requirements will be addressed in the EIR and Sewer Master Plan prepared for the project.

- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation	<input type="checkbox"/> No Impact

Incorporated

Potentially Significant Impact: The project would require expansion of potable water pipelines within Country Club Drive, both to the west and north. The project also proposes to potentially construct a new package sewage treatment system for effluent treatment/disposal, which would also require construction of a new on-site influent pump station. In addition, sewage and reclaimed water pipelines would be required in Country Club Drive and potentially in Harmony Grove Road. Processed and discharged wastewater must conform to the RWQCB's applicable standards, including the Regional Basin Plan and the California Water Code. These footprint impacts and direct and cumulative planning issues will be addressed in the EIR, the Sewer Master Plan, and other technical studies prepared for the project as appropriate.

- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation	<input type="checkbox"/> No Impact

Incorporated

Potentially Significant Impact: The project includes new stormwater drainage facilities. Moreover, the project involves landform modification including source treatment and structural Best Management Practices for storm water. These new facilities comprise part of the project footprint and would be placed on lands which are currently undeveloped. They may therefore result in adverse direct and cumulative physical effects on the environment. Potential environmental impacts will be addressed in the EIR and the Biological Technical Report and CEQA Preliminary Hydrology/Drainage Study prepared for the project.

- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The proposed project site is included in the San Diego County Water Authority (SDCWA) boundary line. The site is within the Rincon MWD service district. The Project Facility Availability Form received from the district indicated that facilities to serve the project site are expected to be available within five years. The accompanying letter stated that it is currently eligible to receive water for fire and normal domestic use following completion of those facilities. It also stated however, that ongoing drought issues may result in re-evaluation of water availability. This issue will be addressed in the EIR prepared for the project.

- e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The project proposes to annex into the San Diego County Sanitation District and either build a WTWRF, to provide wastewater treatment and reclamation service or to tie into the existing Harmony Grove Water Reclamation Facility. The Project Facility Availability Form provided by the district stated that the capacity will be available subject to a series of attached conditions. Those conditions will be addressed in the EIR and Sewer Master Plan prepared for the project.

- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact: Implementation of the project will generate solid waste. All solid waste facilities, including landfills require solid waste facility permits to operate. In San Diego County, the County Department of Environmental Health, Local Enforcement Agency issues solid waste facility permits with concurrence from the California Integrated Waste Management Board (CIWMB) under the authority of the Public Resources Code (Sections 44001-44018) and California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440et seq.). There are five, permitted active landfills in San Diego County with remaining capacity. Therefore, there is sufficient existing permitted solid waste capacity to accommodate the project's solid waste disposal needs.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less than Significant Impact: Implementation of the project will generate solid waste. All solid waste facilities, including landfills require solid waste facility permits to operate. In San Diego County, the County Department of Environmental Health, Local Enforcement Agency issues solid waste facility permits with concurrence from the California Integrated Waste Management Board (CIWMB) under the authority of the Public Resources Code (Sections 44001-44018) and California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440et seq.). The project will deposit all solid waste at a permitted solid waste facility and therefore, will comply with Federal, State, and local statutes and regulations related to solid waste.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Per the instructions for evaluating environmental impacts in this Initial Study, the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory were considered in the response to each question in sections IV and V of this form. In addition to project specific impacts, this evaluation considered the projects potential for significant cumulative effects. As a result of this evaluation, the project was determined to have potential significant direct effects related to aesthetics, air quality, biological resources (loss of sensitive habitat, adverse impacts on sensitive species, jurisdictional waters, migration corridors), cultural resources (historic resources, and archaeological resources), greenhouse gas emissions, hazards and hazardous materials, land use and planning, noise, population and housing, public services, recreation, transportation/traffic, and utilities and service systems. While mitigation can be developed in some instances that reduce would these effects to a level below significance, the effectiveness of this mitigation to clearly reduce the impact to a level below significance is unclear at this

time. Therefore, this project has been determined to potentially meet this Mandatory Finding of Significance.

- b) Does the project have impacts that are individually limited, but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: A total of 65 projects in the vicinity of the proposed project, as well as the proposed project, are being considered in the analysis of cumulative impacts. The list consists of projects that are pending or recently approved within the County, as well as adjacent jurisdictions (the City of Escondido and City of San Marcos). Per the instructions for evaluating environmental impacts in this Initial Study, the potential for adverse cumulative effects were considered in the response to each question in sections I through XVIII of this form. In addition to project specific impacts, this evaluation considered the project's potential for incremental effects that are cumulatively considerable. As a result of this evaluation, there were determined to be potentially significant cumulative effects related to aesthetics, air quality, biological resources, cultural resources, greenhouse gas emissions, hazards and hazardous materials, land use and planning, noise, public services, recreation, transportation/ traffic and utilities and service systems. While mitigation can be developed in some instances which may reduce these cumulative effects to a level below significance, the effectiveness of this mitigation to clearly reduce the impact to a level below significance is unclear at this time. Therefore, this project has been determined to potentially meet this Mandatory Finding of Significance.

- c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Potentially Significant Impact: In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to certain questions in sections I. Aesthetics, III. Air Quality, VIII. Hazards and Hazardous Materials, XII. Noise, XIII. Population and Housing, and XVI. Transportation and Traffic. As a result of this evaluation, there were determined to be potentially significant effects related to each of the listed categories. While mitigation can be developed in some instances that reduce these significant effects to a level below significance, the effectiveness of this mitigation to clearly reduce the impact to a level below significance is unclear at this time. Therefore, this project has been determined to potentially meet this Mandatory Finding of Significance.

XIX. REFERENCES USED IN THE COMPLETION OF THE INITIAL STUDY CHECKLIST

All references to Federal, State and local regulation are available on the Internet. For Federal regulation refer to <http://www4.law.cornell.edu/uscode/>. For State regulation refer to www.leginfo.ca.gov. For County regulation refer to www.amlegal.com. All other references are available upon request.

AESTHETICS

California Street and Highways Code [California Street and Highways Code, Section 260-283. (<http://www.leginfo.ca.gov/>)

California Scenic Highway Program, California Streets and Highways Code, Section 260-283. (<http://www.dot.ca.gov/hq/LandArch/scenic/scpr.htm>)

County of San Diego, Planning & Development Services. The Zoning Ordinance of San Diego County. Sections 5200-5299; 5700-5799; 5900-5910, 6322-6326. (www.co.san-diego.ca.us)

County of San Diego, Board Policy I-73: Hillside Development Policy. (www.co.san-diego.ca.us)

County of San Diego, Board Policy I-104: Policy and Procedures for Preparation of Community Design Guidelines, Section 396.10 of the County Administrative Code and Section 5750 et seq. of the County Zoning Ordinance. (www.co.san-diego.ca.us)

County of San Diego Light Pollution Code, Title 5, Division 9 (Sections 59.101-59.115 of the County Code of Regulatory Ordinances) as added by Ordinance No 6900, effective January 18, 1985, and amended July 17, 1986 by Ordinance No. 7155. (www.amlegal.com)

County of San Diego Wireless Communications Ordinance [San Diego County Code of Regulatory Ordinances. (www.amlegal.com)

Design Review Guidelines for the Communities of San Diego County. (Alpine, Bonsall, Fallbrook, Julian, Lakeside, Ramona, Spring Valley, Sweetwater, Valley Center).

Federal Communications Commission, Telecommunications Act of 1996 [Telecommunications Act of 1996, Pub. LA. No. 104-104, 110 Stat. 56 (1996). (<http://www.fcc.gov/Reports/tcom1996.txt>)

Institution of Lighting Engineers, Guidance Notes for the Reduction of Light Pollution, Warwickshire, UK, 2000 (<http://www.dark-skies.org/ile-gd-e.htm>)

International Light Inc., Light Measurement Handbook, 1997. (www.intl-light.com)

Rensselaer Polytechnic Institute, Lighting Research Center, National Lighting Product Information Program (NLPPI), Lighting Answers, Volume 7, Issue 2, March 2003. (www.lrc.rpi.edu)

US Census Bureau, Census 2000, Urbanized Area Outline Map, San Diego, CA. (<http://www.census.gov/geo/www/maps/ua2kmaps.htm>)

US Department of the Interior, Bureau of Land Management (BLM) modified Visual Management System. (www.blm.gov)

US Department of Transportation, Federal Highway Administration (FHWA) Visual Impact Assessment for Highway Projects.

US Department of Transportation, National Highway System Act of 1995 [Title III, Section 304. Design Criteria for the National Highway System. (<http://www.fhwa.dot.gov/legregs/nhsdatoc.html>)

AGRICULTURE RESOURCES

California Department of Conservation, Farmland Mapping and Monitoring Program, "A Guide to the Farmland Mapping and Monitoring Program," November 1994. (www.consrv.ca.gov)

California Department of Conservation, Office of Land Conversion, "California Agricultural Land Evaluation and Site Assessment Model Instruction Manual," 1997. (www.consrv.ca.gov)

California Farmland Conservancy Program, 1996. (www.consrv.ca.gov)

California Land Conservation (Williamson) Act, 1965. (www.ceres.ca.gov, www.consrv.ca.gov)

California Right to Farm Act, as amended 1996. (www.qp.gov.bc.ca)

County of San Diego Agricultural Enterprises and Consumer Information Ordinance, 1994, Title 6, Division 3, Ch. 4. Sections 63.401-63.408. (www.amlegal.com)

County of San Diego, Department of Agriculture, Weights and Measures, "2002 Crop Statistics and Annual Report," 2002. (www.sdcountry.ca.gov)

United States Department of Agriculture, Natural Resource Conservation Service LESA System. (www.nrcs.usda.gov, www.swcs.org).

United States Department of Agriculture, Soil Survey for the San Diego Area, California. 1973. (soils.usda.gov)

AIR QUALITY

CEQA Air Quality Analysis Guidance Handbook, South Coast Air Quality Management District, Revised November 1993. (www.aqmd.gov)

County of San Diego Air Pollution Control District's Regional Air Quality Strategy Revisions, 2009. (<http://www.sdapcd.org/planning/2009-RAQS.pdf>)

County of San Diego Air Pollution Control District's Rules and Regulations, updated August 2003. (www.co.san-diego.ca.us)

County of San Diego General Plan, adopted January 3, 1979.

Federal Clean Air Act US Code; Title 42; Chapter 85 Subchapter 1. (www4.law.cornell.edu)

BIOLOGY

California Department of Fish and Wildlife (CDFW). Southern California Coastal Sage Scrub Natural Community Conservation Planning Process Guidelines. CDFW and

- California Resources Agency, Sacramento, California. 1993. (www.dfg.ca.gov)
- County of San Diego, An Ordinance Amending the San Diego County Code to Establish a Process for Issuance of the Coastal Sage Scrub Habitat Loss Permits and Declaring the Urgency Thereof to Take Effect Immediately, Ordinance No. 8365. 1994, Title 8, Div 6, Ch. 1. Sections 86.101-86.105, 87.202.2. (www.amlegal.com)
- County of San Diego, Biological Mitigation Ordinance, Ord. Nos. 8845, 9246, 1998 (new series). (www.co.san-diego.ca.us)
- County of San Diego, Implementing Agreement by and between United States Fish and Wildlife Service, California Department of Fish and Wildlife and County of San Diego. County of San Diego, Multiple Species Conservation Program, 1998.
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Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Harmony Grove Village SouthLead Agency: County of San DiegoContact Person: Peter EicharMailing Address: 5510 Overland Ave, Ste 110Phone: (858) 495-5524City: San DiegoZip: 92123County: San Diego**Project Location:** County: San DiegoCity/Nearest Community: EscondidoCross Streets: Country Club Drive and Harmony Grove RoadZip Code: 92029Longitude/Latitude (degrees, minutes and seconds): 33° 5' 41" N / 117° 7' 49" W Total Acres: 111Assessor's Parcel No.: 235-011-06, 09; 238-021-08, 10Section: 30Twp.: 12SRange: 02WBase: San BernWithin 2 Miles: State Hwy #: I-15; SR 78Waterways: Escondido Creek

Airports: _____

Railways: NA

Schools: _____

Document Type:CEQA: ☒ NOP☐ Draft EIRNEPA: ☐ NOIOther: ☐ Joint Document☐ Early Cons☐ Supplement/Subsequent EIR☐ EA☐ Final Document☐ Neg Dec

(Prior SCH No.) _____

☐ Draft EIS☐ Other: _____☐ Mit Neg Dec

Other: _____

☐ FONSI**Local Action Type:**☐ General Plan Update☒ Specific Plan☒ Rezone☒ Annexation☒ General Plan Amendment☐ Master Plan☐ Prezone☐ Redevelopment☐ General Plan Element☐ Planned Unit Development☐ Use Permit☐ Coastal Permit☐ Community Plan☒ Site Plan☒ Land Division (Subdivision, etc.)☒ Other: RPO Wavier**Development Type:**☒ Residential: Units 453Acres 111☐ Office: Sq.ft. _____

Acres _____

Employees _____

☐ Transportation: Type _____☒ Commercial: Sq.ft. 5,000Acres 111

Employees _____

☐ Mining: Mineral _____☐ Industrial: Sq.ft. _____

Acres _____

Employees _____

☐ Power: Type _____

MW

☐ Educational: _____☒ Waste Treatment: Type Aeromod; typ MGD TBD☒ Recreational: Trails, private and public parks☐ Hazardous Waste: Type _____☐ Water Facilities: Type _____

MGD _____

☐ Other: _____**Project Issues Discussed in Document:**☒ Aesthetic/Visual☐ Fiscal☒ Recreation/Parks☒ Vegetation☐ Agricultural Land☒ Flood Plain/Flooding☐ Schools/Universities☒ Water Quality☒ Air Quality☒ Forest Land/Fire Hazard☐ Septic Systems☒ Water Supply/Groundwater☒ Archeological/Historical☒ Geologic/Seismic☒ Sewer Capacity☒ Wetland/Riparian☒ Biological Resources☐ Minerals☐ Soil Erosion/Compaction/Grading☒ Growth Inducement☐ Coastal Zone☒ Noise☐ Solid Waste☒ Land Use☐ Drainage/Absorption☒ Population/Housing Balance☐ Toxic/Hazardous☒ Cumulative Effects☐ Economic/Jobs☒ Public Services/Facilities☒ Traffic/Circulation☐ Other: _____**Present Land Use/Zoning/General Plan Designation:**

The current Land Use Designation category is Semi-Rural 0.5 (SR-0.5), and the zoning is A70 (Limited Agriculture) and RR (Rural).

Project Description: (please use a separate page if necessary)

Please refer to Notice of Preparation

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

<input checked="" type="checkbox"/> Air Resources Board	<input type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input type="checkbox"/> Parks & Recreation, Department of
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Pesticide Regulation, Department of
<input checked="" type="checkbox"/> Caltrans District # 11	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Division of Aeronautics	<input checked="" type="checkbox"/> Regional WQCB #9
<input type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Education, Department of	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input checked="" type="checkbox"/> Fish & Game Region #5	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> Forestry and Fire Protection, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	<input checked="" type="checkbox"/> Other: City of Escondido, Planning Department
<input type="checkbox"/> Health Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Housing & Community Development	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date 8/27/15 Ending Date 9/28/15

Lead Agency (Complete if applicable):

Consulting Firm: _____	Applicant: _____
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Contact: _____	Phone: _____
Phone: _____	

Signature of Lead Agency Representative: _____

Date: 8-24-15

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.



County of San Diego

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PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
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DARREN GRETHER
ASSISTANT DIRECTOR
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FAX (858) 694-2555

NOTICE OF PREPARATION DOCUMENTATION

DATE: August 27, 2015

PROJECT NAME: HARMONY GROVE VILLAGE SOUTH GENERAL PLAN
AMENDMENT, SPECIFIC PLAN, REZONE, TENTATIVE MAP,
AND MAJOR USE PERMIT

PROJECT NUMBERS: PDS2015-GPA-15-002, PDS2015-SP-15-002, PDS-REZ-15-003,
PDS2015-TM-5600; PDS2015-MUP-15-008

PROJECT APPLICANT: RCS Harmony Partners, LLC

ENV. REVIEW NUMBER: PDS2015-ER-15-08-006

PROJECT DESCRIPTION:

An Environmental Impact Report will be prepared for the Harmony Grove Village South project. The project application proposes a General Plan Amendment, RPO (steep-slopes) wavier, specific plan, rezone, major use permit and site plan to develop 453 single- and multi-family residential units within 229 structures and a 5,000 square foot facility (the Center House) that will support recreation and community uses in addition to commercial space on 111 acres. The Center House could accommodate a coffee shop or café as well a small (up to four bed B&B facility) overnight facility. A substandard crossing of Escondido Creek that is subject to flooding will be improved to allow for safe ingress and egress to the subject and surrounding properties. A water treatment/water reclamation facility (WTWRF), park/community garden uses, and recreational trail connections to existing and planned trail facilities open to the public are proposed. The project would result in approximately 36 acres of primarily residential development including streets, and approximately 75 acres of undeveloped uses such as landscaping, gardens or biological open space.

PROJECT LOCATION:

The site is located in the southeastern-most portion of the Harmony Grove Valley area of the San Dieguito Community Planning Area, between the City of Escondido (immediately to the east) and the community of Elfin Forest (over 4 miles to the southwest), within unincorporated San Diego County; two and one-half (2.5) miles from Interstate 15 (I-15), and two and six tenths (2.6) of a mile from State Route 78 (SR-78). The project site is located off Country Club

Drive, southeast of the Country Club Drive intersection with Harmony Grove Road, and shares a common boundary with Country Club Drive for approximately three tenths (0.3) mile.

Thomas Guide Coordinates: Page 1129, Grids C6 & 7; D6 & 7

PROBABLE ENVIRONMENTAL EFFECTS:

The probable environmental effects associated with the project are detailed in the Environmental Initial Study, accessible here: http://www.sandiegocounty.gov/content/sdc/pds/Current_Projects/hgvs.html. All questions answered "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated" will be analyzed further in the Environmental Impact Report. All questions answered "Less than Significant Impact" or "No Impact" will not be analyzed further in the Environmental Impact Report.

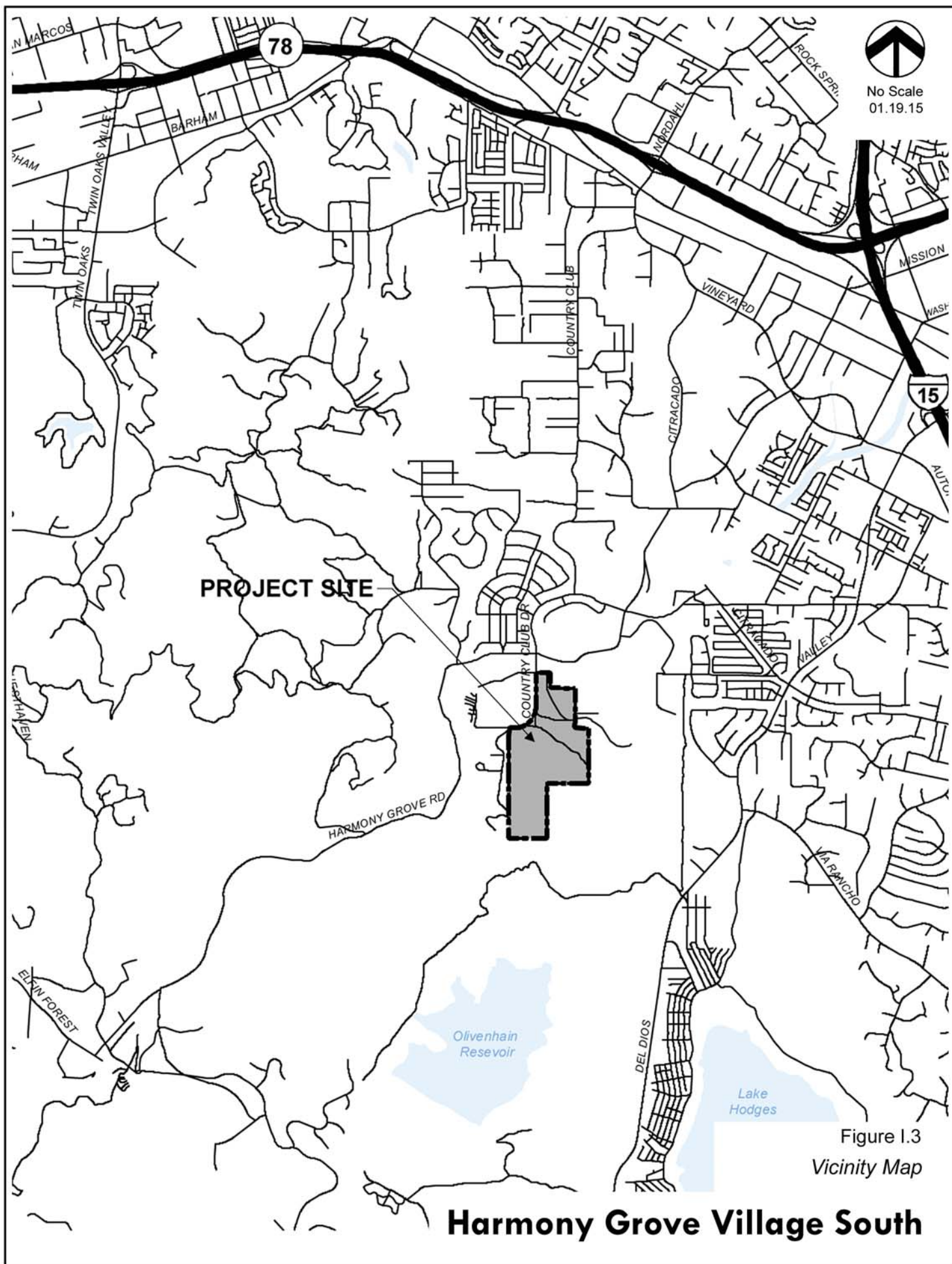
The following is a list of the subject areas to be analyzed in the EIR:

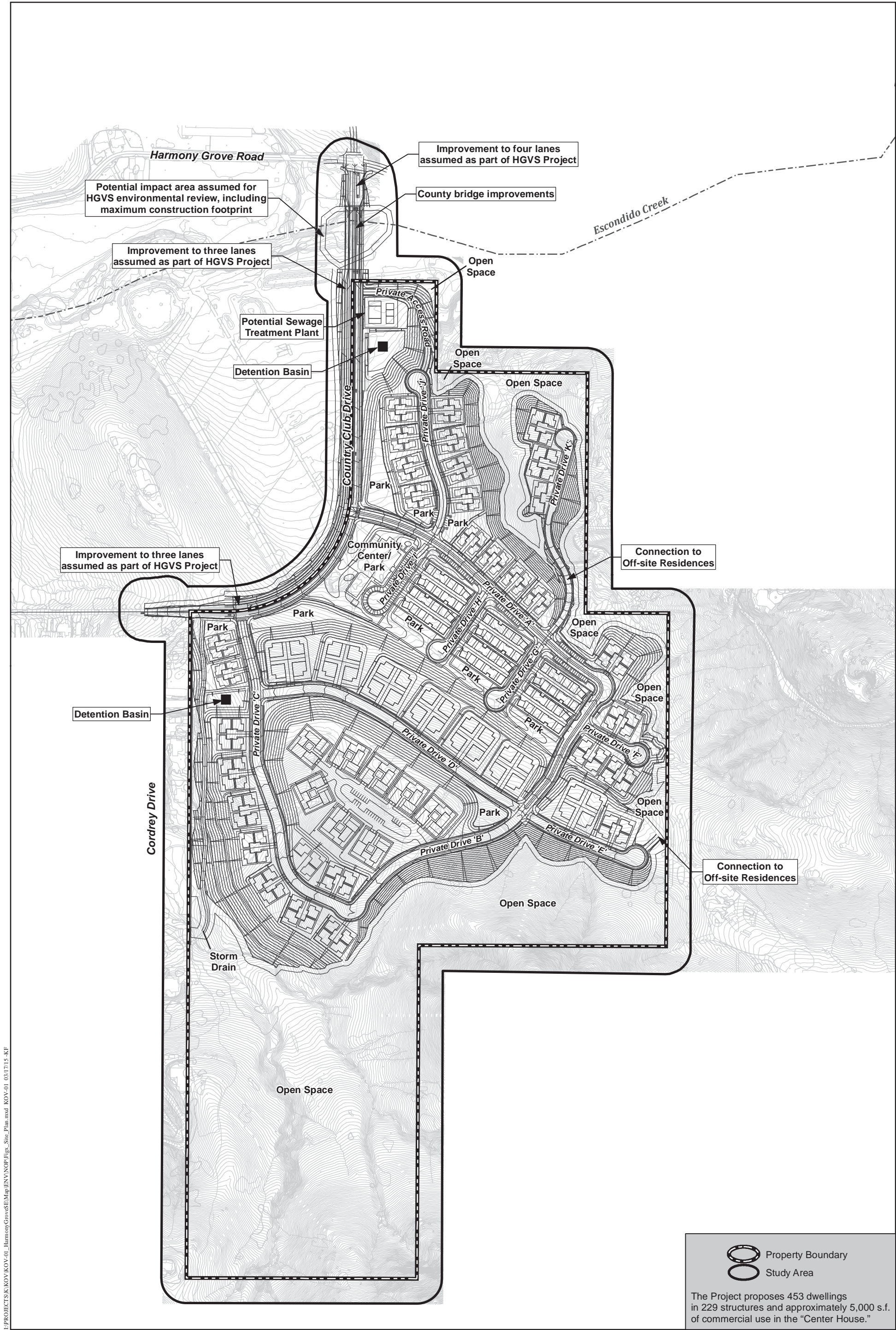
Aesthetics	Air Quality
Biological Resources	Land Use & Planning
Cultural Resources	Noise
Geology & Soils	Transportation & Traffic
Greenhouse Gas Emissions	Utilities & Service Systems
Hazards (wildfire)	Hydrology & Water Quality
Population & Housing	Public Services
Recreation	

PUBLIC SCOPING MEETING:

Consistent with Section 21083.9 of the CEQA Statutes, a public scoping meeting will be held to solicit comments regarding the scope and analysis of the EIR. This meeting will be held on September 16, 2015, 6 p.m. to 7:30 p.m. at the Elfin Forest Firehouse, 20223 Elfin Forest Rd., Elfin Forest, CA 92029.

All comments related to this Notice must be postmarked or received by **September 28, 2015**. Send comments to: San Diego County Planning & Development Services, Attention: Peter Eichar, San Diego County, 5510 Overland Ave., Ste 110, San Diego, CA 92123, or Peter.Eichar@sdcounty.ca.gov.





F:\PROJECTS\K\KOV\KOV-01_HarmonyGroveSE\Map\ENV\NOP\Figs_Site_Plan.mxd KOV-01 03/17/15-KF

Site Plan

HARMONY GROVE VILLAGE SOUTH



[OPR Home](#) > [CEQAnet Home](#) > [CEQAnet Query](#) > Search Results > Document Description

Harmony Grove Village South

SCH Number: 2015081071

Document Type: NOP - Notice of Preparation

Project Lead Agency: San Diego County

Project Description

An EIR will be prepared for the Harmony Grove Village South project. The project application proposes a General Plan Amendment, RPO (steep-slopes) wavier, specific plan, rezone, major use permit and site plan to develop 453 single- and multi-family residential units within 229 structures and a 5,000 sf facility (the Center House) that will support recreation and community uses in addition to commercial space on 111 acres. The Center House could accommodate a coffee shop or cafe as well a small (up to four bed B&B facility) overnight facility. A substandard crossing of Escondido Creek that is subject to flooding will be improved to allow for safe ingress and egress to the subject and surrounding properties. A water treatment/water reclamation facility, park/community garden uses, and recreational trail connections to existing and planned trail facilities open to the public are proposed. The project would result in approximately 36 acres of primarily residential development including streets, and approximately 75 acres of undeveloped uses such as landscaping, gardens or biological open space.

Contact Information

Primary Contact:

Peter Eichar
San Diego County
858 495 5524
5510 Overland Ave, Suite 110
San Diego, CA 92123

Project Location

County: San Diego
City: Escondido
Region:
Cross Streets: Country Club Drive and Harmony Grove Road
Latitude/Longitude: 33° 5' 41" / 117° 7' 49" [Map](#)
Parcel No: 235-011-06, 09; 238-08, 10
Township: 12S
Range: 2W
Section: 30
Base: SBB&M
Other Location Info:

Proximity To

Highways: I-15
Airports:
Railways:
Waterways: Escondido Creek
Schools:
Land Use: The current Land Use Designation is Semi-Rural 0.5, and the zoning is A70 and RR

Development Type

Residential, Commercial, Recreational (Trails, private and public parks), Waste Treatment: Other (Aeromod)

Local Action

General Plan Amendment, Specific Plan, Site Plan, Rezone, Subdivision, Annexation, Other Action (RPO Waiver)

Project Issues

Aesthetic/Visual, Air Quality, Archaeologic-Historic, Biological Resources, Flood Plain/Flooding, Forest Land/Fire Hazard, Geologic/Seismic, Noise, Population/Housing Balance, Public Services, Recreation/Parks, Sewer Capacity, Traffic/Circulation, Vegetation, Water Quality, Water Supply, Wetland/Riparian, Growth Inducing, Landuse, Cumulative Effects

Reviewing Agencies (Agencies in **Bold Type** submitted comment letters to the State Clearinghouse)

Resources Agency; Department of Parks and Recreation; Department of Water Resources; **Department of Fish and Wildlife, Region 5**; Department of Housing and Community Development; Office of Emergency Services, California; Native American Heritage Commission; State Lands Commission; California Highway Patrol; Caltrans, District 11; Air Resources Board; Regional Water Quality Control Board, Region 9

Date Received: 8/27/2015 **Start of Review:** 8/27/2015 **End of Review:** 9/25/2015

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



September 25, 2015

Mr. Peter Eichar
County of San Diego, Planning & Development Services
5510 Overland Avenue, Suite 110
San Diego, CA 92123-1239
Peter.Eichar@sdcounty.ca.gov

Subject: Comments on the Notice of Preparation of a Draft Environmental Impact Report for Harmony Grove Village South General Plan Amendment, Specific Plan, Rezone, Tentative Map and Major Use Permit (PDS2015-GPA-15-002, PDS2015-SP-15-002, PDS-REZ-15-003, PDS2015-TM-5600, PDS2015-MUP-15-008, Environmental Log No.: PDS2015-ER-15-08-006, County of San Diego, California (SCH#2015081071)

Dear Mr. Eichar:

The California Department of Fish and Wildlife (Department or "CDFW") has reviewed the above-referenced Notice of Preparation (NOP) for a draft Environmental Impact Report (DEIR) for the Harmony Grove Village South Project (SCH#2015081071) (Project) dated August 27, 2015. Comments on the NOP were requested by September 28, 2015. The comments provided herein are based upon information provided in the NOP and CEQA Initial Study (Environmental Checklist Form) for the DEIR (County of San Diego 2015a) and associated reference materials [including the Helix 2014 biological survey information (Helix 2015)], our knowledge of sensitive and declining vegetation communities, and ongoing regional habitat conservation planning in the County of San Diego (County). The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA; §§15386 and 15381, respectively) and is responsible for ensuring appropriate conservation of the State of California's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (CESA, Fish and Game Code §2050 *et seq.*) and other sections of the Fish and Game Code. The Department is also responsible for the administration of the Lake and Stream Alteration Agreement Program (Fish and Game Code §1600 *et seq.*) and the Natural Community Conservation Planning (NCCP) program (Fish and Game Code §2800 *et seq.*). The County is a participant in the NCCP program. Currently, the County has an adopted South County Multiple-Species Conservation Program (MSCP), and is actively pursuing its draft North County MSCP (NC-MSCP). The NC-MSCP is a comprehensive habitat conservation planning program that attempts to preserve native habitats for a multitude of sensitive species for which the County, Fish and Wildlife Service, and California Department of Fish and Wildlife entered into a Planning Agreement (County of San Diego 2014a). As noted in the County's EIR scoping letter, one of the primary goals of the NC-MSCP is to conserve 75 percent of natural lands in the Pre-Approved Mitigation Area (PAMA), which includes currently preserved public lands, future public acquisitions and future privately owned preserve lands (County of San Diego 2015b).

The Project proposes development of 453 single- and multi-family residential units and a 5,000 square foot commercial/recreation facility on 111 acres (APNs 235-011-06, 238-021-09, 238-

021-08, 238-021-10); approximately 36 acres would be primarily residential development and 75 acres undeveloped/open space uses, including existing and planned trail facilities. Access would be provided by private roads connecting to Country Club Drive and would include replacing the existing "Arizona" crossing of Escondido Creek with a three-span bridge (250 feet long and approximately 60 feet wide) that would accommodate three lanes, a multi-use trail and sidewalks and a wildlife crossing. The Project includes an on-site water treatment/water reclamation facility (WTWRF), and water utilities (both potable and reclaimed water) would be provided by Rincon del Diablo Municipal Water District (Rincon MWD). The Project would require earthwork consisting of balanced cut and fill of approximately 850,000 cubic yards of material and would be implemented in phases consisting of overall on-site mass grading and existing bridge demolition/construction (first phase), on-site and off-site infrastructure installation (second phase), finish grading lots (third phase), and then "vertical" development of the project (final phase). Project approvals would include a local General Plan Amendment, RPO (steep-slopes) waiver, specific plan, rezone, major use permit, tentative map and site plan. Other public agency approvals required include a Habitat Loss Permit (HLP) from County of San Diego and Section 7 or 10(a) from U.S. Fish and Wildlife Service, and 1602 Streambed Alteration Agreement from CDFW (County of San Diego 2015a).

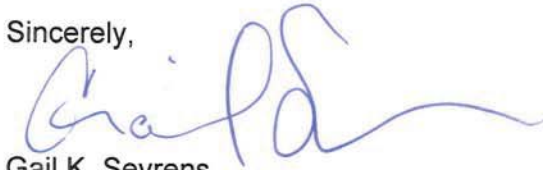
The 111-acre Project site is located in Harmony Grove Valley, within the San Dieguito Community Planning Area of the County's North County Metropolitan Subregional Plan area, and is located in a semi-rural area that is mostly surrounded by hills and canyons that range from approximately 600 feet to 1,736 feet above mean sea level. Existing residences and a fire station are located immediately to the northeast of the Project site, and the County-approved Harmony Grove Village (HGV) is located immediately to the northwest. The County's Del Dios Highlands Preserve (DDHP) and Escondido Creek Preserve, and Olivenhain Municipal Water District's Elfin Forest Recreational Reserve (EFRR) are located to the south and southeast of the Project site, and existing conserved lands owned by the Escondido Creek Conservancy are located immediately adjacent and to the north. The Project site is also located within Planning Unit 9 (San Marcos-Merriam Mountains Core Area) of the draft NC-MSCP planning area, within the draft PAMA, and is part of one of the few remaining larger blocks of natural habitat west of Interstate 15 in the PAMA in the vicinity of core area. The habitat evaluation mapping for the County's draft NC-MSCP plan indicates that habitats on and adjacent to the project site are "moderate", "high", and "very high" habitat quality, and areas to the immediate north, south, east, and west are also identified as conserved lands and/or PAMA (County of San Diego 2014b). Vegetation on the project site consists of Diegan coastal sage scrub, coastal sage-chaparral transition, granitic southern mixed chaparral, mafic southern mixed chaparral, coast live oak woodland, non-native grassland, drainages (ephemeral streambed) that are tributaries to Escondido Creek, and southern (willow) riparian forest and mule fat scrub within Escondido Creek. Species known to use habitats on or immediately adjacent to the Project site include the federally threatened coastal California gnatcatcher (*Poliioptila californica californica*) and state and federally endangered least Bell's vireo (*Vireo bellii pusillus*) (Helix 2015).

The Department offers the comments and recommendations in the enclosure to assist in avoiding, minimizing, and adequately mitigating Project-related impacts to biological resources, and to ensure that the Project is consistent with ongoing regional habitat conservation planning efforts (i.e. that it would not preclude the preserve assembly or prevent the achievement of the biological goals anticipated under the NC-MSCP Subregional Plan). Our main recommendation is that the proposed Project design/footprint be consistent with the NC-MSCP goals, which call for 75 percent conservation of lands designated as PAMA, minimizing impacts to coastal sage

scrub, and maintaining a viable connection for wildlife movement along the northern and eastern portions of the property. The Project currently proposes only 32 percent conservation of PAMA lands, does not provide sufficient on-site conservation to ensure north-south connectivity, and would result in substantial impacts to coastal sage scrub habitat occupied by the California gnatcatcher.

We appreciate the opportunity to comment on this NOP and look forward to further coordination with the County on this Project. If you have questions regarding our letter, please contact Randy Rodriguez at (858) 637-7111 or Randy.Rodriguez@wildlife.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gail K. Sevens", with a long, sweeping horizontal line extending to the right.

Gail K. Sevens
Environmental Program Manager
South Coast Region

Enclosure: (9 pages)

cc: State Clearinghouse, Sacramento
Karen A. Goebel, U.S. Fish and Wildlife Service (Karen_Goebel@fws.gov)
Mindy Fogg, County of San Diego (Mindy.Fogg@sdcounty.ca.gov)
Eric Lardy, County of San Diego (Eric.Lardy@sdcounty.ca.gov)

ENCLOSURE

California Department of Fish and Wildlife Comments and Recommendations: NOP for the Harmony Grove South Project DEIR (SCH#2015081071)

NOP Comments

1. To enable the Department to adequately review and comment on the proposed Project from the standpoint of the protection of plants, fish, wildlife, and other biological resources, we recommend the following information be included in the DEIR:
 - A. A complete discussion of the purpose and need for, and description of, the proposed Project, including all staging areas and access routes to the construction and staging areas.
 - B. Analyses of a range of feasible alternatives to ensure that alternatives to the proposed Project are fully considered and evaluated. The analyses must include alternatives that avoid or otherwise minimize impacts to sensitive biological resources, particularly wetlands. Specific alternative locations should be evaluated in areas with lower resource sensitivity, where appropriate. As noted in the County's EIR scoping letter, the Project site is located within the draft North County MSCP and is located within an area designated as the Pre-Approved Mitigation Area (PAMA). A goal of the North County Plan is to conserve 75 percent of natural lands in the PAMA, which includes currently preserved public lands, future public acquisitions and future privately owned preserve lands (County of San Diego 2015b). Currently, the Project proposes 75.9-acres (68 percent) that would be considered impacted and approximately 35-acres (32 percent) as biological open space, with substantial impacts to coastal sage scrub occupied by the California gnatcatcher (Helix 2015). The Department recommends that the proposed Project be designed to be consistent with the draft NC-MSCP in terms of conservation goals for the PAMA (i.e., 75 percent conservation of lands designated as PAMA), and provide a viable connection (consistent with accepted regional standards) along the northern and eastern portions of the property to maximize the conservation of coastal sage scrub and to provide sufficient north-south habitat connectivity from the large core area of upland habitat around Lake Hodges and Del Dios Highlands to the south, continuing through the Project site to Escondido Creek and conserved lands and PAMA located north of the Project site (e.g., conserved lands owned/managed by the Escondido Creek Conservancy and conserved lands on the approved Harmony Grove Project).

We recommend that the draft EIR include an alternative that is consistent with the draft NC-MSCP conservation goals for the PAMA (i.e., 75 percent conservation of lands designated as PAMA). Such a DEIR alternative would substantially minimize project impacts to the draft PAMA and occupied coastal sage scrub, provide for a large, contiguous block of open space in the eastern and northern portion of the property, minimize edge effects to onsite biological open space areas, and maintain connectivity between on- and off-site conserved lands and areas designated as draft PAMA within Planning Unit 9. From a cumulative perspective, we are concerned that the proposed Project, in conjunction with other approved and/or currently proposed projects (e.g., Harmony Grove, Valiano) and extent of private holdings to the immediate east and west of the Project would increase fragmentation of natural habitat, including, but not limited to coastal sage scrub, within Planning Unit 9 of the NC-MSCP.

C. A complete assessment of the flora and fauna within and adjacent to the project area; specifically, the DEIR should include:

- a) Discussions regarding the regional setting, pursuant to CEQA Guidelines, section 15125(c), with special emphasis on resources that are rare or unique to the region that would be affected by the Project. This discussion is critical to an assessment of environmental impacts.
- b) A current inventory of the biological resources (to include rare, threatened, and endangered, and other sensitive species) associated with each habitat type on site and within the area of potential effect. Species to be addressed should include all those which meet the CEQA definition (see CEQA Guidelines, § 15380). This should include sensitive plant, fish, wildlife, reptile, and amphibian species. The Department's California Natural Diversity Data Base in Sacramento should be contacted at www.wildlife.ca.gov/biogeodata/ to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code.
- c) Discussions regarding seasonal variations in use of the project area and vicinity by sensitive species, and acceptable species-specific survey procedures as determined through consultation with the Department. Focused species-specific surveys, conducted in conformance with established protocols at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required.

D. A thorough discussion of direct, indirect, and cumulative Project-related impacts expected to adversely affect biological resources. All facets of the Project should be included in this assessment. Specifically, the DEIR should include:

- a) Specific acreages and descriptions of the types of wetlands, coastal sage scrub, and other habitats that would potentially be affected by the proposed Project or project alternatives. Maps and tables should be used to summarize such information.
- b) Detailed discussions, including both qualitative and quantitative analyses, of potential direct effects on listed and other sensitive species (fish, wildlife, plants) and their habitats within the area of impact of the proposed and alternative projects.
- c) Discussions regarding indirect Project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (e.g., preserve lands associated with a NCCP).
- d) Impacts to wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated.
- e) Discussions of potential adverse impacts from lighting, noise, human activity, exotic species, and drainage. The latter subject should address: Project-related changes on drainage patterns on and downstream of the project site; the volume, velocity, and frequency of existing and post-project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-project fate of runoff from the Project site.
- f) If applicable, a discussion of the effects of any Project-related dewatering or ground water extraction activities to the water table and the potential resulting impacts on the wetland/riparian habitat, if any, supported by the surface and groundwater.
- g) Discussions regarding possible conflicts resulting from wildlife-human interactions at the interface between the development Project and natural habitats.
- h) A cumulative effects analysis as described under CEQA Guidelines, section 15130, assessing the impacts of the proposed Project in conjunction with past, present, and anticipated future projects, relative to their impacts on native plant communities and wildlife.

E. A thorough discussion of mitigation measures for adverse Project-related impacts on sensitive plants, animals, and habitats. Specifically, the DEIR should include/address:

- a) Measures to fully avoid and otherwise protect Rare Natural Communities from Project-related impacts. The Department considers these communities as threatened habitats having both regional and local significance.
- b) Where avoidance is infeasible, mitigation measures that emphasize minimization of Project impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable (e.g., it would not adequately mitigate the loss of biological functions and values), off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed. The Department generally does not encourage the use of relocation, salvage, and/or transplantation as mitigation for impacts on rare, threatened, or endangered species. Studies have shown these efforts are experimental in nature and do not provide for the long-term viability of the target species.
- c) Mitigation measures to alleviate indirect Project-related impacts on biological resources, including measures to minimize changes in the hydrologic regimes on site, and means to convey runoff without damaging biological resources, including the morphology of on-site and downstream habitats.
- d) Where proposed grading or clearing is within 100 feet of proposed biological open space, or otherwise preserved sensitive habitats, a requirement for temporary fencing. Fencing should be placed on the impact side and should result in no vegetation loss within open space. All temporary fencing should be removed only after the conclusion of all grading, clearing, and construction activities.
- e) A requirement that a qualified biological monitor to be present during initial clearing, grading, and construction in sensitive habitat areas and/or in the vicinity of biological open space areas to ensure that conservation measures associated with resource agency permits and construction documents are performed. The biological monitor should have the authority to halt construction to prevent or avoid take of any listed species and/or to ensure compliance with all avoidance, minimization, and mitigation measures. Any unauthorized impacts or actions not in compliance with the permits and construction documents should be immediately brought to the attention of the Lead Agency and the Department.
- f) Measures to protect, in perpetuity, the targeted habitat values of proposed preservation and/or restoration areas from direct and indirect negative impacts. The objective should be to offset the Project-induced qualitative and quantitative losses of wildlife habitat values. Permanent fencing should be installed between the impact area and biological open space and be designed to minimize intrusion into the sensitive habitats from humans and domestic animals. There should be no gates that would allow access between the development and biological open space. Additional issues that should be addressed include proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, etc.
- g) Development and implementation of a management and monitoring plan (MMP), including a funding commitment, for any on- and/or off-site biological open space easements, if applicable. An appropriate natural lands management organization, subject to approval by the County and Department, should be identified. The MMP should outline biological resources on the site, provide for monitoring of biological resources, address potential impacts to biological resources, and identify actions to be taken to eliminate or minimize those impacts. A Property Analysis Record (PAR) or comparable method should be completed to determine the amount of funding needed to perform start-up activities and for the perpetual management, maintenance, and monitoring of the biological conservation easement areas by the natural lands management organization. It should be demonstrated that the

proposed funding mechanism would ensure that adequate funds would be available initially and on an annual basis to implement the MMP. The natural lands management organization should submit a draft MMP, PAR results, and proposed funding mechanism to the Department for review and approval prior to initiating construction activities; the final plan should be submitted to the Department and the funds for implementing the MMP transferred within 90 days of receiving approval of the draft plan.

2. The Department recommends that measures be taken to avoid Project impacts to nesting birds. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA). Proposed Project activities (including, but not limited to, staging and disturbances to native and nonnative vegetation, structures, and substrates) should occur outside of the avian breeding season which generally runs from February 1 - September 1 (as early as January 1 for some raptors) to avoid take of birds or their eggs. If avoidance of the avian breeding season is not feasible, the Department recommends surveys by a qualified biologist with experience in conducting breeding bird surveys to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 300 feet of the disturbance area (within 500 feet for raptors). Project personnel, including all contractors working on site, should be instructed on the sensitivity of the area. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.
3. As stated above, the proposed Project is located primarily within the PAMA, within the San Marcos-Merriam Mountains Core Area (Planning Unit 9) and is part of a larger block of natural habitat (typically 500 acres or more) that supports a viable population of multiple wildlife species located west of Interstate 15 (I-15) in the PAMA. The draft NC-MSCP plan anticipates that approximately 75 percent of lands designated as PAMA would be conserved with 25 percent utilized for development and anticipates the following conservation goals for the San Marcos-Merriam Mountains Core Area (Planning Unit 9) (County of San Diego, 2014b):
 - A. Conserve oak woodlands, coastal sage scrub (particularly in Twin Oaks) to maintain populations and connectivity of coastal California gnatcatcher and other coastal sage scrub-dependent species, and chaparral on mafic or gabbro soils that support sensitive plant species, such as chaparral beargrass and Parry's tetradlea, San Diego thornmint (particularly in San Marcos Mountains), or California adonis;
 - B. Ensure that a core community of coastal California gnatcatcher and other coastal sage scrub-dependent species remains in the coastal sage scrub block in Twin Oaks;
 - C. Conserve the north-south connectivity of coastal California gnatcatcher habitat along I-15 between the Riverside County line and the City of Escondido. Maintain the east-west connectivity of natural habitats on either side of I-15 for dispersal of coastal sage scrub community birds;
 - D. Conserve the riparian and upland habitats of Gopher Canyon Creek for water quality and sensitive species, such as southwestern pond turtle and least Bell's vireo; and,
 - E. Ensure the San Diego thornmint population in the Palisades open space preserve is maintained and enhanced, if practicable.

Based on the NOP and CEQA Initial Study (Environmental Checklist Form) and supporting information (County of San Diego, 2015a and Helix, 2015), the current project proposal would only provide a 32 percent conservation and 68 percent development ratio, which would be substantially less than and not consistent with the 75 percent average reserve assembly target for lands designated as PAMA in the NC-MSCP and would fragment a larger block of habitat that is planned to connect designated preserve areas with high value habitat within the NC-MSCP PAMA, including areas currently conserved to mitigate impacts to California gnatcatchers and their habitat. Fragmentation reduces habitat quality and promotes increased levels of nest predation and brood parasitism, and ultimately, increased rates of local extinction (Wilcove 1985, Rolstad 1991, Saunders *et al.* 1991, Soulé *et al.* 1988). Connectivity among habitat reserve areas (i.e., connectivity among gnatcatcher habitat within the NC-MSCP PAMA) is essential for long-term maintenance of the viability of California gnatcatchers in this area. Maintaining connectivity among these patches of habitat serves to: (1) allow exchange of genetic material among populations; (2) allow recolonization of habitat patches from which gnatcatchers have been extirpated; and (3) allow relatively safe travel for gnatcatchers moving from one area to another. Fragmentation of habitat within core habitat areas and the narrowing of connections among blocks of remaining habitat for gnatcatchers are expected to reduce the function and value of these areas.

The DEIR should evaluate direct and indirect impacts that the proposed development would have on the planned San Marcos-Merriam Mountains Core Area linkage and NC-MSCP planning unit goals, and in particular consider adverse effects on north-south and east-west wildlife movement through/across the site. The DEIR should analyze potential impacts to wildlife movement (including gnatcatchers, mammals and herpetofauna), loss of and fragmentation to habitat patches/blocks on-site and implications to adjoining habitat, and the narrowing of movement corridors in relation to existing conditions and topography.

4. The Department recommends that a 100-foot buffer from the riparian habitat in the major drainage of Escondido Creek be incorporated into the Project. This habitat is expected, either currently or in time, to support sensitive riparian species such as the endangered least Bell's vireo. We further recommend that any encroachment (necessitated by site topography) from on-site trails be avoided or extremely limited, and not approach any closer than 50-feet to riparian/wetland habitat. The DEIR should include a map showing the location of all proposed trails.
5. If the Project includes parks and/or fuel modification zones within the open space acreage, please be aware that these uses would be considered fully impacted by the Department and cannot be included in biological open space proposed for conservation to offset impacts to sensitive resources and must be mitigated appropriately. The DEIR should clearly differentiate between biological open space that would be used as mitigation to offset Project impacts (natural open space) and open space (i.e., parks and fuel modification zones) that would be routinely maintained/impacted.
6. The Section 10 of the CEQA Initial Study (Environmental Checklist Form) indicates that the Project would require issuance of a County Habitat Loss Permit (HLP, Ordinance Nos. 8365, 8380, 8608, 8846, 9457, and 9671), which implements the interim 4(d) rule of the federal Endangered Species Act and the state Natural Community Conservation Planning (NCCP) Process Guidelines for loss of coastal sage scrub habitat during preparation of a NCCP-HCP.

To approve an interim habitat loss application, the local agency must make the following findings:

- A. The proposed habitat loss is consistent with the interim loss criteria in the Conservation Guidelines and with any subregional process if established by the subregion;
- B. The habitat loss does not cumulatively exceed the 5% guideline;
- C. The habitat loss will not preclude connectivity between areas of high habitat values;
- D. The habitat loss will not preclude or prevent the preparation of the subregional NCCP (e.g., the loss would not foreclose future reserve planning options);
- E. The habitat loss has been minimized and mitigated to the maximum extent practicable;
- F. The habitat loss will not appreciably reduce the likelihood of the survival and recovery of listed species in the wild; and,
- G. The habitat loss is incidental to otherwise lawful activities.

The NC-MSCP Planning Agreement also establishes guidelines for interim projects while the Plan is being completed (Section 6.6, Interim Project Processing Interim Review Process and Exhibit B). The Interim Review guidelines identify that where a project will not affect coastal sage scrub but will negatively affect (a) biological resources in areas mapped as "high value" and "very high value" based on the County's habitat evaluation models that utilize the best available information at the time, (b) areas mapped as "moderate" or "low" value that may be important for preserve assembly, and/or (c) proposed Covered Species or their habitat based on current biological surveys, the NCCP/4(d) findings shall be considered and preserve design principles shall be applied to the project including the following:

- A. On-site open space should provide a long-term biological benefit;
- B. On-site open space must protect habitat of equal or greater value as that being impacted. No isolated pockets of open space should be used for mitigation credit;
- C. Separate lots should be used whenever possible for on-site open space to help protect the biological value of the preserved areas;
- D. On-site open space shall contribute to regional conservation efforts;
- E. Open space design, to the extent known, should not reduce the biological diversity found on the site;
- F. Open space design shall maintain habitat connectivity between areas of high quality habitat;
- G. The most sensitive resources shall be protected to maximize long-term viability; and,
- H. Edge effects and habitat fragmentation shall be minimized by maximizing the surface area to perimeter ratio, preserving large blocks of contiguous open space. Edge effects shall be further minimized by establishing buffers, providing fencing and/or permanent signs, and limiting trails and/or lighting.

The DEIR should include sufficient information and analysis to demonstrate how the project is consistent with the preliminary conservation objectives of the NC-MSCP (including the planning units goals for the San Marcos-Merriam Mountains Core Area, see Comment No. 3) and the Planning Agreement Exhibit B guidelines for interim projects and how it would meet the NCCP/4(d) findings required for the County to issue a HLP for impacts to coastal sage scrub (which are subject to Department and United States Fish and Wildlife Service concurrence).

- 7. The proposed Project is located adjacent to various lands that have been or are planned to be conserved for biological resources, including lands owned by the Escondido Creek Conservancy, the County of San Diego (Del Dios Highlands Preserve and Escondido Creek Preserve), Olivenhain Municipal Water District (Elfin Forest Recreational Reserve) and conserved lands at the approved and under construction Harmony Grove Village development. The DEIR should evaluate the direct and cumulative effects that the proposed development would have on the adjacent existing and proposed conservation. The analysis should include effects on these lands from the proposed Project, including direct and indirect impacts from: (a) increased public use of these open space areas from

the Project's population; (b) lighting; (c) noise; (e) drainage; (f) landscaping and introduced vegetation, etc.

8. All plans for restoration/revegetation associated with the Project should be prepared by persons with expertise in southern California ecosystems and native plant revegetation techniques. Each plan should include, at a minimum: (a) the location of the mitigation site; (b) the plant species to be used, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity.
9. The Department is concerned about the potential direct and indirect effects to biological resources associated with the construction of trails in areas proposed for designation as open space on site. We recommend that trails in open space be located to not bisect intact areas and instead be placed along the perimeter or edge of open space areas. The following information should be included in the DEIR regarding any proposed trail: an aerial photograph with an overlay of the proposed alignment of the trail in relation to designated or proposed open space; specifications of the trail type and design; measures to avoid/minimize impacts related to users straying off-trail and/or unauthorized activities (e.g., vehicles); and a discussion of how the proposed location and use of the trail would be consistent with the County's draft NC-MSCP.
10. To increase potential habitat and functionality of on-site wildlife corridors, we recommend that any Project-graded slopes and fuel clearing areas requiring replanting be planted with compatible, low-fuel natives (e.g., cacti and other succulents) to minimize the potential for invasive species to spread into the proposed on-site mitigation/open space areas and into adjacent natural lands.
11. The County should ensure that all development-related landscaping proposed adjacent to on- or off-site habitat does not include exotic plant species that may be invasive to native habitats. Exotic species should be removed and replaced with native or non-invasive exotic species based on the California Invasive Plant Council's (Cal-IPC) "Invasive Plant Inventory" list that can be obtained from Cal-IPC's web site at <http://www.cal-ipc.org>. This list includes such species as pampas grass, fountain grass, myoporum, black locust, capeweed, tree of heaven, sweet alyssum, English ivy, French broom, Scotch broom, and Spanish broom. In addition, landscaping should not use plants that require intensive irrigation, fertilizers, or pesticides adjacent to preserve areas and water runoff from landscaped areas should be directed away from the biological conservation easement area and contained and/or treated within the development footprint. The applicant should submit a draft list of species to be included in the landscaping to the Department for approval at least 60 days prior to initiating Project impacts. Additionally, the applicant should also submit to the Agencies the final list of species to be included in the landscaping within 30 days of receiving approval of the draft list of species.
12. Based on initial biological surveys for the Project (Helix 2015), the property includes the following habitats that contain sensitive plant species and/or support sensitive animal species: Diegan coastal sage scrub, coastal sage-chaparral transition, granitic southern mixed chaparral, mafic southern mixed chaparral, coast live oak woodland, and non-native grassland. In addition, southern (willow) riparian forest and mule fat scrub exist where Project improvements would improve the existing "Arizona" crossing in Escondido Creek. Species known to use these habitats within the on- and off-site Project impacts areas include a pair of California gnatcatcher (Federally listed as Threatened, a State Species of Special Concern, and County Group 1 animal) and least Bell's vireo within Escondido Creek (Federally listed as Endangered, State listed as Endangered, and a County Group 1 animal).

The NC-MSCP is still in-progress, and is expected to be completed in 2017. Until the NC-MSCP is completed and permit issued, the Department considers adverse impacts to a species protected by the California Endangered Species Act (CESA), for the purposes of CEQA, to be significant without mitigation. As to CESA, take of any endangered, threatened, or candidate species that results from the Project is prohibited, except as authorized by state law (Fish and Game Code, §§ 2080, 2085). Consequently, if the Project, Project construction, or any Project-related activity during the life of the Project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, the Department recommends that the Project proponent seek appropriate take authorization under CESA prior to implementing the Project. Appropriate authorization from the Department may include an incidental take permit (ITP) or a consistency determination in certain circumstances, among other options [Fish and Game Code §§ 2080.1, 2081, subds. (b) and (c)]. Early consultation is encouraged, as significant modification to a project and mitigation measures may be required in order to obtain a CESA permit. Revisions to the Fish and Game Code, effective January 1998, may require that the Department issue a separate CEQA document for the issuance of an ITP unless the Project CEQA document addresses all Project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of an ITP. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA ITP.

13. The NOP and CEQA Initial Study (Environmental Checklist Form) (County of San Diego 2015a) indicate that the site contains a number of drainages (ephemeral streambed) that bisect the project site and are tributaries to Escondido Creek. On-site construction could result in direct or indirect impacts to these ephemeral streambeds (and associated coast live oak woodland), as well as to southern (willow) riparian forest and mule fat scrub habitats associated with Escondido Creek, from the replacement of the existing Arizona crossing with the proposed three-span bridge.

The Department has regulatory authority with regard to activities occurring in streams and/or lakes that could adversely affect any fish or wildlife resource. For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, the project applicant (or "entity") must provide written notification to the Department pursuant to section 1600 *et seq.* of the Fish and Game Code. The project area supports aquatic, riparian, and wetland habitats. The DEIR should include a jurisdictional delineation of the creeks/drainages and their associated riparian habitats. The delineation should be conducted pursuant to the U.S. Fish and Wildlife Service wetland definition adopted by the Department (Cowardin *et al.* 1979). Based on this notification and other information, the Department then determines whether a Lake and Streambed Alteration (LSA) Agreement is required. The Department's issuance of a LSA for a project that is subject to CEQA will require CEQA compliance actions by the Department as a Responsible Agency. As a Responsible Agency under CEQA, the Department may consider the City's DEIR for the project. We recommend that all wetlands and watercourses on-site, whether ephemeral, intermittent or perennial, should be retained and provided with substantial setbacks to preserve the riparian and aquatic values and maintain their value to on-site and off-site wildlife and plant populations. Moreover, to minimize additional requirements by the Department pursuant to section 1600 *et seq.* and/or under CEQA, the document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of an SAA.¹

¹ A notification package for a SAA may be obtained by accessing the Department's web site at www.wildlife.ca.gov/habcon/1600.

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DEPARTMENT OF TRANSPORTATION

DISTRICT 11, DIVISION OF PLANNING

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Harmony Grove Village South
NOP

Mr. Peter Eichler
County of San Diego
Development Services
5510 Overland Avenue, Suite 110
San Diego, CA 92123

Dear Mr. Eichler:

The California Department of Transportation (Caltrans) has received the Notice of Preparation (NOP) dated, August 27, 2015, for the Harmony Grove Village South Project located near Interstate 15 (I-15) at 9th Avenue. Caltrans has the following comments:

Please provide a copy of the Traffic Impact Study when available for review.

A traffic impact study (TIS) is necessary to determine this proposed project's near-term and long-term impacts to the State facilities – existing and proposed – and to propose appropriate mitigation measures. The study should use as a guideline the Caltrans Guide for the Preparation of Traffic Impact Studies. Minimum contents of the traffic impact study are listed in Appendix "A" of the TIS guide. www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf

The geographic area examined in the traffic study should include as a minimum all regionally significant arterial system segments and intersections, including State highway facilities where the project will add over 100 peak hour trips. State highway facilities that are experiencing noticeable delays should be analyzed in the scope of the traffic study for projects that add 50 to 100 peak hour trips.

A focused analysis may be required for project trips assigned to a State highway facility that is experiencing significant delay, such as where traffic queues exceed ramp storage capacities. A focused analysis may also be necessary if there is an increased risk of a potential traffic accident.

All freeway entrance and exit ramps where a proposed project will add a significant number of peak-hour trips that may cause any traffic queues to exceed storage capacities should be analyzed. If ramp metering is to occur, a ramp queue analysis for all nearby Caltrans metered on-ramps is required to identify the delay to motorists using the on-ramps and the storage necessary to accommodate the queuing. The effects of ramp metering should be analyzed in the traffic study. Ramp meter delays above 15 minutes are considered excessive.

The data used in the TIS should not be more than 2 years old.

Caltrans endeavors that any direct and cumulative impacts to the State Highway System be eliminated or reduced to a level of insignificance pursuant to the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) standards.

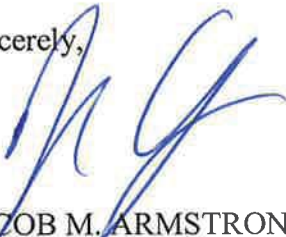
Mitigation measures to State facilities should be included in TIS. Mitigation identified in the traffic study, subsequent environmental documents, and mitigation monitoring reports, should be coordinated with Caltrans to identify and implement the appropriate mitigation. This includes the actual implementation and collection of any "fair share" monies, as well as the appropriate timing of the mitigation. Mitigation improvements should be compatible with Caltrans concepts.

Mitigation measures for proposed intersection modifications are subject to the Caltrans Intersection Control Evaluation (ICE) policy (Traffic Operation Policy Directive 13-02). Alternative intersection design(s) will need to be considered in accordance with the ICE policy; therefore, please refer to the policy for more information and requirements.
<http://www.dot.ca.gov/hq/traffops/signtech/signdel/policy/13-02.pdf>

Mitigation conditioned as part of a local agency's development approval for improvements to State facilities can be implemented either through a Cooperative Agreement between Caltrans and the lead agency, or by the project proponent entering into an agreement directly with Caltrans for the mitigation. When that occurs, Caltrans will negotiate and execute a Traffic Mitigation Agreement.

If you have any questions on the comments Caltrans has provided, please contact Roy Abboud of the Development Review Branch at (619) 688-6968 or roy.abboud@dot.ca.gov.

Sincerely,



JACOB M. ARMSTRONG, Chief
Development Review Branch



20223 Elfin Forest Road
Elfin Forest, CA 92029

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September 24, 2015

San Diego County Planning & Development Services

Attn: Peter Eichar

5510 Overland Avenue, Suite 310,

San Diego, CA 92123

RE: Response to NOP for EIR for the Harmony Grove Village South Project – PDS2015-GPA-15-002, PDS2015-SP-15-002, PDS-REZ-15-003, PDS2015-TM-5600; PDS2015-MUP-15-00

Dear Peter,

As the draftees of the Elfin Forest Harmony Grove Community plan, which this project is subject to, we thank you for the opportunity to comment on the Notice of Preparation of an Environmental Impact Report for the Harmony Grove Village South Project.

Project Description

There are several potential impacts within the project description section, which need to be fully analyzed in the EIR. The project property is located:

- outside of the existing sewer service district recognized by LAFCO, yet claims through LU 1.4 to be part of an existing Village;
- beyond the Village Limit Line established and recognized by the County's General Plan, outside of which no VR designations are permitted;
- within the rural periphery buffer for the Harmony Grove Village project, which destroys the buffering functionality of the Community Development Model for the existing village;

If the applicant is claiming being part of an existing Village, which does implement a CDM throughout, the impact and logic of not following the Community Development Pattern of the entire Village needs to be studied, not only as to whether density should logically follow the least dense pattern on the outskirts of the CDM, where the project is located, but also whether it necessitates a change to this important General Plan Policy, and the subsequent impact throughout the county.

Further, the HGVS project design itself does not include a rural buffer with larger lots and horse keeping properties, as does the existing HG Village Plan. The existing Community Development Model, in compliance with LEED-ND criteria, negotiated by the community in good faith, included a village design that encouraged pedestrian activity with urban densities less than ¼ mile in radius from the core of the existing village. This proposed GPA would add urban densities well beyond ¼ mile and up to over 1 mile from the existing village core and outside of the Village Limit Line and the sewer service boundary, transform buffer areas between the urban density and existing rural residences into high density residential, and disturb the carefully crafted urban-rural balance.

A description of the inclusion of this project into the historic, over 120-year-old Harmony Grove rural community and its long-standing representative citizen's group, the Elfin Forest Harmony Grove Town Council, should be added to the project description. In addition, the impact of the potential breach of trust of the agreed overall planning scheme for the valley should be studied, not just for this area, but for the impact to every planning area in the County. From an overall planning perspective, this backfill clustered housing project would result in checkerboard development, which contravenes the adopted goals and maps of the General Plan (see Guiding Principle 2, p 2-7 to 2-9; Guiding Principle 10, p. 2-14 to 2-15)).

Land Use and Planning

LU 1.4 vs LU 1.2:

As demonstrated in the letter sent on our behalf by Shute, Mihaly and Weinberger dated June 25, 2015 and attached as part of our comments, the project is not adjacent to an existing village and therefore cannot claim an expansion under LU 1.4. If the County determines that the meaning in LU 1.4 of "only where contiguous" can be loosened to include "near," all occurrences of the word "contiguous" in the GP are subject to reevaluation with this new meaning of "near," and the financial and planning impacts of this decision must be evaluated County wide. For example, GP Policy LU 6.7 requires wildlife corridors to be established in "contiguous" open spaces. How would this affect the Multiple Species Conservation Program if this interpretation of "contiguous" would allow gaps between two or more corridors merely "near" each other? The planning impacts and legal costs of determining and supporting an arbitrary definition of "near" for the entire County wide GP should be studied.

If LU 1.4 does not pertain to this project, then the project should be evaluated for consistency with LU 1.2, which prohibits leapfrog development with village densities outside of established village or sewer service boundaries.

Consistency with Harmony Grove Community plan:

The proposed project destroys the existing and essential buffering function of the project site itself, which was carefully considered as part of the adoption of the Harmony Grove Village

project. This impact needs to be fully analyzed. In addition, the EIR needs to specifically address consistency with adopted Community Plan policies such as septic only outside the Village Limit line, 1 acre minimum lot size, large animal keeping, and the like.

Public Services.

Fire and Emergency Services

Current and future residents alike could be facing a perilous situation during an emergency such as a mass evacuation due to a wildfire or an earthquake. The project as currently proposed has only one exit onto Country Club Drive. This design of one egress would compromise safety during evacuations as Country Club Drive, which dead ends to the east, serves as the only exit route for existing residents beyond the project area. The EIR needs to fully analyze evacuation scenarios - including existing residents and their large animal livestock - with the most recent fire behavior data available, including the 2014 Coco's fire.

The project area is adjacent to Standard Pacific's temporary Construction Trailer and lay down areas; the open spaces around these structures burned from the Southern terminus of Country Club Drive to Harmony Grove Road during the 2014 Coco's fire. This area of Harmony Grove lost more than 30 homes and several out buildings only a few hundred feet from the proposed project location.

Road Improvements

Improving the current roads may not be sufficient to allow the existing residents with their horse trailers to evacuate in time once the HGV, Valiano, and HGVS projects are fully built out, especially with the Citracado Parkway extension delayed, and a doubling of the Sprinter line schedule, which already creates a bottleneck for evacuation to the North. The EIR should study worst case conditions at full build-out without Citracado Parkway to evaluate whether current residents and future residents of HGV, Valiano, and HGVS could safely evacuate on Country Club and/or Harmony Grove Road.

The most useful analysis would determine the maximum number of dwellings in the valley to allow for safe egress in case of emergency evacuation given the number of existing residents. Prevailing winds and past fire emergencies patterns, and prevalence of substandard private roads should be modeled to determine the wisdom of adding several thousand people in a bottlenecked valley already at the wildland-urban interface.

The possibility for fatalities due to the entrapment of people and animals on these rural roads, and possibly the nearby local highways should be studied as part of this project EIR. Please note that in a wildfire roadway entrapment scenario, large animals cannot be removed from trailers when there are stationary vehicles behind the trailers prohibiting the lowering of the rear exit ramps. Horse trailers are particularly susceptible to catching fire by windblown embers because they have large open windows and are filled with dry wood shavings. Thus, tragically, hundreds of horses could be trapped in their trailers and killed by fire, or let loose and die if roadways are congested or blocked during evacuations (as seen in the Valley Fire in northern CA, that is still burning as of this writing – where picture below was taken)



Recreation.

This project does not include any public parks. The residents of the 453 units will no doubt use the community's only public park in Harmony Grove Village, which was designed to be a meeting place for village and rural neighbors. The impact on this park by a GPA of the magnitude proposed with 453 neighboring homes should be studied and mitigated within the community. Unlike all existing or approved dwellings in the community plan area, a majority of proposed dwellings do not include private yards to recreate; the EIR needs to fully analyze the impact of a) use of existing public recreation areas at a higher rate by these proposed residents, including impact on GHG and VMT to get to said recreation, and b) the potential impact on existing residents' recreational amenities such as large animal keeping of adding apartment dwelling neighbors who may object to odor or other vectors currently existing within the community.

Transportation and Traffic.

This Town Council Board worked diligently with County staff and applicant to craft a compromise to mitigate the project traffic impacts of HGV. This mitigation measure was the downgrading of rural roads surrounding the project to minimize impact to existing residents. Country Club Drive (designed to handle only 4,500 ADTs) and Kauana Loa Drive are non Mobility Element roads. They are now at risk of being added back to the Mobility Element Plan due to the added project traffic. A GPA of the magnitude proposed, especially when combined with the change in planned improvements in Escondido, could jeopardize years of good faith collaboration, and result in these roads needing to be reclassified to accommodate the additional traffic impact.

In addition, the added stress of the increased density on the areas' private roads and the financial impact on local residents responsible for maintaining those private roads should be studied and mitigated. This analysis needs to extend to the private roads in Elfin Forest, which currently serve as cut-through routes to traffic from Escondido and the project area. Private property

owners pay to maintain these roads with no mean to restrict access to deeded easement owners exclusively, and any added density in Harmony Grove will result in added traffic impact on these private roads. The EIR needs to fully analyze the additional financial burden to private property owners from project use and consider adequate mitigation.

The traffic impact on intersection of Elfin Forest Road and Twin Oaks Road need to be analyzed since it is the first intersection to the West of the project; analysis needs to include emergency evacuation conditions for traffic impact, noting that in last local emergency (Coco's fire) traffic at that intersection was at a standstill with flames overhead on the hills. Impact of project traffic on the ability of other residents to evacuate via the West needs to be fully studied.

The EIR should also study the incremental and specific impact of the project on the construction of long-planned infrastructure like a bridge over the Escondido Creek, a Federally-funded project years in the planning that the applicant is touting as a project benefit, but which the community believes will occur independently of this project.

Agriculture and Forestry Resources.

The Harmony Grove Community Plan calls for encouraging family owned farms; the impact of removing the agricultural land and in its place putting high density clustered units should be studied.

Aesthetics

The proposed project calls for a mix of structures including multi-family and single family homes. Structures will range from one and half stories high to three and half stories high, the maximum height being 64 feet. This is more than double the height of homes in the neighboring vicinity, including homes in Harmony Grove Village. This is in direct conflict with the character of the community, which includes one and two story single family homes on large lots; large animal facilities on residential properties; no walled developments, and no gated communities.

The aesthetics impacts to the existing community include the obstruction of view of the rolling hills, the ridgeline along the western edge of Harmony Grove which is a locally important historic visual resource called the "Lady of the Valley," and it will also greatly impact the scenic vistas from Harmony Grove Road, part of the scenic County Highway System. The amount of light and glare from such a large clustered development would jeopardize the community's dark skies policy and should be considered a potentially significant impact. No amount of disguising large apartment blocks as "granaries" can mitigate for the aesthetic impact of bulk and scale completely out of harmony with any of the surrounding properties south of Country Club Drive.

Further, the EIR should examine the aesthetics impacts of losing the Community Development Pattern, which aims to bring visual harmony between a village and its surroundings.

Biological Resources

This project is located within the draft North County MSCP and is located within an area designated as the Pre-approved Mitigation Area (PAMA). The goal of this plan is to conserve 75% of natural lands in the PAMA. The applicant is proposing that 75 acres of the 111 acre site

will be dedicated to landscaping, gardens, or biological open space. This doesn't appear to meet the criteria of conserving 75% of the natural lands on the project site, which would be 83.25 acres. This should be studied closely for accuracy of land use (natural land, not landscaping and gardens) and the appropriate conservation measures as required by PAMA.

There are a number of species on the project site that are listed as State and/or Federally Endangered and/or Threatened. CAGN and LBV have been documented within the project site. In addition, Mammal trapping surveys should be done because the area has been in the historical range for the Stephens Kangaroo Rat, and the northwestern pocket mouse.

Because the State of California has been in a drought pattern for several years, rare plant surveys are likely inaccurate. Rare plant Surveys should be performed after an adequate year for rainfall, and because there are clay soils present on site, a vernal pools survey should also be considered.

The non native grasslands that are present onsite are an important local resource to a number of protected avian species and potentially sensitive reptilian and mammalian species that rely on this resource for foraging, burrowing, and nesting. Because the area has been untouched for a long time, there are a number of native plants that have reestablished in the area, making rare plants surveys in this area necessary as well.

There are a number of bat species recorded in the area. Because the project site has the Escondido Creek, large rock formations nearby, and open fields providing for ideal bat foraging, surveys should be conducted to determine what protected bat species would be impacted by this project.

The proposed project would impede wildlife access to and from areas onsite and offsite, and create hazardous environment for wildlife with a suburban/wildland interface that would be impossible to balance. A development of this size would bring in domestic cats and dogs, subject the wildlife to further impacts by predation, disease, poison, roadkill, and other stresses that need to be studied in the EIR.

Cultural Resources:

Harmony Grove is the oldest of the San Dieguito communities, named by the Spiritualist Association that incorporated there in 1896. Luiseno and Diegueno occupation is evident. Prehistoric resources in the surrounding areas include petroglyphs, pictographs, some habitation sites, bedrock milling sites, a lithic scatter and, there are several buildings that appear on the 1889/1891 San Luis Rey 15' topographic map, and some of these are still standing. For example the remains of an adobe structure stand near Country Club Drive and Cordrey Lane on the project site.

Greenhouse Gas Emissions

How will the project adequately mitigate for potentially significant impacts, when there are no adopted mitigation measures at this time?

“The new Climate Action Plan (CAP) for the County of San Diego will be a comprehensive Plan that will outline the specific activities that the County will undertake to reduce Greenhouse Gas

(GHG) emissions in the unincorporated communities of San Diego County. The CAP will also aid the County meet State mandated GHG reduction targets. The CAP will focus on activities that can achieve the greatest GHG emission reductions in the most technologically feasible and cost-effective manner. Project completion is anticipated in the Fall of 2017.”

Project Alternatives

We respectfully request as one of the alternatives analyzed a project consistent with the Harmony Grove Community Plan, at the original density established by the Community Development Model agreed upon by the community and the County (~25 units) and embedded in the Staff Land Use Map during the General Plan Update process. This Town Council Board is on record advocating against the 176% increase in density the site received as part of the Property Specific Requests, which was politically motivated, completely inappropriate for the site, and potentially subject to reevaluation.

Thank you for the opportunity to comment.

Angelique Hartman



Chair, Harmony Grove Meadows Committee

Elfin Forest/Harmony Grove Town Council

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June 25 2015

Via E-Mail and U.S. Mail

Marisa Smith
County of San Diego Planning and
Development Services
5510 Overland Avenue, Suite 110
San Diego, CA 92123

Re: Harmony Grove Village South's Inconsistency With the General
Plan and Community Plan

Dear Ms. Smith:

This firm represents the Elfin Forest Harmony Grove Town Council in matters related to the County's consideration of the proposed Harmony Grove Village South project ("Project" or "HGVS"). I have reviewed correspondence between Ann Moore, counsel for Kovach, and David Sibbet, in the County's Planning Department, dated March 20, 2015. ("Moore letter"). This letter and an attached matrix describe why the Project applicant believes the Project is consistent with the County's General Plan and the Elfin Forest and Harmony Grove, San Dieguito Community Plan ("Community Plan"). After reviewing that letter, as well as relevant General Plan and Community Plan policies and maps, it is clear that the proposed Project is not consistent with the General Plan or Community Plan. Rather, the Project flatly contradicts numerous, fundamental Plan policies and violates the Community Plan's central purpose: to maintain the community's rural character.

Among other inconsistencies, the Project would violate the County's restrictions on expanding existing rural villages. The Project does not meet the General Plan's strict criteria for allowing village expansions, and must be disapproved on this basis alone. In addition, the Project would irrevocably alter the community's rural atmosphere by introducing urban-style development, with resulting noise, traffic, and other impacts. The Community Plan specifically foresaw that developers would want to upzone properties and build urban and suburban developments in the community, and it

explicitly restricted their ability to do so. Among other limitations, the Community Plan requires that new development utilize on-site septic systems, which helps maintain the large-lot, rural atmosphere. It also forbids the County from approving new developments that will cause urban residences to greatly outnumber rural residences in the community, thereby drowning out the all-important rural voice. The Project would clearly violate both of these policies.

Additionally, the Project fails to comply with County fire standards that require two egress routes. The County should not exempt the Project from this crucial requirement. Nor is it clear that the County may rely on CalFire to provide firefighting services to the Project, as I understand it may wish to do. CalFire is obligated by state law to make sure that its infrastructure and funding decisions do not support unsafe, sprawl development such as HGVS. Attached to this letter is a letter my firm is sending to CalFire to ask it for information on whether it may facilitate developments such as this one by providing fire services to it. See Exhibit 1.

Just four years ago, the County spent \$18 million in taxpayer dollars updating its General Plan and the Community Plan. This years-long process, which involved countless hours of community meetings, culminated in a General Plan and Community Plan that carefully selected the areas where the Harmony Grove community would grow while assiduously protecting the rural character of the remaining land. The Harmony Grove community worked hard to develop the Community Plan and has worked for years to enforce it. They were willing to accept their share of growth in the community, in the form of Harmony Grove Village. However, they made sure that the Community Plan contained enforceable restrictions that bar the County from approving other high-density, urban-style developments such as HGVS.

Now a developer is asking the County to ignore the Community Plan that the County and community worked so hard on. The County may not do this. Rather, it must uphold the clear, mandatory policies of the General Plan and Community Plan that protect the Harmony Grove community from creeping urbanization and developments such as HGVS. In short, the proposed Project is irrevocably inconsistent with the General Plan and Community Plan and the County must reject it.

I. The Project Must Comply With the County's General Plan

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.” *Resource Defense Fund v. County of Santa Cruz* (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.” *Families Unafraid to Uphold Rural El Dorado County v. Board of Supervisors* (“FUTURE”) (1998) 62 Cal.App.4th 1332, 1336. See also *Leshner Communications, Inc. v. City of Walnut Creek* (1990) 52 Cal.3d 531, 540 (general plans and community plans act as a “constitution” for future development).

A proposed 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.” *Napa Citizens for Honest Gov’t v. Napa County* (2001) 91 Cal.App.4th 342, 379. In addition, courts have invalidated project approvals that were inconsistent with fundamental, mandatory, and clear general plan policies, regardless of whether the projects were consistent with other general plan policies. *FUTURE*, 62 Cal.App.4th at 1341-42; *Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 783.

Accordingly, courts give some deference to jurisdictions in interpreting their general plans, but do not allow jurisdictions to ignore inconsistencies with clear, mandatory general plan provisions. Nor may jurisdictions approve projects that will frustrate the general plan’s clear goals. As the state Supreme Court recently opined in an analogous context, “although land use regulations are generally entitled to deference, “judicial deference is not judicial abdication . . . There must be a reasonable basis in fact, not in fancy, to support the legislative determination.” *California Building Industry Association v. City of San Jose* (June 15, 2015), Case No. S212072.

II. The Proposed Project Is Inconsistent With General Plan Policy LU-1.4 Regarding Village Expansion.

One of the General Plan’s fundamental tenets is that it promotes compact development in existing communities that will reduce the loss of farmland and wildlife habitat, reduce greenhouse gas emissions, and maintain the rural and unique character of the County’s unincorporated communities. In order to carry out the goal of promoting compact development, the General Plan identifies a number of “villages” where it directs the majority of future growth. These villages are located in areas where there are existing communities that form the core of the village.

Consistent with its overarching goal of encouraging smart growth and discouraging sprawl development, the General Plan prohibits most “leapfrog” development that would place village densities at a distance from existing, established communities. The County may only approve such leapfrog development if the new village meets strict standards known as LEED for Neighborhood Development. See General Plan Policy LU-1.2.

Although the General Plan prohibits most leapfrog development, it does allow expansion of existing, designated villages in certain, narrow circumstances. Specifically, Land Use Policy LU-1.4 states that the County will “[p]ermit new Village Regional Category designated land uses only where contiguous with an existing or planned Village and where all of the following criteria are met:

- Potential Village development would be compatible with environmental conditions and constraints, such as topography and flooding
- Potential Village development would be accommodated by the General Plan road network
- Public facilities and services can support the expansion without a reduction of services to other County residents
- The expansion is consistent with community character, the scale, and the orderly and contiguous growth of a Village area”

Here, the proposed Project includes new village regional category designated land uses. It therefore must comply either with Policy LU-1.2 or LU-1.4. From the Moore letter, I understand that the County is proceeding under the assumption that the Project would comply with Policy LU-1.4. For the reasons described below, the Project does not comply with this policy and the County may not rely on it to approve the proposed, new HGVS Project.¹

¹ Nor would the Project meet LU-1.2’s requirement for compliance with LEED ND certification or equivalent. Among other requirements, LEED ND mandates that projects be located in “smart” locations where there are opportunities for transit use and impacts to agricultural land are minimized. Specifically, projects must be located either on an infill site or a site that is adjacent to previously developed land where the connectivity of the site and adjacent land is at least 90 intersections per square mile.

A. The Project Is Not Contiguous With Harmony Grove Village.

The applicant acknowledges that, in order for this Project to qualify as a village expansion under LU-1.4, the Project must be “contiguous” with the existing Harmony Grove Village (“HGV”). The Moore letter claims that “Webster Dictionary defines the term ‘contiguous’ to mean adjacent. The term ‘adjacent’ is defined as ‘near’ or ‘close to.’” Moore Letter at 3, fn. 1. It therefore claims that the Project is contiguous with HGV because it will be *near* it, even though the Project boundaries *will not touch* the HGV boundary.

This position is untenable. The Merriam-Webster dictionary defines “contiguous” as “being in actual contact: touching along a boundary or at a point,” or “touching or connected throughout in an unbroken sequence[e.g.] contiguous row houses.”² Likewise, the Oxford Dictionary defines it as: “Sharing a common border; touching.”³ This commonsense definition of the term “contiguous” also comports with the General Plan’s use of the term in other contexts. For example, Policy LU-6.7 states: “Require projects with open space to design contiguous open space areas that protect wildlife habitat and corridors.” Obviously, a wildlife corridor must be continuous, or contiguous, in order to be useful for wildlife. Corridors with breaks in them, or two separate corridors that are merely “near” each other, would not provide a useful corridor.

Nor would it make sense for the General Plan to allow a village “expansion” by placing a new village at a distance from existing ones. The General Plan has a separate policy that allows *new* villages: LU-1.2. There would be little need for this separate policy if LU-1.4 also allowed village “expansion” by leapfrogging over intervening, protected or rural land and placing new village densities at a distance from existing villages.

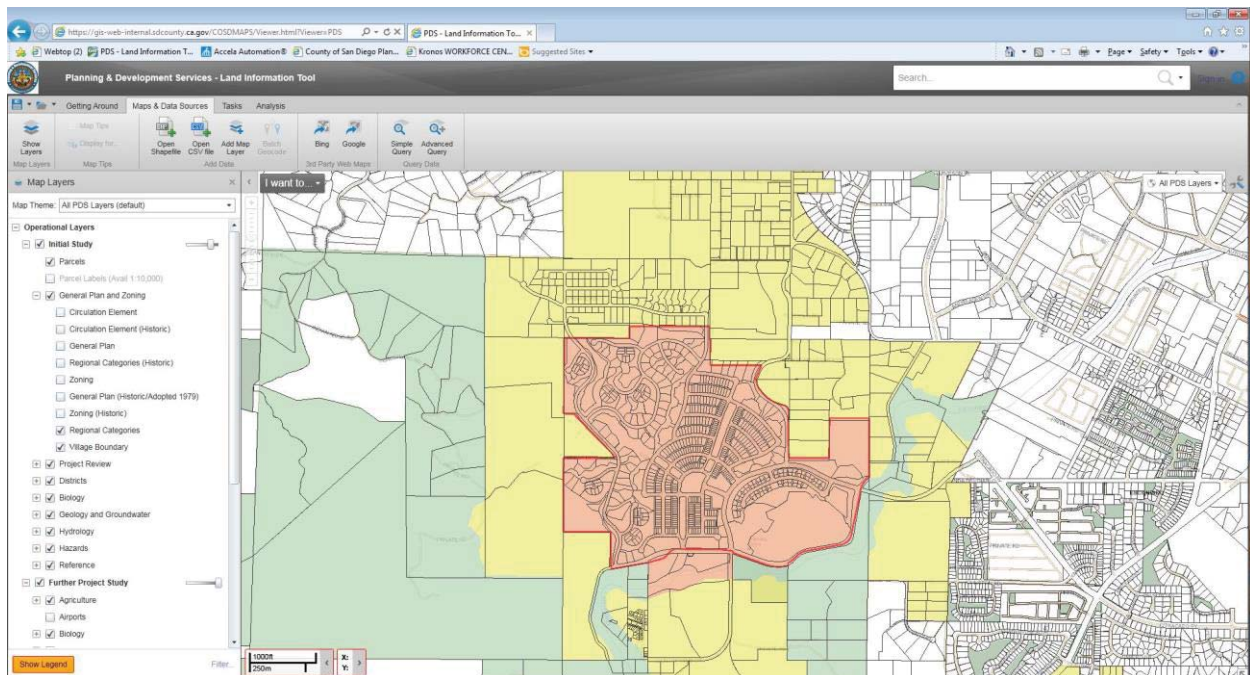
Alternatively, they may be located on a transit corridor. The Project does not meet these prerequisite requirements, not to mention myriad other requirements. See generally LEED 2009 For Neighborhood Development, available at <http://www.usgbc.org/ShowFile.aspx?DocumentID=6406>. Additionally, LU-1.2 prohibits new village densities that are located “outside established water and sewer service boundaries.” The HGVS site is located outside of an established sewer service boundary. See Exhibit 2.

² <http://www.merriam-webster.com/dictionary/contiguous>

³ http://www.oxforddictionaries.com/us/definition/american_english/contiguous

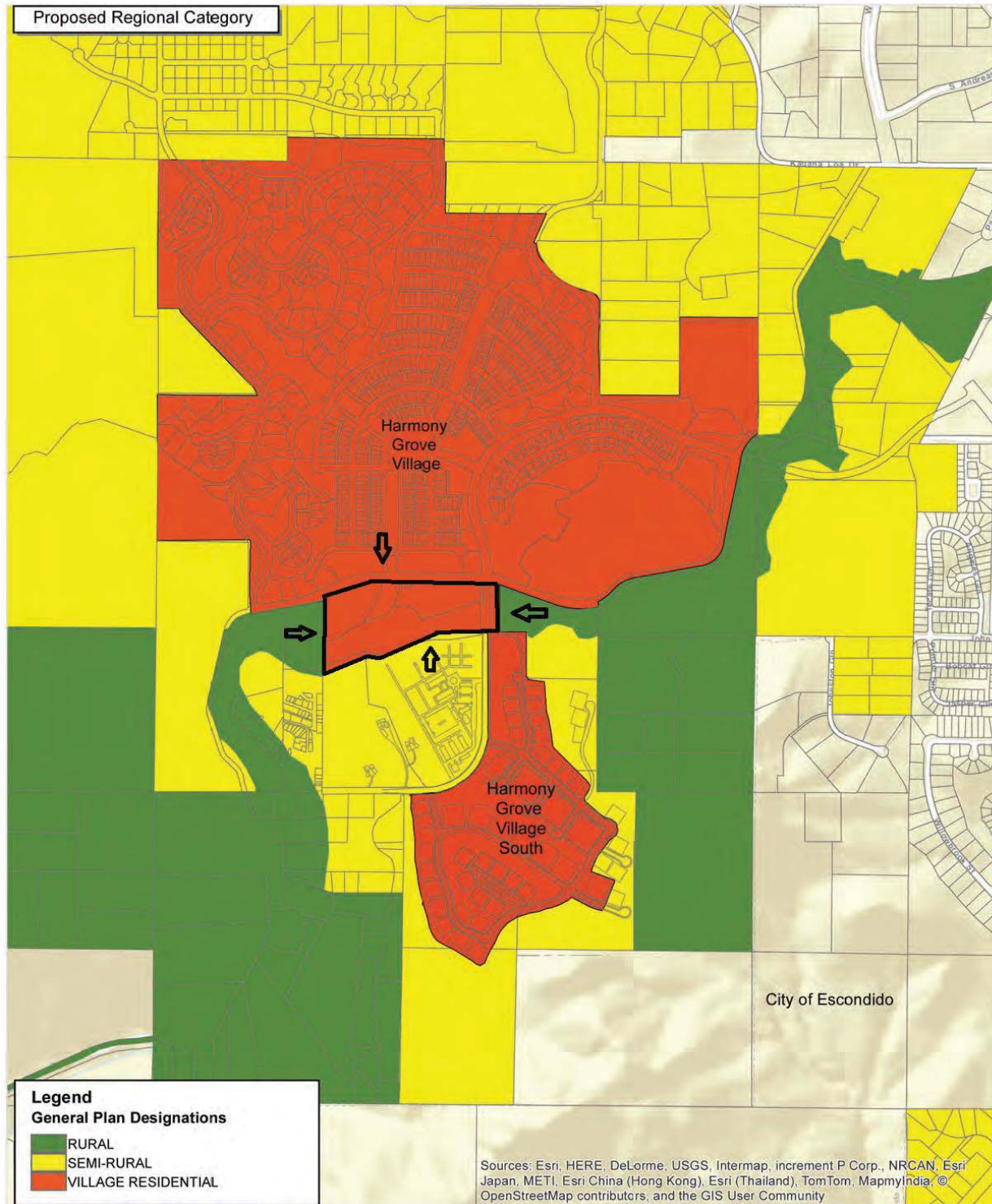
Here, the proposed Project boundary does not touch the HGV boundary and is therefore not contiguous with it. The following graphics demonstrate this fact. The first graphic shows the HGV village limit line. Although some property to the south of the village limit line is designated with village regional category land uses (see orange area to the south of the red village limit line), it is clearly outside the village limit line, and therefore outside of the existing village. The graphic also shows how this area to the south of the village limit line contains large parcels that have not been subdivided for dense, village development. This area is designated for a public park, protected creek/flood control channel, and protected riparian corridor for Escondido Creek. See Harmony Grove Specific Plan at 44. The area is slated to contain a public equestrian ranch.

Although this area is within the Harmony Grove Specific Plan, it is outside of the village limit line. Notably, the Community Plan was updated *after* the HGV Specific Plan was approved. The County therefore made a conscious decision to exclude this area from the community's designated village.



The next graphic demonstrates that the proposed HGVS is not adjacent to the HGV limit line. A miniscule portion of HGVS is across a road from the equestrian land described above that is designated with village regional categories. This area is outlined in black. Although this equestrian land is designated with village regional categories, it

will be used for a public equestrian park and a protected riparian and creek corridor. This public, protected corridor is contiguous with land to the east and west that is designated with rural regional categories (see area in green, below). Together, this greenbelt forms a complete barrier of protected, open space or rural land between HGV and the proposed HGVS. The proposed Project would leap over this protected corridor and place a completely new village at a distance from the existing village, in direct contravention of LU-1.4. Because HGVS is not contiguous with the existing village, the County may not approve the Project under the guise of expanding an existing village pursuant to LU-1.4.



The Moore letter attempts to get around the fact that HGVS's boundary does not touch the HGV limit line by emphasizing that the Project would be located approximately 300 feet from the County's public equestrian park, which is designated with a village regional category. The letter implies that the Project only needs to be contiguous with land designated with village regional categories, and need not be contiguous with the actual village limit line. This contention is incorrect. As an initial matter, even the Moore letter admits that the Project is hundreds of feet from the equestrian park and its village-designated categories. Accordingly, it is not even contiguous with these parcels.

But even if HGVS were contiguous with the equestrian park and its village-designated land, this would be irrelevant for purposes of analyzing General Plan consistency. Policy LU-1.4 requires new Village Regional Category designated land to be contiguous with an existing or planned *village*, not just contiguous with village regional category designated land. See Policy LU-1.4 (permitting village expansion "only where contiguous with an existing or planned *Village*") (emphasis added).

Here, the relevant village—HGV—is defined by a village limit line contained in the Community Plan, not by the designation of its land under the village regional category. The Community Plan states that "[t]he Harmony Grove Village Boundary, shown on Figure 3 on page 25, is a growth boundary that identifies land to which development should be directed. Areas outside this limit line are not intended to expand and should retain the original Harmony Grove rural residential and agricultural character." Community Plan at 27. As the General Plan describes, Community Plans are allowed to set village boundaries such as this which "define[] the extent of a village or rural village as a means to direct future growth and identify where development should be directed." General Plan at 10-32 (defining "Village Boundary").

Accordingly, the General Plan allows community plans to set village boundaries, and the Community Plan did that by setting the village limit line. The Community Plan explicitly states that this limit line defines the boundaries of the village and prohibits urban-style growth outside of this limit line. It is this clear boundary, and not the designation of land under the village regional category, that sets the village boundary with which any village expansion must be contiguous. Because HGVS is not contiguous with—i.e., it is not touching—the village limit line, the County may not approve the Project pursuant to LU-1.4.

B. The Project Is Not Consistent With the Community's Rural Character.

The County may not approve the Project for the additional reason that it is not consistent with the community character, scale, and orderly and contiguous growth of a Village area, as required by LU-1.4. As described more fully in the sections below, the Project is completely out-of-character with the surrounding rural, large-lot, equestrian-friendly community. Its hundreds of new urban-style residences are not in scale with the surrounding community and would overwhelm the community's rural residences and rural voice.

It also does not promote orderly and contiguous growth. HGV was designed so that more dense areas are at the center of the community and density decreases toward the edge so as to transition to the surrounding rural and semi-rural lands. See Harmony Grove Specific Plan at 21 ("As a general rule, homes and lots will be smaller near the core and grow progressively larger the more distant they are from the core area. At the perimeter . . . some individual lots will exceed two acres in size"), 22 (map showing that only equestrian/limited residential, and park/recreation/open space uses are allowed in the portion of the specific plan area to the south of the village limit line). Instead of restricting dense development to village cores and reducing density at the edge of villages, the Project would place dense development at the edge of HGV as well as at the edge of the HGVS Project.

This approach is anathema to various General, Community and Specific Plan policies that protect rural lands by requiring village development to feather densities out in order to provide transitions and buffers with surrounding land. For example, the General Plan land use map designates the Project site as semi-rural land, and designates the vast majority of the land to the east and west of the Project site with rural categories. The General Plan describes how the semi-rural land use designation "function[s] as a transition between the Village and Rural Lands categories." General Plan, Land Use Element at 3-8. Because the Project would redesignate the site with village regional categories, it would no longer serve as a transition between village and rural designations. See also Community Plan at 1 (describing how "[t]he Plan's policies require that development be comparable to, or transition with, existing development").

In sum, the proposed Project is not a logical extension of the HGV, but is really a completely new village that would be separated from HGV. The County must abide by the Community Plan's mandate to restrict urban-style development to HGV and to not allow such development outside of the existing village limit line. The Project applicant is attempting to stretch the language of LU-1.4 far beyond the breaking point, and the

County must reject this approach. The General Plan and Community Plan are the constitutions for the community's growth, and the County must uphold them by denying this Project.

III. The Project Violates Numerous Policies in the Community Plan

A. The Project Violates the Community Plan's Mandate to Retain the Area's Rural Character.

The Harmony Grove community is defined by its rural character. As the Community Plan describes, the community contains primarily single-family rural residences located on estate lots that sprawl over the hillsides. Community Plan at 16. The community's residents value open space, quiet, dark nighttime skies and low traffic volumes. *Id.* "Some of the key elements of the Harmony Grove character and values include one- and two-story single family homes on large lots; large animal facilities on residential properties; no clustered development; [and] no 'cookie-cutter' developments." *Id.* The Community Plan describes the "ideal future state" of the community as one that has "rural idylls" and where "[t]he all-important rural voice is not overwhelmed by the urban voice." *Id.* at 23. The Community Plan contains numerous goals describing these values, and numerous policies that protect them.

The existing General Plan and Community Plan, as well as the Harmony Grove Specific Plan, are the result of years of negotiation and compromise. Recognizing that they needed to accept their "fair share" of development, local residents did not fight the HGV Specific Plan when it was approved in 2007. However, the only reason they did not oppose it was because County planning staff assured them that the HGV project represented the community's fair share of dense development and that the Community Plan would restrict future expansion of urban-style housing.⁴

The Community Plan, which was updated in 2011, reflects this understanding. It contains the goal to preserve "the lifestyle of the rural resident while accommodating growth," and includes a strict village limit line around HGV. Numerous Community Plan policies reflect the commitment to limit urban densities to this village area in order to preserve the rural character of the community. For example, the Community Plan describes how the "historic community is rural equestrian and agricultural, and the HG Village will have more urban densities. The rural lifestyle must not be lost to urban

⁴ See <http://www.utsandiego.com/news/2007/feb/08/supervisors-ok-harmony-grove-village/2/?#article-copy>, attached as Exhibit 3.

sprawl.” Community Plan, Issue SPA-2.2. Accordingly, it articulates the following goal: “Preservation of the unique features of a rural lifestyle, while integrating the urban lifestyle of the HG Village.” Community Plan, Goal SPA-2.2. It also adopts the following policy: “Strictly adhere to the restrictions imposed by the Village Boundary (shown in section 1.0 of this plan).” Policy SPA-2.2.5.

Similarly, the Community Plan describes how “non-resident land speculators have purchased local undeveloped land in the hopes that General Plan Amendments allowing higher density will be adopted by the Board of Supervisors,” but that “[r]esidents will continue to work to preserve this historic 100-year-old community by implementing the Village Development Pattern that was negotiated.” Community Plan at 21. It emphasizes that “[d]evelopment of these parcels outside the proposed Harmony Grove Village Boundary (refer to Figure 3) with an urban, clustered, or suburban design threatens the continued existence of the rural residential and equestrian character of Elfin Forest/Harmony Grove.” *Id.* at 31. It also describes how the village limit line around HGV “is a growth boundary” and that “[a]reas outside this limit line are not intended to expand and should retain the original Harmony Grove rural residential and agricultural character.” *Id.* at 27.

The Community Plan also contains a policy that requires all new development to utilize septic systems on site. Policy CM-10.2.1. Because septic systems require larger lots, this policy ensures that the area will continue to have homes on large, rural lots as opposed to small, clustered urban- or suburban-style homes. Further, the Plan contains policies to preserve the rural, equestrian character of the community. For example, Policy LU-1.5.3 requires the County to “[p]rovide for lot sizes that will permit residents to keep leisure and market animals on their property.” Similarly, Goal LU-1.9 describes how the Community Plan will preserve “[a]n attractive equestrian community that encourages environmentally sensitive, responsible horse keeping.” See also Policy LU-1.9.2 (“Encourage the keeping of equestrian and market animals”); Policy CM-2.3.1 (“Restrict local public roads to two-lane, undivided, curving streets; with established speed and weight limits commensurate with residential equestrian neighborhoods.”).

The proposed Project violates the Community Plan’s overarching mandate to protect the rural character of the community. Instead of proposing new, equestrian-friendly development on large lots, the proposed Project would place more than 450 homes in dense, multi-unit clusters. It would require widening a road to more than two lanes and utilizing a wastewater treatment plant instead of septic systems, and it would not allow for on-site keeping of equestrian and market animals. Additionally, it would

severely disrupt the current balance of urban and rural homes, thereby drowning out the “all-important rural voice” that the Community Plan protects.

This is the wrong project in the wrong location. The County cannot find, as it is legally required to do, that the Project “is compatible with and will not frustrate the General Plan’s goals and policies.” *Napa Citizens for Honest Gov’t*, 91 Cal.App.4th at 379. On the contrary, the Project flatly contradicts the General Plan and Community Plan and the County must reject it.

B. The Project Violates the Community Plan’s Mandate to Ensure that Urban Residences Do Not Outnumber Rural Residences.

In addition to the Project’s overall inconsistency with the General Plan and Community Plan’s goals, the Project also conflicts with specific Community Plan policies. One of these policies is to “[e]nsure that the number of urban residences does not greatly exceed that of the rural residences in the greater unincorporated communities of Harmony Grove and Eden Valley.” Policy LU-2.2.1. This policy is fundamental to the Community Plan’s overarching goal of maintaining the rural character of the community. As described above, the Community Plan repeatedly states that the community is rural in nature, is defined by its large-lot, equestrian lifestyle, and should be preserved in that manner while only allowing dense, new development in strictly defined areas.

Policy LU-2.2.1 is also mandatory; it states that the Community Plan will “*ensure*” that urban residences do not greatly outnumber rural ones. It does not state that the Plan “should strive” to maintain this balance, or that the County “should consider” this factor when approving new development. Rather, it clearly states that the County shall ensure that rural homes are not greatly outnumbered by urban ones. This policy’s strong language and firm commitment are not accidental. When the County updated its General Plan and the Community Plan in 2011, it described how it carefully choose policy language that was clear and would provide firm commitments:

the issue of mandatory language versus permissive language has been considered carefully in preparing the General Plan Update documents. The County has avoided the use of “should” because it desires a General Plan that is clear on its intent and avoids debate during application. This approach has also been supported by a number of stakeholders and commenters on the General Plan Update who have indicated that they desire *clear and firm commitments* to certain policies and actions.

San Diego County General Plan Update EIR, p. O3-4, attached as Exhibit 4 (emphasis added).

Finally, the policy language is not vague or ambiguous, but is clear. The policy explicitly forbids the County from approving projects that will cause the number of urban residences to greatly exceed rural residences in the Harmony Grove and Eden Valley communities. The Community Plan describes how, in order to maintain this balance, the County must “strictly follow[]” the General Plan’s 2011 land use map. Community Plan at 21. If it follows this land use map by allowing build-out of HGV but not approving any additional dense development in the community, then “the final number of urban homes should approximately equal the number of rural homes in the neighboring communities and Harmony Grove should be able to keep its rural voice.” *Id.* In contrast, if the County does *not* strictly follow the 2011 land use map, then the number of urban homes will greatly exceed the number of rural ones.

Here, it is undisputed that the proposed HGVS is not consistent with the County’s 2011 land use map. Rather, HGVS proposes a General Plan Amendment, Specific Plan, and rezone that would allow 453 clustered, urban-style homes on land that would be designated under the Village Regional Category. As demonstrated below, approval of the Project would allow the number of urban homes to greatly exceed the number of rural homes, in violation of Policy LU-2.2.1.

The number of existing and allowed rural residences in Harmony Grove are as follows:⁵

Harmony Grove (existing residences):	125
Eden Valley (existing residences):	80
Remaining residences that could be developed under existing General Plan:	328 ⁶

⁵ Policy LU-2.2.1 requires that the number of urban residences not greatly exceed that of the rural residences in the greater unincorporated communities; however, it does not describe whether, in doing the math, the County should count only *existing* rural residences or should also count residences that would be allowed under the existing General Plan designations and zoning. In order to be conservative, we use the latter interpretation. If the former interpretation was used, HGVS would cause an even greater imbalance between urban and rural residences.

⁶ This includes 118 homes in the area that is currently proposed for the Valiano project and 210 homes in the area proposed for the HGVS Project.

Rural style residences in HGV: 55⁷
Total: 588

The number of urban residences are as follows:
Harmony Grove Village: 687⁸

Accordingly, under build out of the current General and Community Plans, urban homes will constitute approximately 54 percent, and rural homes 46 percent, of the residences in these communities. This balance ensures that the rural voice is not lost and reflects the carefully crafted compromise embodied in the Community Plan.

However, if the Project is approved, the number of urban homes will greatly exceed the number of rural ones. Under this scenario, 210 residences are subtracted from the “rural” side of the equation (representing the 210 rural homes that could have been built in the area proposed for HGVS). This leaves 378 rural homes. In addition, the Project’s 453 homes are added to the “urban” side of the equation, which would total 1140 urban homes. In sum, there would be 378 rural homes and 1140 urban homes. Rural homes would constitute 23 percent of the community’s residences, and urban homes would constitute 77 percent of residences. In other words, urban homes would outnumber rural ones by more than a three to one ratio, demolishing any chance of maintaining the community’s rural voice.

If urban homes greatly outnumber rural ones, the Community Plan’s careful balance will be lost. Among other impacts, approving HGVS and its urban-style homes would cause more traffic on the area’s small, 2-lane country roads. Existing residents ride horses and walk along these roads, and these activities would become far more dangerous with increased traffic. Additionally, new residents who are not accustomed to equestrian communities might not know to slow down when driving by horses so that they do not spook them. The increased traffic, in turn, could lead to pressure to widen the roads or change their status to Rural Collector roads.

New, urban residents are also more likely to complain about smell or noise from large animals in the vicinity. Additionally, urban areas contain street lights, which

⁷ HGV contains 55 larger lots around its periphery that allow on-site equestrian uses and might conceivably be considered “rural” for purposes of this analysis.

⁸ HGV allows 742 homes total. See HGV Specific Plan at 10. Subtracting 55 larger-lot, equestrian homes from this number equals 687.

diminish the dark skies that define the existing community. See Community Plan at 16 (describing how the community's residents value dark nighttime skies). Residents of urban/suburban communities also expect different levels of service and different amenities, and may lobby over time to have sidewalks, more street lights, wider roads, more commercial areas, and other services. If urban residents greatly outnumber rural ones, then these residents will have a much greater say in the way the area develops over time.

In short, approving the Project would violate the Community Plan's clear policies to maintain the rural voice and atmosphere. Courts have repeatedly overturned jurisdictions' approval of projects that are inconsistent with fundamental, mandatory and clear general plan policies such as the ones applicable here. *FUTURE*, 62 Cal.App.4th at 1341-42; *Endangered Habitats League, Inc.*, 131 Cal.App.4th at 783; *San Bernardino Valley Audubon Society, Inc. v. County of San Bernardino* (1984) 155 Cal.App.3d 738.

The *FUTURE* case is particularly analogous here. In that case, El Dorado County's general plan restricted low density residential designations "to those lands contiguous to Community Regions and Rural Centers to provide for a transition of density into the Rural Regions." *FUTURE*, 62 Cal.App.4th at 1340. Like San Diego County's "rural village" concept, El Dorado County's Community Regions and Rural Centers were areas identified in the general plan for development of rural towns. *Id.* A developer proposed a project that would have designated low density residential property in areas that were not contiguous with—i.e., not immediately bordering—a Community Region or Rural Center. *Id.* The County argued that any such general plan inconsistency was not fatal to the project approval because the project was consistent with numerous other general plan policies and it had discretion to balance the various policies in its plan. *Id.* at 1341.

The court of appeal emphatically rejected the county's arguments. It noted that the proposed project was separated from nearby Community Regions and Rural Centers by rural residential land use designations, and therefore was not contiguous with those regions and centers. *Id.* at 1340. It also specifically disagreed with the county's argument "that inconsistency with simply one general plan policy should not be enough to scuttle a project." *Id.* The court acknowledged that projects need not be consistent with each and every general plan policy if those policies are "amorphous in nature" or not fundamental to the plan. *Id.* at 1341-42. But it found that the general plan "policy of contiguous development" is "fundamental[,] . . . mandatory and anything but amorphous." *Id.* at 1341. Accordingly, it overturned the county's finding that the project complied with the general plan.

As described above, San Diego County's policy of contiguous development for village expansions is strikingly similar to the policy of contiguous development in *FUTURE*. Like the policy at issue in *FUTURE*, the County's policy here is central to the General Plan's vision of restricting dense development to the core of villages and requiring densities to feather out to the surrounding rural areas. The policy is also expressed in mandatory language and is not amorphous. As in *FUTURE*, the proposed Project's inconsistency with this General Plan policy prevents the County from approving the Project.

C. The Project Is Inconsistent With the Community Plan's Requirement That New Development Utilize Septic Systems.

The Community Plan also protects the rural character of the community by forbidding new, dense development that would require homes to connect to a wastewater treatment plant. Policy CM-10.2.1 states: "Require all proposed new development to use septic systems with one septic system per dwelling unit." By requiring new development to have septic systems, and disallowing new treatment plants, the Community Plan ensures that new homes will be built on lots that are large enough to allow septic. See County Code § 68.341(e) (requiring that subdivisions with septic systems must allow adequate land for the system, plus reserve area). The existing HGV does contain a small treatment plant, but the HGV Specific Plan—which allowed this treatment plant—was approved before the Community Plan was updated in 2011. Accordingly, the Community Plan was drafted to allow this treatment plant to continue serving the HGV community, but to forbid new homes from hooking up to it or building their own treatment plant.

The proposed HGVS would develop more than 450 homes at densities that would not allow individual septic systems. The Project is thus flatly inconsistent with this policy. The policy also meets the *FUTURE* criteria for being fundamental, mandatory and clear. It is fundamental to maintaining the rural character of the community because it explicitly restricts small-lot, urban or suburban development, which is one of the Community Plan's core goals. It is drafted in mandatory language: "*require all* proposed new development to use septic systems . . ." It is also clear and unambiguous. There is no wiggle room for developers to claim that their project complies; either new homes will have on-site septic or they will not.

Oddly, the Moore letter claims that this policy is somehow not applicable to the Project for two reasons. First, it claims that the Policy is inapplicable because the current General Plan designation for the site is Semi-Rural Residential (SR-.5), which allows ½

acre lots. It claims that half acre lots are not large enough to allow on-site septic. This argument is irrelevant. The current designation for SR-.5 does not *require* half acre lots or guarantee that landowners will be allowed to subdivide the property into half acre lots. Rather, it merely allows this as a possible maximum density if development on those lots is *also* consistent with other General Plan and Community Plan policies, including the requirement for on-site septic. Thus, even if current zoning or General Plan designations might otherwise allow for smaller lots, the County may not allow subdivision unless the subdivided lots will be large enough to utilize on-site septic systems. See *FUTURE*, 62 Cal.App.4th at 1342 (“a subdivision must not only be consistent with the general plan map, but also consistent ‘with the plan’s written policies and standards regarding uses, density, and intensity.’”).⁹

The Moore letter also makes the irrelevant observation that the Project would be designated with Village Regional designations and that villages are typically served by sewer systems. It may be true that villages are typically served by sewer systems, but this does not somehow make the policy inapplicable to the Project. On the contrary, it demonstrates that this Project—or any new or expanded village in the Community Plan area—is inconsistent with the Community Plan. The Community Plan does not contain an exception to its septic requirement for new village areas.

IV. The Project Fails to Comply With Various Standards For Protection of Health and Safety Due to Wildfire.

A. The Project Violates the County’s Fire Protection Standards for Secondary Egress, and There Is No Evidence to Support An Exception to These Standards.

The Project site is located within a statutorily designated State Responsibility Area Very High Fire Hazard Severity Zone. Numerous fires have burned through this area over the past decades. As outlined in a draft Fire Protection Plan for the Project, there have been 18 wildfires within three miles of the Project site since 1980. See Fire

⁹ Although the land is designated for SR-.5, it is zoned A70. As the County’s zoning ordinance describes, “[t]he A70 Use Regulations are intended to create and preserve areas intended primarily for agricultural crop production.” San Diego County Zoning Ordinance, Agricultural Use Regulations, § 2700. Having the properties zoned for agricultural crop production in no way supports an inference that septic systems were not intended for the parcels. On the contrary, it highlights the fact that the parcels were never intended for high-density residential development.

Protection Plan, Harmony Grove Village South, March 2015 at 15. These have burned more than 180,000 acres. *Id.* As recently as 2014, the Cocos Fire caused a mandatory evacuation order for the Harmony Grove Community and burned 26 homes and many outbuildings at the dead end of Country Club Drive within 1/4 mile of the Project.¹⁰

The County's Fire Code requires that developments meet numerous, strict standards in order to protect health and safety, ensure that emergency vehicles can access sites, and ensure that residents can evacuate safely. Relevant here, section 503.1.3 of the Fire Code states: "Dead-end roads. The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served: . . . Parcels zoned for less than 1 acre: 800 feet." This regulation ensures that residents have multiple egress routes so that if one road is blocked in the event of a fire, residents can still escape. It also ensures that there are multiple routes for emergency personnel to access a site, thereby providing firefighting and emergency response capabilities.

The requirement for secondary egress is absolutely crucial. CalFire publishes a "personal wildfire action plan" that describes how families should "[h]ave several travel routes in case one route is blocked by the fire or by emergency vehicles and equipment." CalFire, Ready, Set, Go!: Your Personal Wildfire Action Plan, at 10, attached as Exhibit 5. This allows residents to "[c]hoose an escape route away from the fire." *Id.* See also *id.* at 8 (families should "Plan several different evacuation routes"). Similarly, the Rancho Santa Fe Fire District cautions that residents should "[i]dentify a minimum of two (2) main exit routes from your neighborhood. Map out alternative routes in the event main routes are blocked." See Getting Out Alive: Preparing for Wildfire and Evacuation in the Wildland Urban Interface at 6, attached as Exhibit 6. The Fire District emphasizes the importance of having a secondary evacuation route because, "[w]hen evacuating, [residents should] use a route that takes you in the opposite direction of the fire."¹¹ The Fire District also cautions that some roads may be closed during emergencies in order to facilitate emergency equipment.¹²

¹⁰ See <http://www.nbcsandiego.com/news/local/Firefighters-Respond-to-New-Fire-in-San-Marcos-259298161.html>

¹¹ <http://www.rsf-fire.org/prepare/wildfire/index.html>

¹² <http://www.rsf-fire.org/prepare/wildfire/index.html>

Here, the Project proposes to subdivide the property into parcels that are less than an acre in size, thereby triggering the requirement to have no dead-end roads longer than 800 feet. However, the Project proposes to have a dead-end road that is ***1.3 miles long***. See Harmony Grove Village South Fire Protection Plan at 20, attached as Exhibit 7. Accordingly, some Project residents would have to drive 1.3 miles before they have a choice of directions to escape. Emergency vehicles would also have to access the Project on the same road that residents are using to attempt to escape.

Despite the overwhelming need for and logic of providing a secondary egress route, the Project applicant is currently asking the County to waive this requirement. Although the County has some discretion to approve exceptions to the County Fire Code, there is no possible justification for approving this requested exception. In order to approve it, the relevant fire code official must find that the exception “is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements.” County Fire Code § 96.1.104.8. The applicant must also provide material facts to support its request for the exception, as well as mitigation measures to address safety impacts caused by the exception. *Id.*

In its proposed Fire Protection Plan, the Project applicant admits that the Project will not meet the Fire Code’s standards for secondary egress and attempts to demonstrate that the Project nevertheless meets the intent and purpose of the code and will not threaten public safety. These justifications and rationales are unconvincing and do not provide substantial evidence to support the requested exemption.

First, the Project applicant states that a secondary egress route will be available, though admits that the route does not meet Fire Code standards for grade, pavement surface and other attributes. FPP at 33. In addition to these inadequacies, the route is located far more than 800 feet from residences in the south-western Project area. See FPP, Appdx. E. Due to the location and substandard condition of the road, this potential escape route does not assure protection of health, life and fire safety requirements or meet the intent of the Fire Code’s requirement for secondary egress.

The Project applicant also states that Country Club Drive will be widened to include three travel lanes, therefore allowing for greater access and less risk of congestion in the event of evacuation. FPP at 33. This justification ignores that secondary egress routes are important because they allow residents to escape in a different direction than a fire. Having more travel lanes will do no good if a fire is burning to the west of the Project and proceeds to burn along the Escondido Creek corridor, covering the Project’s only evacuation route in dense smoke or fire. This creek corridor is filled with natural

vegetation and is a large source of fuel. The FPP also does not describe whether the bridge will be constructed of nonflammable material that can withstand a blaze. If it is not, a fire could completely destroy the only meaningful escape route for Project residents.

The applicant claims that an exception is warranted because the Project will allegedly exceed standards for ignition-resistant buildings, fuel-modification zones, vegetation-free buffers around homes, and fire hydrant flow requirements. *Id.* at 34-36. But none of these measures make up for the lack of adequate egress. Although they may help ensure that Project homes do not burn, they do nothing to ensure that residents can evacuate in a timely manner in order to avoid smoke from approaching wildfires. Experts recognize that “[s]moke from California wildfires injures and kills more individuals than the actual fires.”¹³

Ironically, the Fire Protection Plan states that one of its mitigation measures is the development of an emergency preparedness guide based on CalFire’s “Ready, Set, Go!” model. FPP at 38. As described above, CalFire’s model plan states that residents should always have multiple evacuation routes. Thus, the applicant’s proposed mitigation measure cannot reasonably be said to resemble CalFire’s model, as it ignores one of the main safety features recommended by CalFire: multiple evacuation routes.

In sum, the Project applicant is not requesting a minor exception to the Fire Code. Rather, it is asking that the County accept significantly reduced fire safety standards on a very large development project. The proposed dead-end road that would serve the Project is *more than 8.5 times as long* as the maximum allowed distance for dead-end egress routes. And the Project would include more than 450 homes in an area that is subject to severe wildfire and that was evacuated as recently as a year ago. This is completely unacceptable and the County may not approve such a dangerous exception to its Fire Code.

B. The General Plan Prevents the County From Approving a Fire Code Exception.

The County must abide not only by the Fire Code’s rules for egress, but must also comply with the General Plan. Thus, even if the Fire Code allowed the County to approve an exception to the secondary egress standard in this instance, the County must still analyze consistency with the General Plan. Here, the General Plan states that:

¹³ <http://waterdamagesd.com/wildfire-smoke-dangerous/>

New development should be located and designed to protect life and property from [fire] and similar hazards. In high risk areas, development should be prohibited or restricted in type and/or density. In other areas, structures, properties, infrastructure, and other improvements should be designed to mitigate potential risks from these hazards. Development that cannot avoid high risk areas should be carefully reviewed for consistency with County building codes and development regulations to eliminate or minimize potential risks.

It also has other policies that address wildfire risk and the need for effective evacuation. For instance, Policy S-2.6 states: “Effective Emergency Evacuation Programs. Develop, implement, and maintain an effective evacuation program for areas of risk in the event of a natural disaster.”

The Project fails to comply with these General Plan policies. Rather than prohibiting or restricting development in this high fire danger area, the County is proposing to allow more than 450 new homes. Instead of carefully reviewing the Project for consistency with the Fire Code, the Project applicant is requesting a dangerous and possibly unprecedented exception from one of the Code’s main safety provisions. The County cannot develop and implement an effective evacuation program for more than 1,000 new residents that live down a dead-end road in a development with only one effective evacuation route. The Project clearly conflicts with the General Plan and the County must reject it.

C. Allowing An Exception for the County’s Secondary Egress Standards Would Violate the County’s Hazard Mitigation Plan and Jeopardize Federal and State Disaster Funding.

The County took part in preparing the Multi-Jurisdictional Hazard Mitigation Plan (“Hazard Plan”),¹⁴ which is a disaster preparedness document adopted to comply with the Disaster Mitigation Act of 2000. Under this federal legislation, increased funding is available to states and jurisdictions that have developed comprehensive mitigation plans, and states and communities must have an approved mitigation plan in place prior to receiving post-disaster funds. In order to ensure that the County can take full advantage of state and federal disaster-related grant programs, it must comply with the adopted hazard mitigation plan.

¹⁴ Available at <http://www.sandiegocounty.gov/content/dam/sdc/oes/docs/2010-HazMit-Final-August-2010.pdf> and excerpts attached as Exhibit 8.

The Hazard Plan describes how the County's topography "creates an ever-present threat of wildland fire" and the County should use large fires, such as the Firestorm of October 2003, "as a guide for fire planning and mitigation." *Id.* at 4-43. It also lists specific goals for reducing wildfire risk and actions the County will take to carry out those goals. Relevant here, the Hazard Plan promulgates the goal of "[p]romot[ing] disaster-resistant future development." *Id.* at 5-294. To carry out this goal, the County committed to "[f]acilitate consistent enforcement of general plans, zoning ordinances, and building codes," and to "[l]imit future development in hazardous areas." *Id.* The County also committed to ensure that "[h]igh fire hazard areas shall have adequate access for emergency vehicles." *Id.*

The Project violates these standards. First, the proposed Project would require an exception to the County's requirement for secondary egress. To the best of my knowledge, the County has never before granted such a large exception for a project of this size. As described above, any such exception is unjustified and would not protect residents' health and safety. Accordingly, granting this exception would mean that the County is not consistently enforcing its general plan and building code requirements for fire safety and secondary egress, as required by the Hazard Plan.

Second, if the Project includes only one County-compliant egress route, this would violate the County's commitment to ensure that high fire hazard areas have adequate emergency vehicle access. With only one route in and out of the Project site, emergency vehicles may have inadequate access because residents will be using the same street to evacuate. Further, emergency vehicles need to be able to evacuate if they are fighting a fire that becomes too threatening. With only one egress route, the Project could trap firefighters in a deadly blaze. Last, the Project does not limit development in hazardous areas, as required by the Hazard Plan. Rather, it would place hundreds of homes and more than a thousand new residents at risk.

The County must analyze the inconsistency of the Project with this Hazard Plan as part of its environmental review pursuant to the California Environmental Quality Act. 14 Cal. Code Regs. § 15125(d) (environmental impact reports must analyze inconsistencies between a proposed project and applicable regional plans for protection of resources); 14 Cal. Code Regs., §§ 15000 et seq, Appendix G, § VIII(g) (projects may have significant environmental impacts if they will "[i]mpair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan"). As part of this analysis, it must analyze whether these inconsistencies may lead to reduced federal and state disaster funding, and consequent environmental impacts. For example, if Project approval causes the County to violate the Hazard Plan, and therefore

risk losing disaster funding, it is reasonably foreseeable that reduced funding may cause environmental impacts related to the County's inability to prepare for and clean up after future disasters.

The Project's inconsistency with the Hazard Plan could jeopardize the County's ability to receive state or federal disaster funding in the event of a natural disaster. The County expended time and resources helping develop the Hazard Plan and cannot and should not lightly throw aside the commitments it made in that Plan. As the Plan states, the County is committed to consistently enforcing its Fire Code. Consistent enforcement requires the County to reject any version of this Project that includes only one compliant evacuation route.

D. Even if the County Could Proceed With This Project, It Should Rely on the Rancho Santa Fe Fire District, Not CalFire, to Provide Firefighting Services.

The Project site lies within the Rancho Santa Fe Fire District's sphere of influence, and the District has submitted a LAFCO application to annex this land. Nevertheless, I understand that the County is considering having the County Fire Authority take jurisdiction for fire services for this Project, and then contracting with CalFire to provide the services. This is both a risky proposition as well as unnecessary.

It is not clear that CalFire may lawfully contract with the County to provide firefighting services that facilitate rural, non-infill development such as this Project. As a state agency, CalFire is legally obligated to ensure that its funding and infrastructure decisions conform to the state's planning priorities and Environmental Goals and Policy Report ("EGPR"), codified in Section 65041.1 of the Government Code. As described in the attached letter sent to CalFire, these priorities include promoting infill development, protecting agricultural and open space land, and reducing driving and associated greenhouse gas emissions.

Here, the HGVS Project is located in a rural area, will convert large swaths of farmland, and will likely cause greater driving and climate pollutants because it is relatively far from sizable commercial and job centers. Accordingly, I have asked CalFire to provide information regarding whether its provision of infrastructure, funding and services to rural developments such as HGVS will conform with state law. If the County wishes to contract with CalFire for services for this Project, I believe it would be inappropriate for the County to proceed with processing this development application until the issue of CalFire's ability to lawfully provide these services is resolved.

There is also no reason for the County to contract with CalFire for fire services in this location. As described above, the Rancho Santa Fe Fire District has submitted an application to LAFCO to annex the Elfin Forest/Harmony Grove area, which lies within its sphere of influence. The Rancho Santa Fe Fire District will be able to provide adequate service to the rural residences in the area, and this annexation makes logical sense, as the District already serves much of the surrounding area.

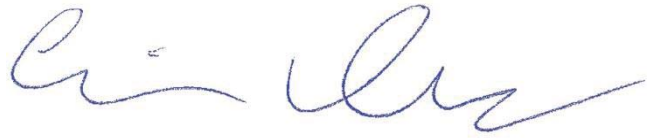
The Rancho Santa Fe Fire District will also be able to provide an impartial assessment of whether the Project may legitimately obtain an exception to the County's secondary egress standard. In contrast, if the County Fire Authority took jurisdiction of the area as part of a contract for services with CalFire, the Town Council is concerned that the County might be unduly inclined to approve such an exception to the egress standard. This is because the Project is slated to be served by the planned Harmony Grove Village fire station, yet this station is currently underfunded. Approving HGVS would provide more homes and more funding for this fire station, thereby helping address this funding shortfall. Although the funding shortfall is serious and the County should consider all reasonable ways to rectify it, the County cannot and should not allow such budget decisions to sway its determination of whether to approve this Project or give itself the authority to approve an exception to its fire standards. The lack of appropriate secondary egress is an incredibly important public safety issue that cannot be swept aside for the sake of correcting the County's failure to secure adequate funding for the HGV fire station.

Conclusion

The proposed Project violates numerous, core policies of the Community Plan and General Plan and the County must reject it.

County of San Diego
June 25 2015
Page 26

Regards,



Erin B. Chalmers
SHUTE, MIHALY & WEINBERGER LLP

cc (e-mail only):

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Dave Roberts, Supervisor, District 3
Dianne Jacob, Supervisor, District 2
Ron Roberts, Supervisor, District 4
Greg Cox, Supervisor, District 1
David Sibbett, Planning Manager, PDS
Cara Lacey, Interim Chief of Project Planning
Bruce Liska, San Dieguito Planning Group
David Kovach, RCS Harmony Partners, LLC
Marcel Arsenault, Real Capital Solutions
Brian Paul, Homebuilder Capital Solutions

(Only Exhibit 1 is being attached for those on the cc list)

Exhibits:

- 1) June 25, 2015, Letter to CalFire re Environmental Goals and Planning Report
- 2) Harmony Grove Village Sewer District Boundary
- 3) Q. Eastman, *Supervisors Approve Harmony Grove Village*, Feb. 8, 2007
- 4) San Diego County General Plan Update EIR (excerpts)
- 5) CalFire, Ready, Set, Go!: Your Personal Wildfire Action Plan

- 6) Getting Out Alive: Preparing for Wildfire and Evacuation in the Wildland Urban Interface
- 7) Harmony Grove Village South Fire Protection Plan
- 8) Multi-Jurisdictional Hazard Mitigation Plan

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EXHIBIT 1

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June 25, 2015

Via E-Mail and U.S. Mail

Tony Mecham
Unit Chief, San Diego Unit
California Department of Forestry and Fire
Protection
2249 Jamacha Rd.
El Cajon, CA 92019

Re: Consistency Between State Environmental Goals and Policy Report
and Fire Service to Harmony Grove Village South

Dear Mr. Mecham:

This firm represents the Elfin Forest Harmony Grove Town Council (“Council”) in matters related to San Diego County’s consideration of the proposed Harmony Grove Village South Project (“HGVS Project”). It also represents the Cleveland National Forest Foundation in matters related to the County’s consideration of the proposed Lilac Hills Ranch Project (“Lilac Hills Project”). This firm recently learned that the California Department of Forestry and Fire Protection (“CalFire”) might enter into a contract with the County to provide fire protection services and associated infrastructure to the HGVS Project. Likewise, the County is currently planning to rely on CalFire’s Miller station to provide primary firefighting and first responder infrastructure and service for the 1700 plus home Lilac Hills Project.¹

I question whether it is inappropriate for CalFire to provide infrastructure, funding or support that facilitates the approval and construction of the HGVS and Lilac Hills Projects or similar large, sprawl developments located in the fire-prone wildland urban interface. As a state agency, CalFire is legally obligated to ensure that its funding and infrastructure decisions conform to the state’s planning priorities and Environmental

¹ See Lilac Hills Ranch Fire Protection Plan, pp. 27-31, at http://www.sandiegocounty.gov/content/dam/sdc/pds/regulatory/docs/LILAC_HILLS_RANCH/Recirculation/GPA12001-REIR-AppendixJ-Fire_Protection_Plan-061214.pdf.

Goals and Policy Report (“EGPR”), codified in Section 65041.1 of the Government Code. As described more fully below, these priorities include promoting infill development, protecting agricultural and open space land, and reducing driving and associated greenhouse gas emissions. Here, the HGVS and Lilac Hills Projects are located in rural areas, will convert large swaths of farmland, and will cause greater driving and climate pollutants. They are also located in high fire danger zones.

Pursuant to Government Code section 65042(c), which directs every state agency and officer to “[c]omply with any request for advice, assistance, information, or other material” related to that agency’s compliance with the EGPR, I request that CalFire provide information regarding whether its planning documents conform to the state’s planning priorities and the EGPR. I also request that CalFire determine whether it may lawfully provide funding, infrastructure or other support for the HGVS or Lilac Hills Projects. If CalFire believes that it may provide such support, please provide information demonstrating how this support complies with the state’s planning priorities and EGPR.

CalFire provides vital services to many rural areas, and the public is indebted to CalFire for the hard and often dangerous work its employees perform in order to protect the state’s residents and resources. At the same time, the state has limited resources and has enacted laws to ensure that CalFire and other state agencies carefully utilize these resources to further particular health, safety and environmental goals and to protect taxpayer resources. I appreciate CalFire’s careful consideration of this matter.

California Law Sets Environmental Planning Priorities for State Agencies

Under California law, state agencies and officials that request infrastructure funding must “specify how that infrastructure is consistent with the state planning priorities specified pursuant to [Government Code] Section 65041.1.” Gov. Code § 13103. Those priorities include promoting infill development and ensuring that any infrastructure associated with non-infill development supports efficient land use, is built adjacent to existing developed areas, is in an area appropriately planned for growth, is served by adequate transportation and other essential utilities and services, and minimizes ongoing costs to taxpayers. Gov. Code § 65041.1(a), (c). They also include “protecting, preserving, and enhancing the state’s most valuable natural resources, including working landscapes such as farm, range, and forest lands, natural lands such as wetlands, watersheds, wildlife habitats, and other wildlands” Gov. Code § 65041.1(b). Agencies must ensure that their functional plans are consistent with these priorities and “annually demonstrate” such consistency when requesting funding. Gov. Code § 65042(b).

Agencies must also look to the EGPR “as a basis for judgments about the design, location and priority of major public programs, capital projects and other actions, including the allocation of state resources for environmental purposes through the budget and appropriation process.” Gov. Code § 65047(e). The current version of the EGPR commits California to “more compact urban areas . . .” EGPR (1978) at 9.² To that end, agencies should focus on “curbing wasteful urban sprawl and directing new development to existing cities and suburbs.” *Id.* The EGPR also prioritizes “protecting the most productive agricultural lands.” *Id.* at 9, 18.

California, through the Office of Planning and Research, is in the process of updating the EGPR. The current draft directs local governments to “avoid placing infrastructure, housing, and other amenities in harm’s way without careful consideration of alternatives and co-benefits associated with the choices.” Draft EGPR at 26.³ At the same time, the draft notes that an “increase in the frequency and severity of extreme events, including. . . wildfires . . . poses potential risks to new and existing infrastructure.” *Id.* at 32.

The draft also prioritizes the protection of agricultural land and encourages compact, transit-oriented and walkable development as a way to minimize greenhouse gas emissions. According to the current draft, “[c]ompact, infill and redevelopment [are] the first priority for new development, coupled with a goal to preserve natural and working lands.” *Id.* at 3. California should preserve “[i]ntact natural systems and prime agricultural land [to] provide resilience for the natural and built environment.” *Id.* Moreover, California can reduce the amount of land needed to accommodate growth by implementing aggressive smart-growth policies including “higher density, mixed-use development, better access to transit, and other policies that facilitate reductions in driving. This reduction in land consumption can reduce pressures on agricultural and working lands, forests, and other important land resources.” *Id.* at 11. To that end, the current draft also prioritizes investments in public transit and walkable communities that are close to jobs and “provide viable alternatives to driving.” *Id.* at 15.

CalFire’s planning documents acknowledge the high costs associated with increased residential development in the wildland urban interface, but fail to demonstrate

² See 1978 EGPR: An Urban Strategy for California, at http://www.opr.ca.gov/docs/urban_strategy.pdf.

³ See Discussion Draft, California’s Climate Future, at http://opr.ca.gov/docs/EGPR_ReviewDraft.pdf.

consistency with the EGPR. They do not discuss how CalFire's provision of services to large new, rural development projects facilitates more sprawling, leap-frog development in high-risk fire zones, nor do they explain how this is consistent with state planning priorities. For example, CalFire's 2010 Strategic Fire Plan notes that climate change will result in "longer fire seasons and a greater probability of intense fires in western forests." CalFire Strategic Fire Plan at 5 (2010).⁴ At the same time, "the exposure of people and homes to these threats has increased due to population growth and development in wildland and wildland urban interface (WUI) areas." *Id.* Together these trends "complicate fire suppression and, in turn, increase the need for *fire prevention and planning efforts*." *Id.* at 6 (emphasis added). CalFire plans to "[a]rticulate and promote the concept of land use planning as it relates to fire risk" as one way to deal with these threats. *Id.* at 11. At no point, however, does the Strategic Fire Plan mention the EGPR or the planning priorities listed in Section 65041.1 of the Government Code.

CalFire's San Diego Unit Strategic Fire Plan contains the same acknowledgement of the risks, but again omits any mention of the State's planning priorities regarding infill and efficient development. *See* CalFire San Diego Unit Plan at 3 (2014)⁵ (explaining that wildland fire planning "is about the whole system of wildland fire planning and thinking about where and how people live and coexist within wildfire prone environments"); *id.* at 7 (noting that climate change, population growth in the wildland urban interface, and reduced budgets "will continue to pose challenges to the Unit regarding fire suppression, prevention, and planning"). In a particularly prescient paragraph, the San Diego Unit's Strategic Plan notes that there is a "resurgence of urban interface development in the community of Harmony Grove within SRA lands." *Id.* at 29. These are the very same sorts of development that CalFire consistently ranks as the riskiest and costliest forms of development.

These planning documents rightfully discuss the risks of placing new development in the wildland urban interface. However, they do not discuss whether CalFire needs to limit provision of infrastructure, funding and services to certain types of development projects in order to comply with the state's planning priorities and EGPR.

⁴ See CalFire Strategic Fire Plan (2010), at <http://cdfdata.fire.ca.gov/pub/fireplan/fpupload/fpppdf668.pdf>.

⁵ See CalFire San Diego Unit Plan (2014), at http://cdfdata.fire.ca.gov/fire_er/fpp_planning_plans_details?plan_id=208.

San Diego County Is Relying On CalFire Infrastructure and Services to Approve New Sprawl Development

The Lilac Hills Project is a very large residential and commercial development that would be located in the Valley Center and Bonsall planning areas. The project would develop hundreds of acres of productive farmland and would indirectly, negatively impact numerous other, nearby agricultural operations. It would be located far from Escondido and any other existing, large communities, and the property is not designated for dense development under the existing County General Plan. Additionally, it is inconsistent with SANDAG's Sustainable Communities Strategy. According to the Project's EIR, the Project's residents, employees and visitors would drive *60 million miles* per year, causing emission of more than 20,000 metric tons of climate pollutants ever year. The Project area is not served by transit. Portions of the Project are also located in very high fire danger zones.

Pursuant to its General Plan, the County requires new development of this type to demonstrate that all residences can be reached by fire and emergency services within 5 minutes. The Deer Springs Fire Protection District is the fire authority with jurisdiction over this Project.⁶ However, as that Fire District has explained to the County, it cannot provide the required response times for the Project.⁷ Accordingly, the Project's Fire Protection Plan relies on CalFire Station 15 (Miller Station), which is closer to the Project, to provide the required 5 minute response time.⁸

⁶ See Lilac Hills Ranch Fire Protection Plan, at http://www.sandiegocounty.gov/content/dam/sdc/pds/regulatory/docs/LILAC_HILLS_RANCH/Recirculation/GPA12001-REIR-AppendixJ-Fire_Protection_Plan-061214.pdf, p. 24.

⁷ http://www.sandiegocounty.gov/content/dam/sdc/pds/regulatory/docs/LILAC_HILLS_RANCH/Recirculation/publiccomment/Deer%20Springs%20Fire%20Protection%20District.pdf

⁸ Lilac Hills Ranch Fire Protection Plan, pp. 27-30 (listing Deer Springs Fire Station 11 as the primary fire station for the Project but admitting that this station can only provide 7-9 minute response times, and that the location of CalFire's Miller Station near the Project will be "critical" for providing "emergency service (medical emergencies, vehicle accidents, and structure and wildland fires)" for the Project).

The HGVS Project is located east of Escondido and South of San Marcos in the Elfin Forest/Harmony Grove planning area. The Project would construct more than 450 homes on small lots in this rural valley. Although the County has not yet conducted environmental review, the Project will likely have significant greenhouse gas emissions due to the Project's location far from existing cities, jobs and services. It will also develop dozens of acres of farmland. Notably, this type of urbanized development is specifically disallowed by the County's General Plan, which contains multiple policies to protect the rural nature of the area.

The Project site is located within a statutorily designated State Responsibility Area Very High Fire Hazard Severity Zone. According to draft Project documents, the Project would have only one entrance and egress route. It would therefore conflict with County General Plan fire safety standards, which generally require multiple egress routes. As currently proposed, the County will have to obtain an exception to this standard from the fire authority with jurisdiction over the Project. This authority is currently the Rancho Santa Fe Fire District; however, I understand that the County Fire Authority is considering taking over jurisdiction itself, and would then want to contract with CalFire to provide fire protection services.

CalFire Must Demonstrate How Its Planning Documents and Infrastructure Decisions Conform With State Law

As described above, San Diego County wishes to rely on CalFire to provide critical firefighting infrastructure and services to at least two, large new development projects located in fire-prone areas. If CalFire wishes to facilitate these or other similar developments in the County by providing firefighting services, it will need to demonstrate that its Strategic Fire Plans allow the agency to provide these services, and that the Fire Plans, in turn, are consistent with the state's planning priorities and EGPR.

Pursuant to Government Code section 65042(c), I therefore request that CalFire provide information demonstrating whether or not it believes that providing infrastructure and services to large-scale, rural developments such as HGVS and Lilac Hills would be consistent with the EGPR and Government Code section 65041.1 priorities of supporting in-fill and reducing greenhouse gas emissions, curbing wasteful sprawl, protecting farmland, and avoiding putting people and homes in harm's way.

Thank you for your attention to this matter, and I look forward to your response.

Harmony Grove Village South Project
June 25, 2015
Page 7

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Erin B. Chalmers

cc: George Gentry, Executive Officer, Board of Forestry and Fire Protection
Stephanie Shimazu, Chief Counsel, Cal Fire
Ken Alex, Director, Governor's Office of Planning and Research
Jacqueline Arsivaud, Elfin Forest Harmony Grove Town Council
Duncan McFetridge, Cleveland National Forest Foundation

688796.2

EXHIBIT 2

EXHIBIT 'B'

LEGEND

- INDICATES SEWER MAINTENANCE BOUNDARY
- INDICATES SHEET INDEX
- (R) INDICATES RADIAL BEARING

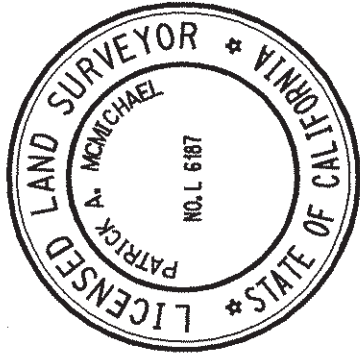
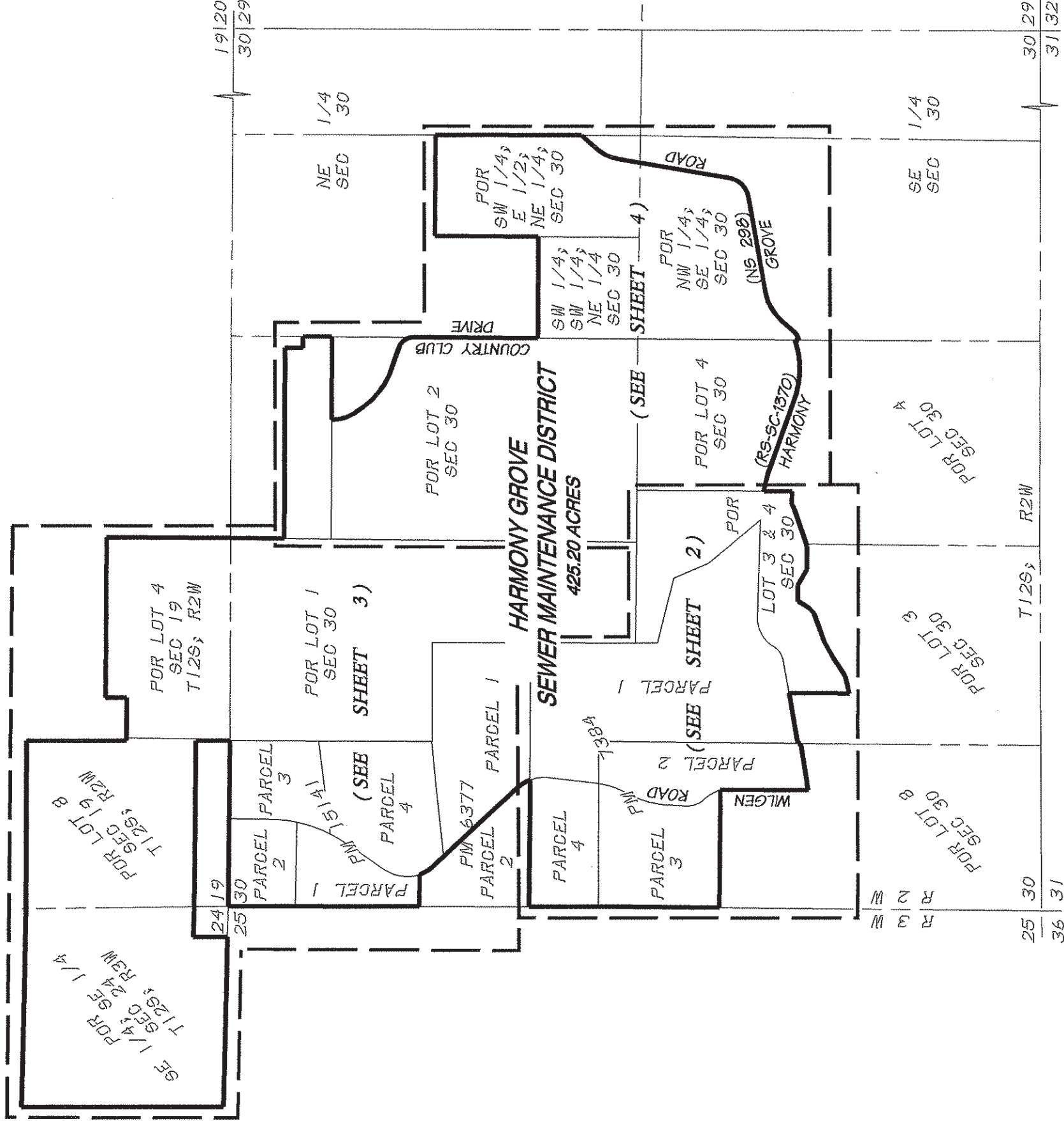
INDEX SHEET

REFERENCE DRAWINGS

PARCEL MAP NOS. 6377, 7384 AND 15141



GRAPHIC SCALE 1"= 800'



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Patrick A. McMichael
PATRICK A. MCMICHAEL, LS 6187 DATE 9-21-2010

HARMONY GROVE
SEWER MAINTENANCE DISTRICT BOUNDARY

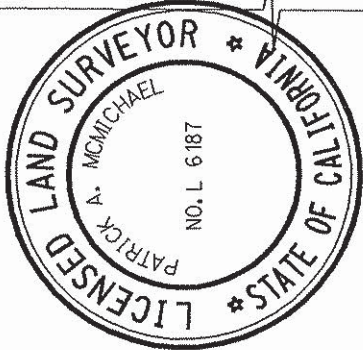
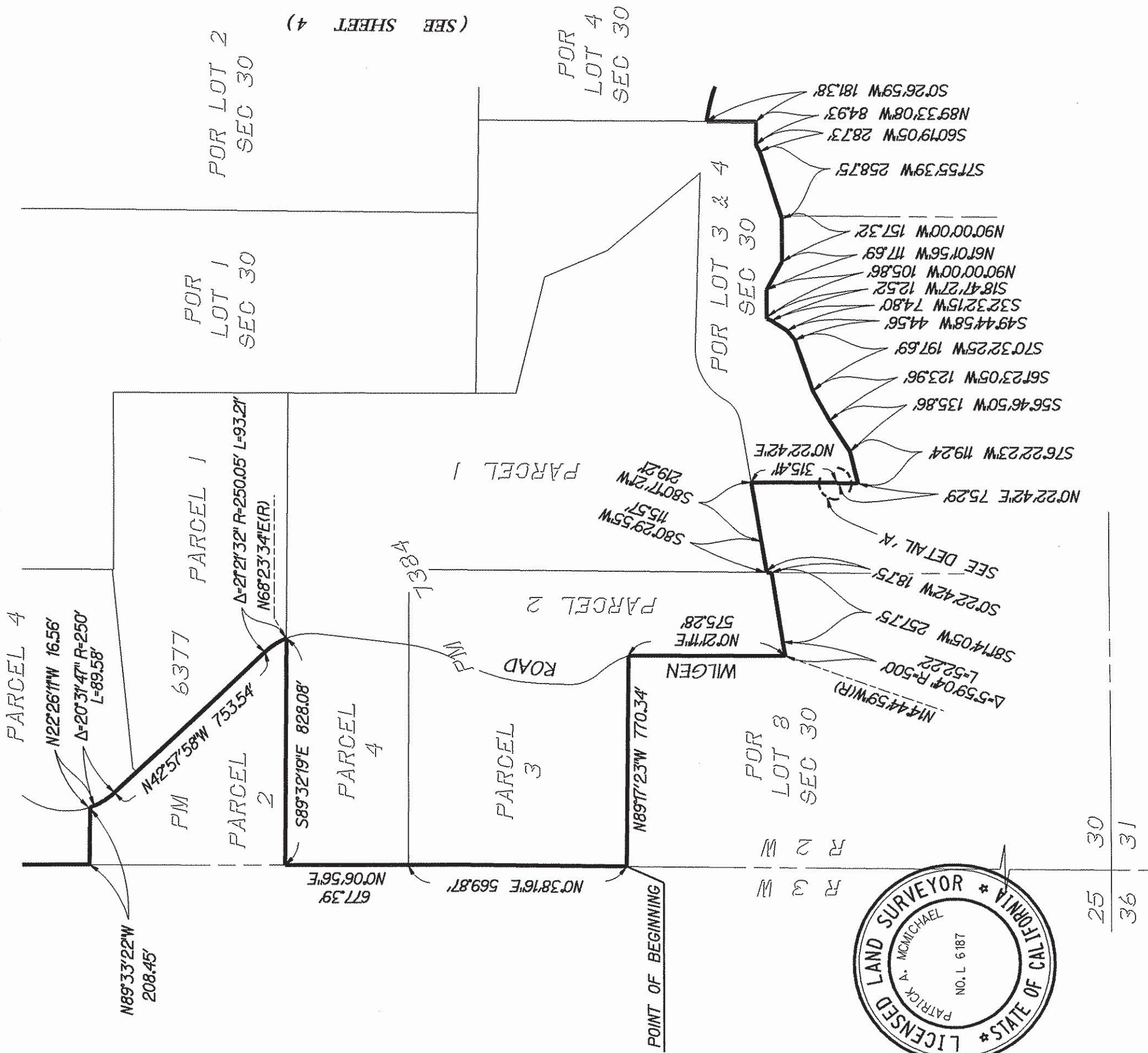
SHEET 1 OF 4

EXHIBIT 'B'



DETAIL 'A'

(SEE SHEET 3)

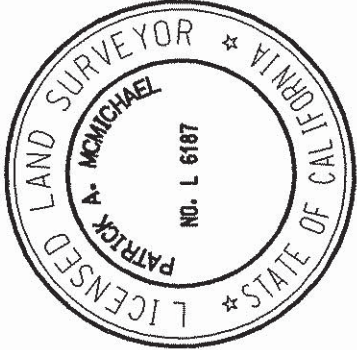
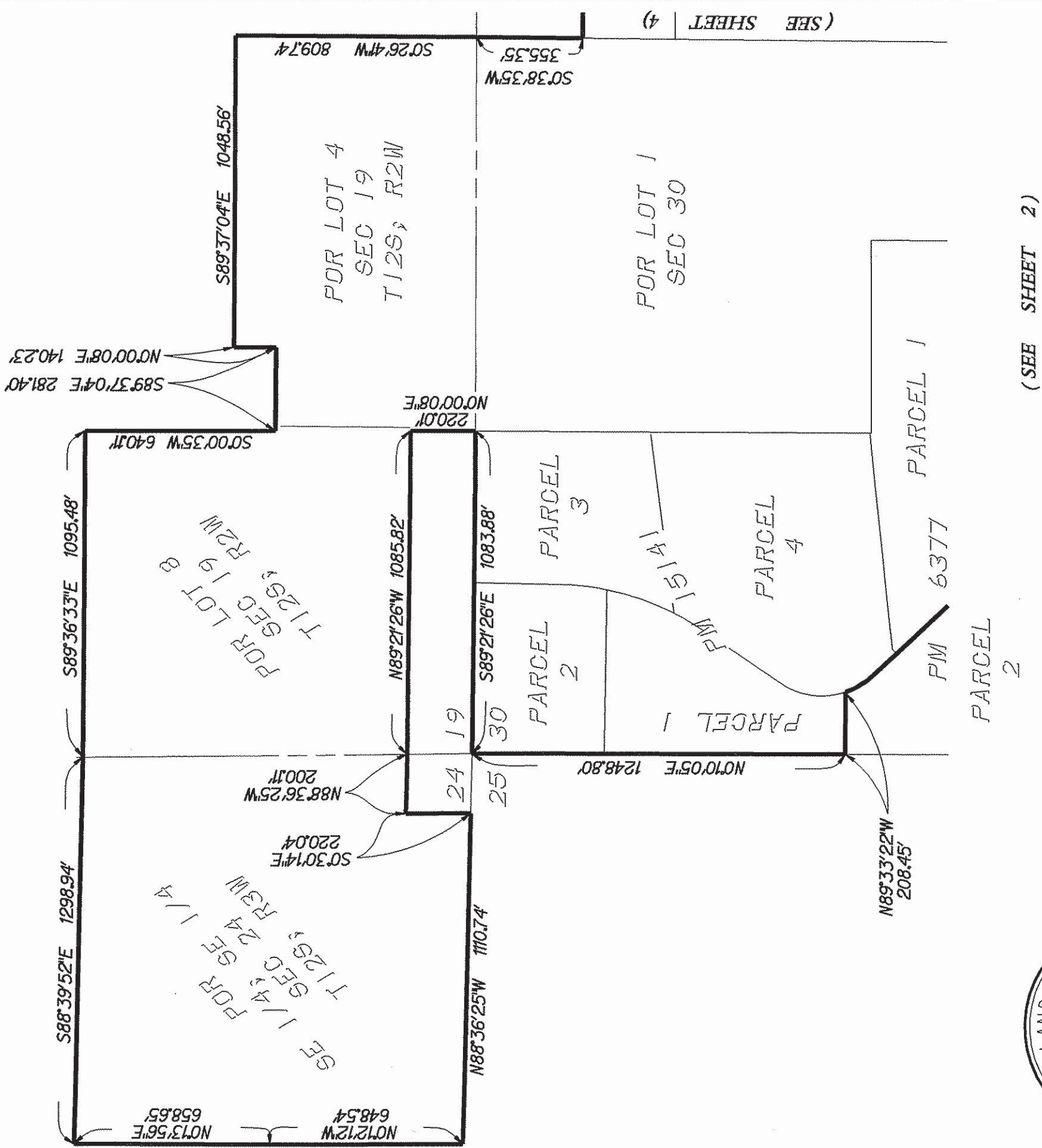
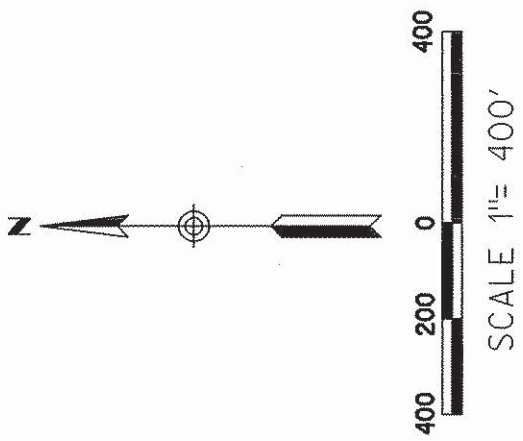


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HARMONY GROVE
SEWER MAINTENANCE DISTRICT BOUNDARY

Patrick A. McMichael
PATRICK A. McMICAL, LS 6187
DATE 2/21/2010

EXHIBIT 'B'



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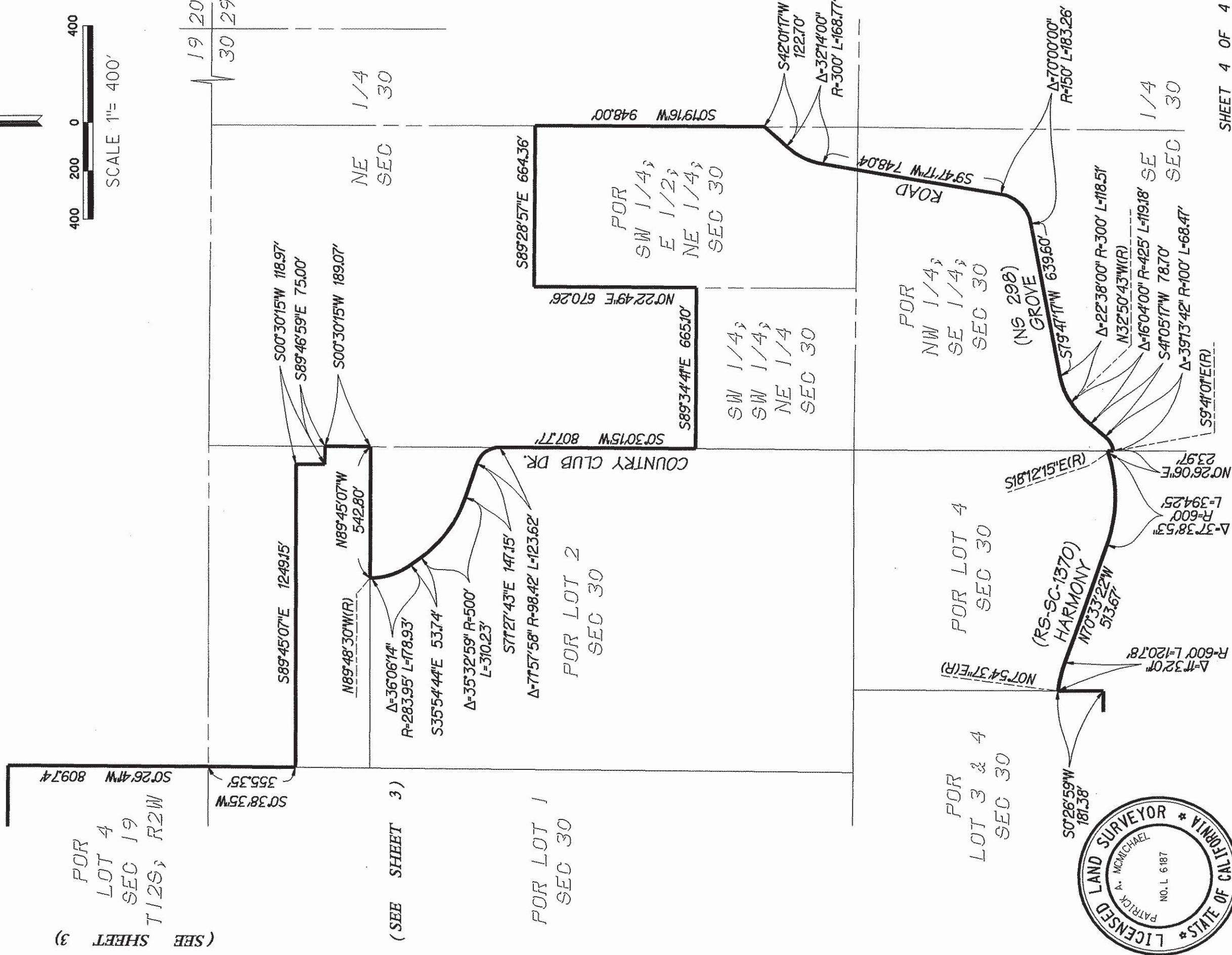
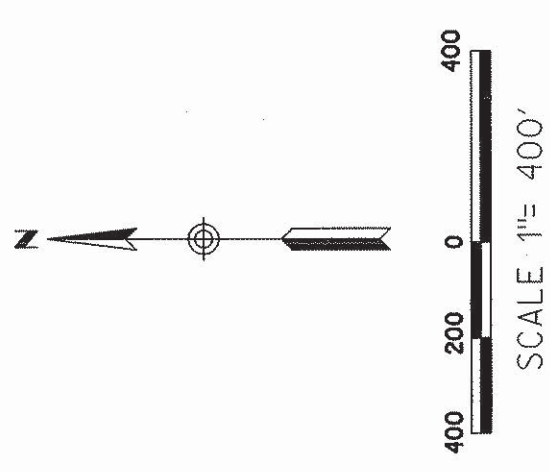
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PATRICK A. MCMICHAEL, LS 6187 DATE *9-21-2010*

HARMONY GROVE
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SHEET 3 OF 4

EXHIBIT 'B'



SHEET 4 OF 4

**HARMONY GROVE
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